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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., MONDAY, MAY 4, 1936. No. 1.

SENATE

MONDAY, MAY 4, 1936, 8 O'CLOCK P. M.

This being the day and hour fixed by the Governor of the Commonwealth in his Proclamation, convening the General Assembly in Extraordinary Session, the members of the Senate assembled in the Senate Chamber.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) called the Senate to order at 8 o'clock P. M.

PRAYER

The Chaplain, Rev. William E. Howard, D.D., offered the following prayer:

O Lord, our Heavenly Father, from every section of our Keystone State the men charged with the task of enacting legislation to promote the happiness and well being of our people are gathered in Special Session. Beneath the dome of this beautiful Capitol they stand in Thy presence.

One who met here with his associates a few short months ago has answered the Last Roll Call, and is no longer in our midst. We pause in our devotions to think of him and to honor his memory.

Bless those who tonight assume the official duties of this Senate for the first time. These legislators here assembled, under Thy wisdom and Thy guidance, may they hearken unto Thy voice, and lean upon Thine arm. Thou art the final judge of all human activity. Thy voice speaks louder than any human voice. We pray that Thy call to service may reverberate through the halls of this building, and that our answer may be, "Speak Lord, for Thy servant heareth." Amen.

The PRESIDENT. Will the Senators arise and face the west for a moment as a token of respect to the memory of our late colleague, Honorable James E. Norton, who died December 9, 1935?

Whereupon the Senators remained standing in respect to the memory of the late Senator James E. Norton.

ROLL CALL

The PRESIDENT. The Chief Clerk will call the roll.

The Chief Clerk called the roll and the following Senators were present:

Max Aron	John J. McCreesh
Alonzo S. Batchelor	Bernard B. McGinnis
Herman E. Baumer	Charles E. Miller
Theodore Lane Bean	G. Mason Owlett
Edward B. Bennett	Henry J. Pierson
Clarence J. Buckman	Leon C. Prince
Anthony Cavalcante	Walter S. Pytko
Leroy E. Chapman	George L. Reed
James J. Coyne	J. Albert Reed
Charles H. Ealy	John S. Rice
Edward R. Frey	Warren R. Roberts
Frederick T. Gelder	William B. Rodgers
Peter Graff, III	George A. Rupp
Frank J. Harris	Samuel W. Salus
Laning Harvey	Harry Shapiro
John G. Homsher	Charles W. Sones
John W. Howell	Andrew J. Sordoni
Harvey Huffman	Charles W. Staudenmeier
I. Dana Kahle	Benjamin H. Thompson
Henry E. Lanius	Joseph C. Trainer
Glen R. Law	George Woodward
Charles R. Mallery	Joseph R. Ziesenheim

ABSENT

William H. Clark	George Rankin, Jr.
John J. McClure	Edward Jackson Thompson

LEAVES OF ABSENCE

Mr. HOMSHER asked and obtained leave of absence for the Senator from Delaware, Mr. McClure, on account of the death of his mother.

Mr. RODGERS asked and obtained leave of absence for the Senator from Allegheny, Mr. Rankin.

Mr. ROBERTS asked and obtained leave of absence for the Senator from Centre, Mr. Thompson.

The PRESIDENT. A quorum of the Senate being present, the Senate is ready to proceed with the business of the Session.

SPECIAL ELECTION FOR SENATORS IN THE ELEVENTH AND THIRD SENATORIAL DISTRICTS

The President announced that, as directed by the Constitution and laws of this Commonwealth, on March 31, 1936, he had issued writs for Special Elections to be held on April 28, 1936, for Senator of the Eleevnth Senatorial District to fill the vacancy caused by the death of James E. Norton, on December 9, 1935; and in the Third Senatorial District to fill the vacancy caused by the resignation of William C. Hunsicker on January 6, 1936.

The writs were read as follows:

Commonwealth of Pennsylvania }
To the Sheriff of the County of Berks } ss

Greetings: Whereas a vacancy exists in the office of Senator of the State of Pennsylvania, for the Eleventh Senatorial District, composed of the County of Berks, by reason of the death on December ninth, one thousand nine hundred and thirty-five, of Honorable James E. Norton, Senator from said Senatorial District.

Now, therefore, I, Thomas Kennedy, President of the Senate, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania, and by the Act of Assembly, in such case made and provided, do hereby command you: That you cause an election to be held in the said Eleventh Senatorial District of the State of Pennsylvania on Tuesday, twenty-eighth day of April, A. D. One thousand nine hundred and thirty-six, to choose a person to represent said Eleventh Senatorial District in the Senate of Pennsylvania, for the remainder of the term

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expiring November thirtieth, One thousand nine hundred and thirty-six, and that you give due and public notice of said election throughout said Eleventh Senatorial District in form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this thirty-first day of March, One thousand nine hundred and thirty-six.

[SEAL] THOMAS KENNEDY
President of the Senate

RETURN OF THE SERGEANT AT ARMS IN SERVING WRIT

State of Pennsylvania } ss
County of Berks }

Thomas H. Dann, being duly sworn according to law, says that he resides at Yeadon, Delaware County, Pennsylvania, that he is Sergeant-at-Arms of the Senate of Pennsylvania:

That he served on the Honorable John C. Cook High Sheriff of the County of Berks on 31st, March, One thousand nine hundred and thirty-six, at 12:45 o'clock, P. M., at the office of said Sheriff in the City of Reading, Pennsylvania, a special writ of election for the Eleventh Senatorial District, composed of the County of Berks, a copy of which is hereto affixed, by command of the Honorable Thomas Kennedy, Lieutenant-Governor of the Commonwealth and President of the Senate.

(Signed), THOMAS H. DANN,
Sergeant-at-Arms

Sworn and subscribed to this 31st day of March, 1936, A. D.

[SEAL]

ESTHER W. FISHER, Notary Public,
My commission expires June 27, 1936

SPECIAL ELECTION FOR SENATOR IN THE THIRD SENATORIAL DISTRICT

To the Sheriff of the County of Philadelphia } ss
Commonwealth of Pennsylvania }

Greetings: Whereas a vacancy exists in the office of Senator of the State of Pennsylvana, for the Third Senatorial District, composed of the fifth, sixth, tenth, eleventh, twelfth, thirteenth, fourteenth, sixteenth, and eighteenth wards of the city of Philadelphia, County of Philadelphia, by reason of the resignation on January sixth, One thousand nine hundred and thirty-six, of Honorable William C. Hunsicker, Senator from said Senatorial District.

Now, therefore, I, Thomas Kennedy, President of the Senate, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania, and by the Act of Assembly, in such case made and provided, do hereby command you: That you cause an election to be held in the said Third Senatorial District of the State of Pennsylvana, on Tuesday twenty-eighth day of April, A. D. One thousand nine hundred and thirty-six, to choose a person to represent said Third Senatorial District in the Senate of Pennsylvania, for the remainder of the term expirng November thirtieth, One thousand nine hundred and thirty-six, and that you give due and public notice of said election throughout said Third Senatorial District in form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this thirty-first day of March One thousand nine hundred and thirty-six.

[SEAL] THOMAS KENNEDY
President of the Senate

RETURN OF THE SERGEANT-AT-ARMS IN SERVING WRIT

State of Pennsylvania } ss
County of Philadelphia }

Thomas H. Dann, being duly sworn according to law, says that he resides at Yeadon, Delaware County, Pennsylvania, that he is Sergeant-at-Arms of the Senate of Pennsylvania.

That he served on the Honorable William J. Hamilton, Jr., High Sheriff of the County of Philadelphia on 31st day of March, One thousand nine hundred and thirty-six, at 9:28 o'clock, A. M., at the office of said Sheriff in the City of Philadelphia, Pennsylvania, a specal writ of election for the Third Senatorial District, composed of the fifth, sixth, tenth, eleventh, twelfth, thirteenth, fourteenth, sixteenth, and eighteenth wards of the city of Philadelphia, County of Philadelphia, a copy of which is hereto affixed, by command of the Honorable Thomas Kennedy, Lieutenant-Governor of the Commonwealth and President of the Senate.

(Signed) THOMAS H. DANN,
Sergeant-at-Arms

Sworn and subscribed to this 31st day of March, 1936, A. D.

WILLIAM D. LINDSAY, Notary Public.
My Commission expires March 15, 1937.

[SEAL]

PRESENTATION OF RETURNS OF ELECTION OF SENATORS

The Secretary of the Commonwealth being introduced, presented the returns of the Special Elections held on April 28, 1936, for Senators, which were laid upon the table.

OPENING OF RETURNS

Mr. BUCKMAN. Mr. President, I move that the Senate do now proceed to open and read the returns presented by the Secretary of the Commonwealth.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to and the said returns were opened and read as follows:

To the Senate of Pennsylvania

Commonwealth of Pennsylvania } ss
County of Berks }

I, Lewis R. Schaeffer, Prothonotary of the Court of Common Pleas in and for said County, do hereby certify, that it appears from the Returns of the Special Election, held in said County on the fourth Tuesday of April, being the Twenty-eighth day of April, A. D. 1936, as computed in the presence of the Judge of the said Court by the proper officer and his sworn assistants, and duly certified and filed by said Judge in my office, that the following is the number of votes cast for the several candidates for the office of Senator in the General Assembly:

In the Eleventh Senatorial District

REPUBLICAN

Joseph D. Eisenbrown had Seven thousand eight hundred forty-seven (7847) votes.

DEMOCRATIC

Frank W. Ruth had sixteen thousand two hundred seventy (16270) votes.

SOCIALIST

George M. Rhodes had nine thousand five hundred eleven (9511) votes.
Pauline Thomas had one vote (1).
Earl Anderson had nineteen votes (19).

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Guy Moser had twenty eight votes (28).
Stanley Stoudt had one vote (1).

In Testimony Whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this 2nd day of May A. D. 1936.

[SEAL]

(Signed) LEWIS R. SCHAEFFER
Prothonotary

To the Senate of Pennsylvania

Commonwealth of Pennsylvania } ss
County of Philadelphia }

I, John M. Scott, Prothonotary of the Court of Common Pleas in and for said County, do hereby certify, that it appears from the Returns of the Special Election, held in said County on the fourth Tuesday of April, beng the Twenty-eighth day of April, A. D. 1936, as computed in the presence of the Judges of the said Court by the proper officer and his sworn assistants, and duly certified and filed by said Judges in my office, that the following is the number of votes cast for the several candidates for the office of Senator.

Senator in the General Assembly
In the Third Senatorial District

REPUBLICAN

John R. K. Scott, had nineteen thousand five hundred nine (19509) votes.

DEMOCRATIC

H. Jerome Jaspan had six thousand one hundred three (6103) votes.
Michael Stack had one (1) vote.

In Testimony Whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this first day of May, A. D. 1936.

[SEAL]

(Signed) JOHN M. SCOTT
Prothonotary

Whereupon the following named persons were declared duly elected Senators in the General Assembly of the Commonwealth of Pennsylvania, viz:

Third District—Frank W. Ruth.
Eleventh District—John R. K. Scott.

ADMINISTRATION OF OATH OF OFFICE TO SENATORS-ELECT

The PRESIDENT. The oath will now be administered to Honorable John R. K. Scott, Senator-elect from the Third Senatorial District, by Honorable Harry S. McDevitt, Judge of the Court of Common Pleas of Philadelphia County, and to Honorable Frank W. Ruth, Senator-elect from the Eleventh Senatorial District, by Honorable Paul Schaeffer, President Judge of the Court of Berks County. The Senators-elect will present themselves at the Bar of the Senate.

The oath of office was then administered to the Senators-elect, Honorable John R. K. Scott and Honorable Frank W. Ruth.

THANKING JUDGES McDEVITT AND SCHAEFFER FOR ADMINISTERING OATHS

Mr. ARON, offered the following resolution, which was twice read, consdered and agreed to:

In the Senate, May 4, 1936.

Resolved, That the thanks of the Senate are hereby tendered to Honorable Harry S. McDevitt, Judge of the Court of Common Pleas of Philadelphia, for his services in qualifying the newly elected Senator, Honorable John R. K. Scott; and that the thanks of the Senate also are tendered to Honorable Paul N. Schaeffer, President Judge of the Courts of Berks County, for his services in qualifying the newly elected Senator, Honorable Frank W. Ruth.

PROCLAMATION OF THE GOVERNOR

The PRESIDENT. The Chief Clerk will read the Proclamation of the Governor, and Supplement.

The Chief Clerk reads Proclamation and Supplement, as follows:

PROCLAMATION

In the name and by authority of the Commonwealth of Pennsylvania

Governor's Office, Harrisburg.

By virtue of the authority vested in me by Article IV, Section 12, of the Constitution, I, GEORGE H. EARLE, Governor of Pennsylvania, do hereby convene the General Assembly of the Commonwealth in Extraordinary Session to meet in the Capitol, at Harrisburg, on Monday, May 4th, one thousand nine hundred thirty-six, at 8:00 o'clock P. M. (Eastern Standard Time) of that day, to consider legislation upon the following subjects:

1. Appropriations to the State Emergency Relief Board for unemployment relief, and expenses incident thereto, including an allocation to the State Veterans' Commission for expenses and for the purpose of providing necessities of life or other assistance to needy Pennsylvania veterans or their dependents.

2. Authorizing the Commonwealth and its various political subdivisions and their agencies or instrumentalities, either together, alone, or in cooperation with the United States Government, or any agency or instrumentality thereof, to extend relief to the victims of the recent calamitous floods, including the rehabilitation of property damaged or destroyed and the restoration of the flooded territories to a wholesome and sanitary condition.

3. Authorizing the Commonwealth, its political subdivisions and their agencies or instrumentalities, either together, alone, or in cooperation with the United States Government, or any agency or instrumentality thereof, to take appropriate measures for the prevention of floods, including reforestation, the prevention of soil erosion, and the building of dams, reservoirs, dikes and levees.

4. Social legislation to enable the Commonwealth, its political subdivisions, their agencies or instrumentalities and its citizens to obtain the full benefits of the Federal Social Security Act, including unemployment insurance, old age assistance, blind pensions, aid to dependent children, mother and child welfare assistance, assistance for public health services, amendment of existing laws to conform to the Federal requirements, and additional appropriations to enable the Commonwealth to match in full any Federal moneys available under the Social Security Act, including Federal moneys available for vocational and industrial rehabilitation purposes.

5. Providing for the abatement of tax penalties and interest on taxes imposed by the various political subdivisions, poor districts and school districts of the Commonwealth.

6. Appropriations for the purpose of increasing the capacity of over-crowded State institutions, eliminating fire, and other hazards to safety at State institutions, the purchase of safety and other equipment, the erection and construction of new buildings, and repairs, alterations and additions to and replacement of existing buildings and equipment.

7. Refunding of the bonded indebtedness of the Commonwealth.

8. Validating municipal bond issues.

9. Authorizing chattel mortgages securing loans solely from the United States of America, or any agency or instrumentality thereof.

10. Appropriations to supply deficiencies incurred by various State departments, boards and commissions in rendering assistance in connection with the recent calamitous floods.

11. Legislation to strengthen enforcement of existing revenue statutes and to offset adverse court decisions interpreting existing revenue statutes.

12. Appropriations for financially distressed school districts.

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13. By taxation or otherwise to provide revenue for the Commonwealth, its political subdivisions and their agencies or instrumentalities, and the appropriation thereof to carry out the purposes of this call.

14. Legislation appropriate for the commemoration by the Commonwealth and its citizens of (a) the One Hundred Fiftieth Anniversary of the adoption of the Constitution of the United States of America, and (b) the Three Hundredth Anniversary of the First Civilization, the Establishment of the Courts of Law and the First Capital of the United States within what is now known as the Commonwealth of Pennsylvania.

15. An amendment to Article XVIII, Section 1 of the Constitution of Pennsylvania, permitting amendments to the State Constitution to be submitted to the electors of the Commonwealth more frequently than is now permitted.

16. Legislation to eliminate cruelty to animals, that are displayed for commercial purposes.

17. Appropriation for the expenses of the Special Session.

[GREAT SEAL]

Given under my hand and the Great Seal of the State at the City of Harrisburg, this 27th day of April, in the year of our Lord one thousand nine hundred thirty-six, and of the Commonwealth the one hundred sixtieth.

GEORGE H. EARLE.

BY THE GOVERNOR.
DAVID L. LAWRENCE,
Secretary of the Commonwealth.

PROCLAMATION

In the name and by the authority of the Commonwealth of Pennsylvania

Governor's Office, Harrisburg.

Whereas, an Extraordinary Session of the General Assembly of the Commonwealth of Pennsylvania has been called, under authority of Article IV, Section 12 of the Constitution, to meet in the Capitol at Harrisburg, on Monday, May 4, 1936, at 8:00 o'clock P. M. (Eastern Standard Time).

Now, therefore, I, George H. Earle. Governor of the Commonwealth, do hereby designate the following additional subjects for the consideration of the General Assembly:

I. At the request of Mayor S. Davis Wilson, of the City of Philadelphia, the following subjects are hereby designated.

(a) Legislation authorizing the Board of Revision of Taxes of cities of the first class to classify the real estate situated therein so as to discriminate between those parcels employed exclusively for manufacturing purposes, and other real estate in such cities.

(b) Legislation authorizing cities of the first class to sell at public sale all or any part of the delinquent taxes upon real estate owing to such cities and authorizing the apropriation of moneys realized from such sales, in addition to other appropriations as now provided by law.

(c) Legislation authorizing the City of Philadelphia in acquiring public improvements of publc utilities or parts thereof or interests therein, which may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges upon municipal bonds issued to effect such acquisition as now provided by law and by Article IX, Section Eight of the Constitution, to issue such bonds, directly to the seller or sellers of said public improvements or public utilities or parts thereof or interests therein. The assent of the electors at a referendum shall be required for the creation of such indebtedness.

II. Legislation requiring cities of the Second A Class to allow members of the police departments twenty-four consecutive hours of rest each week, and fourteen days vacation each year, except in emergency cases.

[GREAT SEAL]

Given under my hand and the Great Seal of the State at the City of Harrisburg, this 30th day of April, in the year of our Lord one thousand nine hundred thirty-six, and of the Commonwealth the one hundred sixtieth.

GEORGE H. EARLE.

BY THE GOVERNOR.
DAVID L. LAWRENCE,
Secretary of the Commonwealth.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

SECRETARY TO THE GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have appointed Mr. Robert L. Myers, Jr., of Camp Hill, Cumberland County, to be Secretary to the Governor.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly I should like to address the members in Joint Session today.

I shall be glad to have you fix the hour to suit your convenience.

GEORGE H. EARLE.

PRESIDENT PRO-TEMPORE TO APPOINT STANDING AND SPECIAL COMMITTEES

Mr. GELDER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 4, 1936.

Resolved, That the President Pro Tempore of the Senate be authorized to appoint all special and standing committees of the Senate during the Extraordinary Session, and shall be ex-officio a member of all special and standing committees.

NOTIFICATION TO THE HOUSE

Mr. EALY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 4, 1936.

Resolved, That a committee of two be appointed to inform the House of Representatives that the Senate is now in session and ready to proceed to business.

The PRESIDENT. The Chair appoints as said Committee the Senator from Somerset, Mr. Ealy, and the Senator from Mercer, Mr. Law.

COMMITTEE TO NOTIFY THE GOVERNOR

Mr. HUFFMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 4, 1936.

Resolved (if the House of Representatives concur), That a committee of three on the port of the Senate be appointed to act with a similar committee on the part

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of the House, if the House shall appoint such committee, to await upon His Excellency the Governor of the Commonwealth, and inform him that the General Assembly is convened in Extraordinary Session in conformity with the proclamation of April 27, 1936, and the supplement thereto of April 30, 1936, and is ready to receive any communications he may have to make.

Ordered, That the Clerk present the same to tne House of Representatives for concurrence.

ADOPTION OF RULES

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 4, 1936.

Resolved, That the standing rules of the Senate during the Regular Session of 1935 be adopted for the government of the Senate for the present Extraordinary Session.

DISPOSITION OF PETITIONS, MEMORIALS AND REMONSTRANCES

Mr. HARRIS offered the following resolution, which was twive read, considered and agreed to:

In the Senate, May 4, 1936.

Resolved, That all petitions, memorials and remonstrances be presented by handing the same to the Chief Clerk properly endorsed with the name thereon, in accordance with the practice of the last Regular Session.

POSTAGE ON LEGISLATIVE JOURNAL

Mr. RICE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 4, 1936.

Resolved (if the House of Representatives concur), The the Chief Clerks of the Senate and the House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department, and the Appropriations Committee provide for the cost of the same in the bill providing for the expenses of the Extraordinary Session.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

AUTHORIZING PAYMENT OF SALARIES OF MEMBERS OF THE GENERAL ASSEMBLY

Mr. MILLER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 4, 1936.

Resolved (if the House of Representatives concur), That the State Treasurer be and is hereby authorized to pay on warrant of the Auditor General to each member of the General Assembly the sum of $250.00 on account of the salary of $500.00, and $50.00 in postage, to which each member is entitled for an Extraordinary Session of the General Assembly by virtue of the provisions of the Act af Assembly approved the second day of June, A. D. 1933, P. L. 1422; and the balance of said $500.00, namely, $250.00, on the day of final adjournment of the Extraordinary Session of the General Assembly, convened in session on call of the Governor, May 4, 1936.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SALARIES OF OFFICERS AND EMPLOYES

Mr. BATCHELOR offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 4, 1936.

Resolved, That the Chief Clerk of the Senate approve orders for the payment of salaries and wages only to such officers and employes of the Senate as are specifically authorized by law, and who actually perform the duties of the positions to which they have been elected or appointed.

AUTHORIZING THE PRINTING OF APPOINTMENTS MADE BY THE GOVERNOR

Mr. PYTKO offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 4, 1936.

Resolved, That the list of appointments which may be sent to the Senate by the Governor, as having been made since the last regular session, be printed for the use of the Senate under the direction of the Chief Clerk.

The CHAIR cleared his table and laid before the Senate the following communications:

RESIGNATION OF DENNIS J. MULVIHILL

May 5, 1936.

Hon. John G. Homsher,
Pres. Pro. Tem., Senate of Pennsylvania,
Harrisburg, Pa.

Dear Senator:

Confirming my letter of resignation which I have already forwarded to John E. McKirdy, Chief Clerk of the Senate, I am submitting to you my formal resignation as Assistant Chief Clerk of the Senate.

My resignation, in accordance with my conversation with Mr. McKirdy, is to take effect March 1, 1936.

I have resigned the Senate position in order to become attorney for the Pittsburgh Registration Commission. I assure you that it was a pleasure and an honor for me to have the opportunity of knowing you and the other senators. From time to time I hope to have the honor of renewing our friendship.

Thanking you for the many courtesies you and the other senators have shown me, I remain,

Respectfully yours,

DENNIS J. MULVIHILL.

RESIGNATION OF SENATE LIBRARIAN

Harrisburg, Pa., May 19, 1936.

Honorable John G. Homsher,
President Pro-Tempore Senate of Pennsylvania,
Harrisburg, Pa.

Dear Sir:

I hereby tender my resignation from the position of Senate Librarian to be effective at 4 P. M. March 18, 1936.

HERMAN P. MILLER.

EXPRESSION OF REGRET ON THE RESIGNATION OF HERMAN P. MILLER

Mr. REED (Dauphin) offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 4, 1936.

It is with regret that the Senate announces the resignation as Librarian of Herman P. Miller, long a prominent officer of this body. Mr. Miller became a page in the Senate in January, 1876, and after several promotions was appointed Librarian, July 1, 1890, a position he filled with ability and credit to the Senate and himself.

For many years Mr. Miller compiled Smull's Legislative Hand Book, served as secretary of the Republican State Committee and for a time was president of the Harrisburg Board of Trade, being actively interested in civic development and in the improvement of the capital.

In extending our appreciation of Mr. Miller's faithful service, we express the hope that his retirement will be filled with good health, happiness and prosperity.

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JOINT SESSION

Mr. SONES offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 4, 1936.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, Monday evening, May 4, 1936, at 10 o'clock in the Hall of the House for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

ANNOUNCEMENT

The PRESIDENT. The President Pro Tempore of the Senate has requested me to announce the committees of the Senate will stand as at the Regular Session of 1935, with the exception that vacancies shall be filled in accordance with the rules of the Senate.

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

Mr. ROBERTS offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 4, 1936.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House (if the House shall appoint such Committee), to escort the Governor to the Hall of the House to address the members of the General Assembly in Joint Session, at 10:00 o'clock P. M., May 4, 1936, pursuant to a concurrent resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT OF THE COMMITTEE OF NOTIFICATION TO THE HOUSE

Mr. EALY. Mr. President, the Committee appointed by the Senate to notify the House of Representatives that the Senate is duly organized and ready to proceed to businss desires to report that it has performed that duty.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor, being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

REASONS FOR PARDONS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to present herewith the reasons for pardons granted by me from January 15, 1935, to date.

GEORGE H. EARLE.

(For reasons see Appendix)

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Federal Relations:

UNITED STATES CONSTITUTION SESQUICENTENNIAL

To the Honorable, the General Assembly of the Commonwealth of Pennsylvania:

I have the honor to submit herewith for your consideration a copy of a letter addressed to me from Hon. Sol Bloom, Director General of the United States Constitution Sesquicentennial Commission, Washington, D. C., dated December 12, 1935, together with a copy of the joint resolution of Congress establishing the United States Constitution Sesquicentennial Commission; two suggested forms of resolutions for adoption by State Legislatures; and a copy of my reply to Mr. Bloom, dated December 18, 1935.

December 12, 1935.

"Honorable George H. Earle,
"Governor of Pennsylvania,
"Harrisburg, Pennsylvania.

"My dear Governor:

"The Sesquicentennial of the Formation of the Constitution of the United States will be celebrated nationally in 1937-1938, and this Commission is now engaged in preparing plans for this nation-wide celebration.

"Enclosed is a copy of the Joint Resolution of Congress establishing this Commission, and directing the Commission to take such steps as may be necessary in the coordination and correlation of plans prepared by Constitution State Commissions or by bodies created under appointment by the Governors of the respective states, and by representative civic bodies.

"Also enclosed are two suggested forms of Resolutions for adoption by State Legislatures, creating a Constitution State Commission in laying plans for a fitting celebration within your State.

"Please advise us when your Constitution State Commission is appointed and give us the personnel of your Commission. We would also like to receive information as to proposed plans for the celebration in your State and any suggestions or ideas which you may furnish for this celebration.

"We will appreciate your cooperation in this matter, and will await your advices as to when it may be possible for your State Commission to be appointed. If there is any further information you desire, I shall be pleased to furnish it.

"With kindest personal regards, I am

"Sincerely yours,

"(Signed) SOL BLOOM,
Director General"

"(PUBLIC RESOLUTION—No. 53—74th CONGRESS)
(S. J. Res. 59)

"JOINT RESOLUTION

"Providing for the preparation and completion of plans for a comprehensive observance of the one hundred and fiftieth anniversary of the formation of the Constitution of the United States.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a Commission, to be known as the 'United States Constitution Sesquicentennial Commission' (hereinafter referred to as the 'Commission') for the celebration of the one hundred nad fiftieth anniversary of the formation of the Constitution, and to be composed of eighteen commissioners, as follows: The President of the United States; the President of the Senate and the Speaker of the House of Representatives, ex officio; five persons to be appointed by the President of the United States; five Senators to be appointed by the President of the Senate; and five Reprsentatives by the Speaker of the House of Representatives.

"Sec. 2. The commissioners shall receive no compensation for their services but shall be paid their actual and necessary traveling, hotel, and other expenses incurred in the discharge of their duties.

"Sec. 3. The Commission shall select a chairman and appoint a Director, who shall appoint, with the approvel

of the Commission, such assistants and subordinates as he deems necessary.

"Sec. 4. That it shall be the duty of the commissioners, after promulgating to the American people an address relative to the reason of its creation and of its purpose, to prepare a plan or plans and a program for the adequate celebration of the sesquicentennial anniversary, and to give due and proper consideration to any plan or plans which may be submitted to them; and to take such steps as may be necessary in the coordination and correlation of plans prepared by State's commissions, or by bodies created under appointment by the Governors of the respective States, and by representative civic bodies.

"Sec. 5. That the Commission shall, on or before the 20th day of January, 1936, make a report to the Congress, in order that enabling legislation may be enacted.

"Sec. 6. That the Commission hereby created shall expire December 31, 1939.

"Sec. 7. That the Commission may receive from any source contributions to aid in carrying out the general purpose of this resolution, but the same shall be expended and accounted for in the same manner as any appropriation which may be made under authority of this Act.

"Sec. 8. There is hereby authorized to be appropriated the sum of $10,000 to defray necessary expenses.

"Approved, August 23, 1935."

"SUGGESTED FORM OF RESOLUTION TO BE ADOPTED BY THE VARIOUS STATE LEGISLATURES CREATING A STATE COMMISSION TO COOPERATE WITH THE UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION IN PREPARING PLANS FOR A FITTING CELEBRATION OF THE 150TH ANNIVERSARY OF THE FORMATION OF THE CONSTITUTION.

"RESOLUTION

"Whereas, The Congress of the United States has established a Commission known as the 'United States Constitution Sesquicentennial Commission' to arrange a fitting nation-wide observance of the 150th anniversary of the Formation of the Constitution of the United States, and

"Whereas, The United States Constitution Sesquicentennial Commission is authorized to prepare plans and programs for the adequate celebration of the sesquicentennial anniversary; to give due and proper consideration to any plan or plans which may be submitted to it; and to take such steps as may be necessary in the coordination and correlation of plans prepared by the various State Commissions, or by bodies created under appointment by the Governors of the respective States, and by representative civic bodies, and

"Whereas, The United States Constitution Sesquicentennial Commission, desiring the full cooperation of the people of the United States, has urged each State to appoint a State Constitution Sesquicentennial Commission, and each city and town to appoint a Constitution Sesquicentennial Committee, and furthermore, will extend a most cordial and urgent invitation to each and every organization of every kind and description throughout the United States to appoint their own Constitution Sesquicentennial Committee, therefore be it

"Resolved by the Legislature of the State of ..... nad here is hereby established a Commission to be known as the 'Constitution Sesquicentennial Commission of ....for the celebration of the 150th anniversary of the Formation of the Constitution of the United States within ..... State, and to be composed of the Governor, Lieutenant Governor, Speaker of the House of Delegates, and five Commissioners to be appointed by the Governor.

"That it shall be the duty of the Commissioners to prepare plans and programs for the adequate celebration of the Sesquicentennial Anniversary within this State; to give due and proper consideration to any plans which may be submitted to them; and to contact the United States Constitution Sesquicentennial Commission, Washington, D. C., and to cooperate in every way with that Commission in connection with plans for the nation-wide celebration.

"That there is hereby appropriated the sum of ..... dollars to defray necessary expenses in connection with the celebration within this State, under authority of this Resolution.

"That a transcript of this Resolution be sent to Honorable Sol Bloom, Director General of the United States Constitution Sesquicentennial Commission, advising him of the action taken by this State.

"Approved ....., 1936."

"SUGGESTED LEGISLATION PROVIDING FOR A CONSTITUTION STATE COMMISSION

"An Act creating a State Commission to cooperate with the United States Constitution Sesquicentennial Commission in the celebration of the 150th Anniversary of the Formation of the Constitution of the United States, and making an appropriation to pay the expenses of the Commission.

"The People of the State of ....., represented in Senate and Assembly, do enact as follows:

"Section 1. A temporary State Commission is hereby created to cooperate with the federal government in the celebration of the 150th Anniversary of the Formation of the Constitution of the United States, and said Commission shall be known as the 'Constitution Sesquicentennial Commission of .....'

"2. Such Commission shall consist of six members, two of whom shall be appointed by the governor, two by the temporary president of the senate and two by the speaker of the assembly. A vacancy in the Commission arising by reason of death, resignation or otherwise, shall be filled in the same manner as for an original appointment. The Commission shall organize by selecting from its members a chairman and appointing a secretary. A majority of the members of the Commission shall constitute a quorum. The members of the Commission shall serve, without pay, but shall be allowed their actual and necessary expenses incurred in the performance of their duties. The Commission may act within the state and shall lend every assistance within its power so that the celebration will be of lasting honor to the nation. The Commission shall keep a record of all its proceedings, shall have all the powers of a legislative committee as provided by the legislative law, and shall make a report to the legislature in the month of December, nineteen hundred and thirty-eight.

"3. The sum of ..... dollars or so much thereof as may be necessary, is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to pay the expenses of the Commission created by this act, payable from the treasury upon the audit and warrant of the comptroller on vouchers approved by the chairman of the Commission.

"4. This act shall take effect immediately."

"December 18, 1935.

"Honorable Sol Bloom,
"Director General, United States Constitution
Sesquicentennial Commission,
"524 House Office Building,
"Washington, D. C.

"Dear Mr. Bloom:

"I have received your courteous letter of the 12th with enclosed copy of the Joint Resolution of Congress establishing the United States Constitution Sesquicentennial Commission.

"I shall be very glad to submit this matter to the General Assembly of Pennsylvania when it convenes again. The regular session will meet in January, 1937. If, however, it becomes necessary to call a special session before that time, it may be possible to get some action on the Resolution at that time.

"With kindest regards, I am

"Sincerely yours,

"(Signed) GEORGE H. EARLE."

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE BOARD OF TRUSTEES OF THE MOTHERS ASSISTANCE FUND

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointment to compute from the date of confirmation:

Mrs. Bernice A. Shannon, 224 Fairfield Avenue, New Castle, Lawrence County, as a member of the Board of Trustees of the Mothers' Assistance Fund of Lawrence County, vice Mrs. Grace W. Crawford, resigned, until June 1, 1937, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

COMMISSONERS OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments for a term of five years to compute from the date of confirmation:

Louis V. Smith 160 Front Street, New York City, New York, as Commissioner of Deeds for Pennsylvania with residence in Merrick, Long Island, New York.

G. William Welsch, 120 Wall Street, New York City, New York as Commissioner of Deeds for Pennsylvania with residence in New York City, New York.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Elizabeth Gatsy, 3530 Forbes St., Pittsburgh.
P. Y. McAllister, Sewickley.
Miss Margaret Mehalko, Braddock.

BEDFORD COUNTY

Philip H. Sponsler, Bedford.

CAMBRIA COUNTY

Thomas W. Hewitt, Johnstown.

DAUPHIN COUNTY

Miss E. Elizabeth Harro, Harrisburg.

DELAWARE COUNTY

Miss Mary Agnes Aull, Wayne.

LANCASTER COUNTY

H. E. Musser, Ephrata.

LAWRENCE COUNTY

Michael S. Cirelli, Ellwood City.

McKEAN COUNTY

Mrs. Mildred Brandes, Bradford.

NORTHUMBERLAND COUNTY

John J. Barni, Shamokin.

PHILADELPHIA COUNTY

Miss Grace F. Blanch, Broad St. Station Bldg., Philadelphia.
Mrs. Marjorie R. Hobbs, 1620 W. Thompson St., Philadelphia.
Mark Simon, 1719 N. 53rd St., Philadelphia.
Edward W. Sliker, 8043 Frankford Ave., Philadelphia.

SOMERSET COUNTY

Emil L. Anderson, Somerset.
Mrs. Melva Stull, Shanksville.

WAYNE COUNTY

Carl E. Greiner, Honesdale.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent fo the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss E. G. Burgdorf, 1005 Liberty Ave., Pittsburgh.
Thomas D. Durkin, 3212 Liberty Ave., Pittsburgh.
Miss Twane Griffith, 437 Penn Ave., Pittsburgh.
M. V. G. Huston, 5625 Baum Blvd., Pittsburgh.
Mrs. Loda Irwin Kunz, 304 S. Braddock Ave., Pittsburgh.
Edward G. Lang, Mayview.
W. A. Maybury, 2600 Grant Bldg., Pittsburgh.
Miss Anne T. McMeel, 519 Smithfield St., Pittsburgh.
Miss Dolores J. Morgan, 2600 Library Road, Pittsburgh.
Sr. Francis Regis, 3339 McClure Ave., Pittsburgh.
Mrs. Mary B. Sterling, 2734 Zephyr Ave., Pittsburgh.
William G. Sutter, 1011 Jones Law Bldg., Pittsburgh.

ARMSTRONG COUNTY

James H. Reitler, Kelly.

BERKS COUNTY

H. Gordon Bolden, Reading.
Oliver J. Hettinger, Reading.

BLAIR COUNTY

John J. Clark, Tyrone.
Miss Verna E. Gildea, Hollidaysburg.
Robert C. Haberstroh, Altoona.

CAMBRIA COUNTY

Miss Ann M. Conway, State.
Mrs. Dorothy H. Hoyt, Johnstown.

CENTRE COUNTY

Richard T. Baney, Bellefonte.

CHESTER COUNTY

Mrs. Velma D. McNutt, Oxford.

CLEARFIELD COUNTY

Miss Mary A. McCallister, DuBois.
LeRoy M. Miller, DuBois.
J. Howard Smith, Houtzdale.

DAUPHIN COUNTY

Miss Helen G. Merrick, Harrisburg.
W. E. Woodall, Harrisburg.

DELAWARE COUNTY

Mrs. Frances M. Evans, Upper Darby.
Mrs. Evelyn S. Taylor, Chester.
Miss Helen E. Watts, Upper Darby.
Curtis G. Wiegand, Chester.

ERIE COUNTY

Mrs. Thelma M. Beach, Union City.
Miss Helen McCaskey, Erie.
Miss Marjorie E. Stitt, Erie.

FAYETTE COUNTY

William M. Slogenhop, Uniontown.
Richard B. Weightman, Fayette City.

FRANKLIN COUNTY

Wilbur Nelson Kauffman, Mercersburg.

GREENE COUNTY

Scott E. Freeman, Jr., Waynesburg.

LACKAWANNA COUNTY

Cary Carey, Scranton.
Miss F. Faye Dommermuth, Scranton.
Robert A. Moore, Old Forge.
Stanley E. Thomas, Scranton.

LANCASTER COUNTY

Chas. F. Bowman, Lancaster.
James P. Dellet, Lancaster.

LAWRENCE COUNTY

Earle M. Brookover, New Castle.
Miss Claribelle Flynn, New Castle.
Mrs. Lena Kenney, New Castle.
George E. Thompson, New Castle.

LEBANON COUNTY

George E. Yiengst, Lebanon.

LUZERNE COUNTY

Peter Sedor, Glenlyon.
Stanley J. Znaniecki, Nanticoke.

LYCOMING COUNTY

Daniel H. Bower, Williamsport.
Ambrose D. Delseit, Williamsport.
Irvin M. Mitstifer, Williamsport.

McKEAN COUNTY

Miss Ruth A. McCready, Bradford.

MONTGOMERY COUNTY

Jacob R. Clemens, Lansdale.
Cornelius J. McGroaty, Melrose Park.
Miss Helen L. Perry, Pottstown.

NORTHAMPTON COUNTY

William J. Gingles, Easton.
Paul Trumbower, Heilertown.

PERRY COUNTY

Mrs. Velva E. Keller, Marysville.

PHILADELPHIA COUNTY

Elmer F. Buri, 3835 Aspen St., Philadelphia.
Robert F. Byrnes, 119 S. 4th St., Philadelphia.
Miss Elizabeth M. Darcey, 4320 Lancaster Ave., Philadelphia.
Leonardo Di Berardino, 6328 Vine St., Philadelphia.
Herman H. Dunn, 725 Arch St., Philadelphia.
Miss Margaret M. Gilger, 8th & Market Sts., Philadelphia.
Mrs. Elsie Gross, 807 Fidelity-Phila., Philadelphia.
James M. Hart, 807 Fidelity-Phila. Trust Bldg., Philadelphia.
James L. Hawley, 1203 Pennsylvania Bldg., Philadelphia.
Samuel F. Herst, 2215 Washington Ave., Philadelphia.
Arthur L. Homer, 1518 Walnut St., Philadelphia.
Robert F. Huntzinger, 412-20 N. 18th St., Philadelphia.
Harry J. Knipple, 1623 Walnut St., Philadelphia.
Miss Mary L. Linton, 1504 Fox Bldg., Philadelphia.
Bernard F. Macatee, 150 N. 52nd St., Philadelphia.
Mrs. Ethel P. Rees, 821 Public Ledger Bldg., Philadelphia.
George Staskel, 4547 Mercer St., Philadelphia.
Lewis J. Stark, 2700 N. Broad St., Philadelphia.
Lester Lewis Swope, 3026 Wayne Ave., Philadelphia.
Richard K. Wagner, 1600 Arch St., Philadelphia.
Miss Bertha Weber, 817 Packard Bldg., Philadelphia.
Miss Mildred K. Weikel, 922 Commercial Trust Bldg., Philadelphia.
Miss Maryon Weinberger, 817 E. Allegheny Ave., Philadelphia.
James E. Wood, 1014-16 Walnut St., Philadelphia.

SCHUYLKILL COUNTY

Miss Susan A. Fanniberg, Pottsville.

TIOGA COUNTY

Albert B. Armstrong, Rutland.

VENANGO COUNTY

T. M. Rose, Franklin.

WARREN COUNTY

Mrs. Eva M. Reardon, Warren.

WASHINGTON COUNTY

Lloyd M. Shafer, Canonsburg.
Miss Mabyl N. Taylor, Charleroi.
W. J. Wilson, Bentleyville.
Robert J. Wood, California.

WESTMORELAND COUNTY

J. Aber McGeary, Vandergrift.
Samuel R. Ratner, Greensburg.
W. M. Russell, New Kensington.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years, to compute from the date of their confirmation:

ADAMS COUNTY

Schwartz, Clarence L., Littlestown.
Myers, William D., New Oxford.
Black, Miss Mary S., Gettysburg.

ALLEGHENY COUNTY

Latimer, C. D., Oakdale.
Wildman, Medred R., Pittsburgh.
Bain, Miss Theola B., Pittsburgh.
Rosenberger, Mrs. Dolores T., Dormont.
Covert, Miss Ruth E., Pittsburgh.
Hall, Richard H., Pittsburgh.
Seger, Charles A., Pittsburgh.
Atkinson, L. L., Sewickley.
Dean, Miss Hazel G., McKeesport.
Hoffmann, John M., Dormont.

Lineman, George C., Robinson Twp.
Mesonka, Miss Helen, Pittsburgh.
Passafiume, Thos. A., Homestead.
Price, William J., Munhall.
McCreary, E. Lawrence, Pittsburgh.
Wegner, A. H., Swissvale.
Blunkosky, Joseph, J., Bridgeville.
Goldberg, I. Harry, McKeesport.
Goldblum, Miss Zella, Millvale.
Herrington, Fred J., Pittsburgh.
Kaufman, David M., Pittsburgh.
Taylor, Mrs. Norine W., Pittsburgh.
Wood, J. Paul, Versailles Twp.
Carroll, Wilber S., Pittsburgh.
Freund, Miss Mildred C., Pittsburgh.
Lankford, Paul H., Pittsburgh.
Leinenweber, Miss Caroline M., Pittsburgh.
McCartan, Miss Rose Mary, Pittsburgh.
Nydes, Miss Anna, Pittsburgh.
Renshaw, J. P., Pittsburgh.
Riley, Mrs. Lela M., Pittsburgh.
Ulrich, M. K., Pittsburgh.
Westerman, R. C., McKeesport.
White, Wilbur J., Pittsburgh.
Zeppenfeld, Miss Catherine, Sharpsburg.
Brassell, T. M., Pittsburgh.
Campbell, Miss Ione E., Pittsburgh.
Koch, John A., Pittsburgh.
Lebovitz, Herbert B., Rankin.
Martsolf, Miss Gladys V., Pittsburgh.
Murray, Miss Monica C., Pittsburgh.
Ritenbaugh, Raymond L., Pittsburgh.
Brogan, Miss Helene, Pittsburgh.
Eger, Miss Rose F., Pittsburgh.
Harrison, G. Harry, Pittsburgh.
Lignowski, Miss Marie, McKees Rocks.
Gard, Mrs. Helen R., Pittsburgh.
Welsh, John G., Pittsburgh.
Ludwig, W. F., Pittsburgh.
Whitehouse, John F., Pittsburgh.
Bundy, Mrs. Ruth L., Pittsburgh.
Nikischer, Miss Agnes M., Coraopolis.
Solomon, Miss Lillian, Pittsburgh.
Bohn, Mrs. Hilda E., Pittsburgh.
Mauro, Miss Emma, Sewickley.
Winovick, Miss Mary C., Pittsburgh.
Bernabei, Ubi C., Bridgeville.
Kepler, Miss Adelaide H., Pittsburgh.
Coll, John Colgate, Pittsburgh.
Kelly, Miss Minnie E., Duquesne.
Sharpnack, B. B., Pittsburgh.
Smith, John F., Upper St. Clair Twp.
Anthony, Charles E., Pittsburgh.
Burton, Miss Eleanor, Pittsburgh.
Goldstein, Mrs. Ella, Bellevue.
Durschinger, Leonard J., Neville Twp.
Eitel, P. O., Pittsburgh.
Frankenfield, Jacob, Pittsburgh.
Fuerst, Miss Irene K., Pittsburgh.
Haley, Charles R., Pittsburgh.
Homer, Edgar B., Munhall.
Lang, Miss Mary G., West View.
Luther, K. E., Wilkinsburg.
Lynch, Miss Margaret M., Pittsburgh.
Deer, Mrs. Sara McC., Pittsburgh.
Myers, Mrs. Violet E., Pittsburgh.
Rusk, M. A., Coraopolis.
Schaub, Gerard W., Pittsburgh.
Tymann, Samuel M., Pittsburgh.
Dickson David F., Pittsburgh.
Kamin, S. Irwin, Pittsburgh.
Shaw, John A., McKeesport.
Hoffman, M. D., Pittsburgh.
Rau, Harry E., Pittsburgh.
Shaw, George, West Deer Twp.
Shapiro, Charles B., Pittsburgh.
Zoglmann, A. W., Pittsburgh.
Rafael, Ralph, Pittsburgh.
Keith, Mrs. Jane H., Pittsburgh.
Totten, Charles L., Pittsburgh.
Zirkle, H. A., Pittsburgh.
Heil, H. C., Pittsburgh.
Snodgrass, W. R., Pittsburgh.
Windstein, Miss Margaret M., Pittsburgh.
Culp, William J., Pittsburgh.
Cline, Miss Consuelo, Pittsburgh.
Carroll, Daniel A., Etna.
Means, Wm. A., Pittsburgh.
Miller, M. E., Swissvale.
Dillow, Miss Mildred E., McKeesport.
Fineberg, Miss Cecil, Pittsburgh.
Spangenberg, Frank, Pittsburgh.
Tulsiak, Miss Helen M., Pittsburgh.
Belo, Miss Mary, Pittsburgh.
Bennett, Bernard, Pittsburgh.
Vargo, George, Jr., Duquesne.
Bittner, Miss Maud M., Pittsburgh.
McCann, Miss Louise, Pittsburgh.
Seder, Martin, Pittsburgh.
Wood, Miss May, Pittsburgh.
England, Mrs. Ruth, Pittsburgh.
Hazlett, Miss Mabel A., Springdale.
Peterson, J. C., Pittsburgh.
Zesky, William R., Verona.
Carroll, J. R., Corapolis.
Clay, H. R., Sewickley.
Malchano, Miss Rose, Pittsburgh.
Arbaugh, Mrs. S. R., Pittsburgh.
Beall, J. Thos, Jr., Pittsburgh.
Kolander, Francis X., Pittsburgh.
Blair, George C., Wilkinsburg.
Curtis, Miss F. Elizabeth, Pittsburgh.
Fried, Morris, Pittsburgh.
Reinehr, Paul C., Brackenridge.
Popp, Mrs. Beatrice K., Castle Shannon.
Uffelman, Miss Helen M., Pittsburgh.
Denes, Andrew, Pittsburgh.
Madine, Carnice J., Pittsburgh.
Napier, Miss Agnes D., Pittsburgh.
Fiorucci, Miss Emily, Stowe Twp.
Macalka, Miss Emily, Stowe Twp.
Cohen, Miss Leah, Pittsburgh.
Cashdollar, Howard L. Avalon.
Danahey, Miss Rose, Pittsburgh.
Montgomery, John H., Kennedy Twp.
Seelhorst, H. Charles, Emsworth.
Benson, George H., Brentwood.
Leaf, C. Stuart, Pittsburgh.
Stewart, Wallace D., Pittsburgh.
Warthen, Charles A., North Braddock.
Garrett, William L., Pittsburgh.
Harris, Herman, Pittsburgh.
O'Donnell, Miss Helen, Pittsburgh.
Seneff, Mrs. Ida M., Turtle Creek.
Johnson, William, Pittsburgh.
Wray, William, Pittsburgh.
Fink, Miss Betty, Pittsburgh.
Poznanski, Carl L., Stowe Twp.
Toberg, Fred F., Crafton.
Jaegle, Miss Sarah, Pittsburgh.
Schramm, K. O. F., Pittsburgh.
Bonoma, Miss Clara E., Pittsburgh.
Emmel, Paul, Pittsburgh.
Gormley, Miss Annetta, Pittsburgh.
Pivirotto, A. M., Pittsburgh.
Nathan, Miss Florence, Pittsburgh.
Crago, Albert W., Coraopolis.
Mowry, C. E., Jr., West Homestead.

ARMSTRONG COUNTY

Henry, Ira M., Ford City.
Maher, James A., Leechburg.
Campbell, William Clark, Apollo.
Dawson, Albert W., Ford City.

BEAVER COUNTY

Boss, Ben H., New Brighton.
Porter, John K., Midland.

Zeigler, Miss Gertrude, Ambridge.
Tosh, Joseph N., Freedom.
Harsch, Albert, Ambridge.
Heller, Paul W., Beaver.
McDowell, O. E., Harmony Twp.
Keyser, Raymond N., Aliquippa.
Laughner, Mrs. Irene E., South Heights.
Stewart, Miss Ruth, Beaver Falls.

BERKS COUNTY

Scheck, P. A. Reading.
Lenhart, Wayne P. J., Hamburg.
Courtney, Bernard J., Reading.
Genner, Miss Beatrice L., Reading.
Sassaman, Miss Lillian R., Reading.
Seitzinger, Miss Emma C., Reading.
Quigley, Mrs. Elizabeth R., Bally.
Brown, John I., Reading.
Bricker, P. H., Upper Bern Twp.
Calnan, Mrs. Jennie M., Reading.
Flemming, T. Clair, Reading.
Moll, Miss Miriam M., Reading.

BLAIR COUNTY

McAleer, Mrs. Mame, Altoona.
Fasnacht, Lynn K., Altoona.
Wertz, Miss R. Winifred, Altoona.
Fickes, Mrs. A. Irene, Altoona.
Nagle, Miss M. Elizabeth, Altoona.
Gioiosa, Leonardo A., Altoona.
Noll, Miss J. Elizabeth, Altoona.
Canole, John H., Altoona.
Fleck, Miss Naoma, Altoona.
Clarke, Harry E., Altoona.

BRADFORD COUNTY

McNeal, D. A., Towanda.
Bailey, Richmond W., Troy.
Northrup, Miss Mabel L., Athens.

BUCKS COUNTY

Stockham, Frank W., Morrisville.
Johnson, Miss Rachel W., Morrisville.
Grupp, Mrs. Lillian, Bristol Twp.
Gruber, H. S., Sellersville.
Groff, Miss Mildred D., Quakertown.
Czarnecki, Stanley, Bensalem Twp.
Hartzell, Irwin N., Telford.
James, John W., Bristol Twp.
Rigby, J. Alfred, Bensalem Twp.
Hetrick, Howard C., Telford.
Roberts, Miss Gertrude A., Bristol.
Kendall, Harold J., Morrisville.

BUTLER COUNTY

Williamson, Charles A., Butler.
Cramer, W. J., Butler.
Jewell, J. W., East Butler.
Bryant, J. Wm., Butler Twp.
Nicholson, C. E., Butler Twp.
Pfister, J. E., Butler.
Thomas, John F., Zelienople.

CAMBRIA COUNTY

Buckwalter, J. W., Portage.
Meighen, Mrs. Nancy, Johnstown.
Goetzl, Miss Theresa, Johnstown.
Haley, Miss Nora C., West Carroll Twp.
Knable, Miss Blanche, Johnstown.
Wehn, Miss Norma K., Johnstown.
Fronheiser, Karl J., Johnstown.
Krise, Warren S., Johnstown.
Tedjeske, Mrs. Lillian H., Johnstown.
Humbert, Miss Emma I., Johnstown.
Long, Mrs. Mary Lou, Johnstown.
LaMantia, Miss Augusta M., Nanty Glo.
Thomas, Miss Mildred E., Johnstown.
Schettig, Lester, Cresson.
Connell, O. J., Lilly.
Hetzlein, Jose, Johnstown.

CARBON COUNTY

McGinley, Miss Kathryn E., Mauch Chunk
Diehl, Frank R., Lehighton.
Baross, Frank A. Palmerton.
Heimbach, Mrs. Evelyn T., Palmerton.
Gallagher, Miss Catharine E., Lansford.

CENTRE COUNTY

Flynn, Miss Margaret A., Philipsburg.
Elder, H. S., State College.
Rothrock, M. J., Spring Twp.

CHESTER COUNTY

Darlington, E. M., West Whiteland Twp.
Detterline, Miss Evelma L., West Chester.
Sheperd, T. L., West Chester.
Anglemoyer, William M., Phoenixville.
Morris, Miss Alice M., Phoenixville.
Crosley, Miss Ruth A., West Chester.
Zipse, Mrs. Ruth H., West Chester.
Hall, Evard B., West Chester.
Humpton, Miss Sara Sue, West Chester.
Higgins, Miss Mary V., West Chester.
Stubblebine, Everett, Spring City.
Henry, John W., Jr., Easttown Twp.
Miller, Miss Anna M., West Chester.

CLARION COUNTY

Panton, Howard R., Foxburg.
Graybill, Miss Lucille, Clarion.

CLEARFIELD COUNTY

Garrison, Elbert A., DuBois.
Rowles, Ashley R., Clearfield.
Moss, Cloyd J., Curwensville.
Goldsmith, L. S., DuBois.
Saupp, Chas. E., Jr., Houtzdale.

COLUMBIA COUNTY

Krum, B. Reber, Bloomsburg.
Berninger, Arthur, Locust Twp.
Mittleman, William, Berwick.
Miller, J. Don, Bloomsburg.

CRAWFORD COUNTY

Shiels, Robert, Meadville.
Micks, Miss Katherine L., Saegerstown.
Putman, Clarence H., Meadville.
Fisher, Mrs. Clara M., Titusville.
Brown, Miss Helen I., Meadville.
Wentworth, Gaylord O., Randolph Twp.
Bowen, Mrs. Ina King, Spartansburg.
Shepard, Miss Verna, Titusville.
Clyde, Charles F., Meadville.
Gapp, Donald W., Meadville.

CUMBERLAND COUNTY

Dowd, Bernard V., East Pennsboro Twp.
Henderson, Robert M., Carlisle.
Wert, Miss Mary R., Carlisle.

DAUPHIN COUNTY

Lechleitner, Miss Margaret, Harrisburg.
Cassell, Ezra C., Harrisburg.
Gasswint, Norman L., Harrisburg.
Borke, Mrs. Winifred E., Harrisburg.
Reindel, William H., J., Harrisburg.
Schultz, Arthur E., Lower Swatara Twp.
Eby, Miss Annie M., Harrisburg.
Nelson, William H., Harrisburg.
Krieg, Albert M., Harrisburg.
Filippelli, C. J., Harrisburg.
Swartz, Lester E., Harrisburg.
Zimmerman, L. W., Penbrook.
Weaver, Warren O., Harrisburg.
Dowhower, Harvey J., Derry Twp.

Noel, Mrs. Marie E., Harrisburg.
Gerber, H. J., Harrisburg.
Derr, A. Boyd, Harrisburg.
Spangler, W. Luther, Harrisburg.
Fisher, Henry S., Harrisburg.
Shreiner, Miss Marie, Harrisburg.

DELAWARE COUNTY

Orton, Lewis D., Upper Darby Twp.
McCoy, John M., Upper Darby Twp.
Smithers, Theodore, Chester.
Bushong, Mrs. Daisy M., Upper Darby Twp.
Behrle, Miss Eleanor, Upper Darby Twp.
Suplee, Charles J. Jr., Upper Darby Twp.
Mintzer, Howard W., Upper Darby Twp.
Beauchamp, E. A., Lansdowne.
Hubbell, Miss Madalyn E., Chester.
Gault, Edwin S., Upper Darby Twp.
Hatch, Martin F., Upper Darby Twp.
Hoopes, Charles F., Upper Darby Twp.
Scott, Mrs. Mildred A., Swarthmore.
Greenwood, Walter, Lower Chicester Twp.
Gallagher, Miss Mary R., Chester.
Noves, Edward L., Swarthmore.
Rogan, Miss Phyllis W., Radnor Twp.
Fenimore, Miss Atalie, Radnor Twp.
Ahern, Joseph P., Media.
Overbeck, Miss Lucille M., Upper Darby Twp.
Kiley, Miss Mabel R., Upper Darby Twp.
Hale, Harvey M., Haverford Twp.
Clark, Miss Mary R., Radnor Twp.
Heckert, Miss C. Louise, Darby.
Stevenson, Miss Dorothy M., Haverford Twp.

ELK COUNTY

Smith, Mrs. Louise M., Johnsonburg.
Gladden, F. R., Ridgway.
Pontzer, Robt. F., Ridgway.
Fagley, G. A., St. Marys.
Park, C. L., Ridgway.
Garritt, Miss M. Josephine, Ridgway.

ERIE COUNTY

Sisson, Spencer A., Erie.
Fay, Albert D., Corry.
Olsen, Mrs. Bess E., Erie.
Lang, Miss Dorothy M., Erie.
Schersching, Miss Emma, Erie.
Firman, Robt. J., Erie.
Hubbell, Randolph H., Jr., Erie.
Krill, Mrs. Ruth M., Erie.
Morrison, Bruce M., Erie.
Wesley, Miss Mildred E., Erie.
Oesterlin, Milo J., Erie.
Tefft, Miss Frances E., Erie.
Depinet, Miss Mary M., Erie.
Pease, Miss Alice G., North East.
Snell, Earl C., Erie.
Horth, Floyd M., Erie.
Plate, Howard N., Erie.
Heyl, Mrs. Amelia K., Erie.
Brunner, Miss Victoria M., Erie.
Neyland, Miss Ruth A., Erie.
Rogers, Harrison J., Albion.

FAYETTE COUNTY

Baker, J. T. Dunbar.
Boyd, Mrs. Mary Jane, Connellsville Twp.
Gleason, G. M., Uniontown.
Fleisher, Meyer G., Brownsville.
McMullen, Mrs. Katharine, Connellsville.
Wright, John A., Brownsville.
Foster, Frank R., Uniontown.
Wilson, Miss Ruth E., Uniontown.
Phalin, Mrs. Bessie H., South Connellsville.
Blosser, Mrs. Florence M., Uniontown.
Neill, Jas., Uniontown.
Merryman, Warren, Brownsville.
Simpson, Mrs. Edith P., Uniontown.
Finn, William E., Connellsville.
Wise, John E., Smithfield.

FOREST COUNTY

Crider, Mrs. Beulah M., Hickory Twp.

FRANKLIN COUNTY

Blessing, Mrs. Virginia B., Waynesboro.
Swenson, David A., Quincy Twp.
Poe, Mrs. Dorothy H., Chambersburg.
Yingling, S. W., Greencastle.
Statler, Arthur G., Guilford Twp.
Culp, W. E., Chambersburg.

GREENE COUNTY

Williamson, Mrs. Phoebe, Waynesburg.
Stephenson, Mrs. Elizabeth L., Waynesburg.

HUNTINGDON COUNTY

Grove, Paul R., Huntingdon.
Henry, Miss Katharine, Mount Union.
Bagshaw, J. W., Huntingdon.

INDIANA COUNTY

Robertson, Robert G., Indiana.
Wassam, Charles E., Green Twp.
Johnston, L. D., Burrell Twp.
Brown, Ralph C., Blairsville.
McAfoose, Miss Anna V., Indiana.

JEFFERSON COUNTY

Carnes, Miss Cora M., Brookville.
Woods, Miss Roberta M., Brookville.
Sweeney, Mrs. Josephine D., Punxsutawney.
Scott, Clinton H., Jr., Brookville.
Donnor, Robert E., Brookville.
Madden, Miss Marie A., Punxsutawney.
Treinis, Mrs. Florence A., Punxsutawney.

LACKAWANNA COUNTY

Rader, Charles J., Scranton.
Francis, Fred M., Dalton.
Harris, Miss Alice, Scranton.
Syron, Miss Mary A., Carbondale.
Leek, Miss Elva L., Scranton.
Price, Miss Ruth, Scranton.
Cross, H. Milton, Scranton.
Furiosi, Robert A., Scranton.
Davis, Ralph E., Scranton.
Gromlich, Mrs. Sadye E., Scranton.
Munchak, Miss Helen, Scranton.
Jordan, Miss Loretta C., Scranton.
Leber, Charles, Scranton.
Coulthard, Thos. J., Olyphant.
James, John W., Blakely.
Young, Mrs. Ethel B., Scranton.
Moskovitz, Morris, Dickson City.
Mruk, Leon N., Dickson City.
Dockerty, Edward D., Carbondale.
Ross, Miss Thelma R., Scranton.
Proper, Miss Elsie M., Scranton.
Fuller, Mortimer B., Jr., Scranton.
Brennan, Miss Eleanor, Carbondale.
Cawley, Miss Margaret B., Scranton.
Chally, Mrs. Grace, Dickinson City.
Corby, Mrs. Anna E., Jermyn.
Duffy, Miss Sara F., Scranton.
Borthwick, Mrs. Edna D., Scranton.
Dunbar, Mrs. Emyle, Scranton.
Poller, Mrs. Bertha E., Scranton.
Klein, Mrs. Jeanette, Scranton.
O'Malley, Miss Anne, Scranton.

LANCASTER COUNTY

Horning, John G., Brecknock Twp.
Kiehl, Miss Marguerite C., Lancaster.
Sheetz, Miss M. Anna, Lancaster.
Engle, F. E., Ephrata.
Geib, C. Raymond, Manheim.
Mellinger, A. Z., Terre Hill.
Schuberth, Eugene E., Lancaster.

Bare, K. C., Manheim Twp.
Resh, Miss Bertha E., Lancaster.
Ruley, Harry F., Litiz.
Appel, Roberts R., Lancaster.
Sharp, Russell S., Lancaster.
Bomberger, Walter L., Manheim.
Slack, H. B., Leacock Twp.
Trout, W. Lloyd, Lancaster.
Martin, Harold Earl, Lancaster.

LAWRENCE COUNTY

Wagner, George E., New Castle.
Uber, W. J., New Castle.
Gilfillan, Miss Mary Elizabeth, New Castle.
Shields, Lysle M., New Castle.
Tomb, Hugh W., Ellwood City.
Davies, Miss Melvina J., New Castle.
Smith, Frank G., Ellwood City.
Dickey, Thomas W., New Castle.
Matheny, Marshall G., New Castle.
Wallace, Miss Viola, New Castle.
Lewis, Richard R., New Castle.
McDevitt, Miss Elizabeth, New Castle.
Wilson, Geo. B., Ellwood City.

LEBANON COUNTY

Preis, Miss Clara R., Lebanon.
Reilly, Miss Mary, Lebanon.
Wagner, Miss Elizabeth E., Palmyra.

LEHIGH COUNTY

Taylor, Albert J., Fountain Hill.
Thesli, Miss Elizabeth M., Allentown.
Huber, Wilbur C., Allentown.
Dankel, Jack C., Allentown.
Gaugler, Miss Viola M., Allentown.
Weidner, William G., Allentown.
Roth, Chas. E., Allentown.
Dixon, Miss Ruth E., Allentown.
Scheirer, Russel H., Allentown.
Wallitsch, Alfred L., Allentown.
Newhard, Alfred H., Allentown.
Lucas, Mrs. Blanche, Allentown.
Kistler, Elmer C., Lynn Twp.
Goldman, David, Allentown.
Brady, Harry D., Allentown.
Kline, Edwin K., Jr., Allentown.
Fritz, Mrs. Miriam C., Weisenburg Twp.
Bennethum, Miss Florence E., Allentown.
Hoffman, Carl, Allentown.
Saeger, Miss Vivian M., Allentown.
Walp, Miss Grace E., Catasauqua.
Hertz, Miss Isabelle S., Allentown.
Lyman, Edwin S., Jr., Allentown.
Sobers, Edgar C., Bethlehem.
Wagner, Miss Gertrude, Allentown.

LUZERNE COUNTY

Elliott, R. H., Wilkes-Barre.
Bonney, J. R., Forty Fort.
Pittman, Harold R., Wilkes-Barre.
Durkin, Mrs. Elizabeth, Hazleton.
Casterline, Mrs. Thomasina T., Wyoming.
Jenkins, T. B., Wyoming.
Shoemaker, John, Jr., Exeter.
Denkmann, Reginald C., Wilkes-Barre.
Canfield, James A., Kingston.
Horne, L. Brinton, Hazleton.
Knebels, Francis X., White Haven.
Lester, Jos. F., Kingston.
Lupco, Jos. A., Nanticoke.
Shivy, Frank, Luzerne.
Singley, Miss Edith M., Hazleton.
Wildoner, Miss Alice M., Wilkes-Barre.
McCaffrey, Miss Florence, Wilkes-Barre.
Jones, Miss Lucille E., Pittston.
Feldman, Miss Lena, Plains Twp.
Shemanski, Edmund R., Nanticoke.
Carroll, Miss Margaret A., Kingston.
Morgan, Miss Bessie K., Pittston.
Fallon, Miss Catherine, Hazleton.
Jones, John G., Nanticoke.
Tyburski, Stanley J., Wilkes-Barre.
Overpeck, A. C., Forty Fort.
Burkhardt, Mrs. Florence, Wilkes-Barre.
Price, Miss Margaret, Wilkes-Barre.
Knyrim, Calvin H., Jr., Hazleton.
Wolcott, S. Dutt, Wilkes-Barre.
Flaherty, Miss Rose A., Pittston.
Stenach, Mrs. Teresa, Plymouth.
Turner, Ray W., Nanticoke.
Hammill, Miss Rose A., Wilkes-Barre.
Chopeck, Miss Ann M., Wilkes-Barre.
Evans, James D., Wilkes-Barre.
Brady, Miss Mary A., Hazleton.
Muir, Miss Ruth C., Wilkes-Barre.
Mailander, Miss Marion F., Wilkes-Barre.

LYCOMING COUNTY

Clust, Frank R., Williamsport.
Kehler, Miss Esther A., Williamsport.
Mabee, Raymond M., Williamsport.
Pfeiffer, A. D., Williamsport.
Seibert, Mrs. Lena Pearl, Hughesville.
Walters, E. M., South Williamsport.
Bubb, Hugh J., Williamsport.
Mabee, I. S., Williamsport.
Lloyd, C. Gelbert, Williamsport.
Shollenberger, Edmund K., Montgomery.
Moon, Mrs. M. Elizabeth, Williamsport.
Nast, W. Leon, Williamsport.

McKEAN COUNTY

Irons, Stanley M., Kane.
Russell, John A., Jr., Bradford.
Bird, W. H., Bradford.
Griffin, A. A., Bradford.
Husted, Mrs. Harriette M., Bradford.
Graff, Henry, Bradford.
Richmond, Victor J., Bradford.
Bovaird, John K., Bradford.
Abrams, Miss Eleanor M., Bradford.
Teater, M. A., Port Allegany.
Ryan, Mrs. Margaret, Bradford.
Heffner, Mrs. Christine, Bradford.

MERCER COUNTY

Evans, Miss Margaret, Sharon.
Wherry, John C., Grove City.
Downs, Miss Myra L., Sharpsville.
Junk, Miss Rita, Greenville.
Shaw, William P., West Middlesex.
Franek, Jos. A., Farrell.
Dilley, L. N., Greenville.

MIFFLIN COUNTY

Gassert, Mrs. Irene B., Lewistown.

MONROE COUNTY

Keenan, Wesler T., Pocono Twp.
Walters, Horace G., East Stroudsburg.

MONTGOMERY COUNTY

Kellner, Eugene J., Springfield Twp.
Kentner, W. L., Upper Moreland Twp.
Hackman, Newton H., Hatfield Twp.
Webster, Elwood A., West Norriton Twp.
Bean, Christian T., Skippack Twp.
Claire, Guy S., Souderton.
Mathias, Russell L., Lower Merion Twp.
Thomas, Harry K., Norristown.
Knowles, Frederick J., Rockledge.
Fernandez, Jaime H., Jenkintown.
Jacobs, Clifton N., West Norriton Twp.
Britt, Therman P., Jenkintown.
Dooley, James J., Lower Merion Twp.
Maust, Paul S., Springfield Twp.
White W. Ellsworth, Cheltenham Twp.
Dames, Walter E., Pottstown.

Maloney, Mrs. Adele M., Norristown.
Brunner, Max M., East Greenville.
Clayton, Robert L., Lansdale.
Burk, Miss Claire E., Pottstown.
Harrity, F. J., Lower Merion Twp.
Murray, Edward S., Jr., Lower Merion Twp.
Hoffman, Mrs. Clara E., Norristown.
Banmiller, William J., Skippack Twp.
Smith, Miss Anna M., Ambler.
Brusch, Miss Marie, Norristown.
Wolf, J. Harold, Telford.
Mahan, Francis A., Lower Merion Twp.
Fellmeth, Adolph F., Lower Merion Twp.

MONTOUR COUNTY

Maiers, Mrs. Elsie S., Danville.

NORTHAMPTON COUNTY

Silfies, Mrs. Helen E., Bethlehem.
Vooz, Miss Marcella A., Bethlehem.
Ace, R. Kenneth, Bangor.
Fenol, Michael D., Bethlehem.
Schmickly, Carl B., Bethlehem.
Greenzweig, Charles S., Walnutport.
Meixsell, Mrs. Myrtle, Easton.
Teel, George L. R., Easton.
Mammana, Mrs. Julia, Easton.
Bealer, Charles A., Easton.

NORTHUMBERLAND COUNTY

Lantz, Wm. Marsh, Watsontown.
Ohl, Miss Dorothy H., Milton.
Pittelli, Stephen, Kulpmont.
Umstead, Mrs. Marian, Shamokin.
Phillips, Mrs. Ruth M., Milton.
Ryon, William W., Jr., Shamokin.
Savidge, John K., Sunbury.
Heffelfinger, Miss Pearl A., Milton.
Luczkowec, Leon, Shamokin.
Avellino, James, Kulpmont.
Calhoun, Miss Margaret K., Northumberland.
Murdza, Miss Magdalene, Mount Carmel.
Stroup, J. Ralph, Kulpmont.

PERRY COUNTY

Kell, H. Russell, Newport.
Reed, Miss Mabel E., Bloomfield.

PHILADELPHIA COUNTY

Casey, J. H.
Bendiner, Sabato M.
DeMauriac, Mrs. Myrtle B.
Gruber, Frederick C.
Moetsch, Chas. F., Jr.
Brenner, Norman A.
Kulchycky, Emil.
Myers, Miss Frances K.
Naddy, Vincent M.
Patterson, C. Raycroft.
Sagan, Samuel.
Schultzbach, Jos. F.
Moore, Mrs. Margaret H.
Myers, Miss Anna J.
Schnabel, George, Jr.
Burgmann, Jos. G.
Irvin, Henry B.
Koltes, John A.
Pepper, William.
Schroeder, Mrs. Sadie.
Worthington, Vernon.
Losch, William Henry.
Munzer, Miss Florence M.
Carrigan, Mrs. E. E.
Levine, Miss Pauline.
Littlewood, A. R., Jr.
Cotney, Francis A.
Levit, Miss Selma.
Slick, Albert R.
Ellis, C. R.
Green, Samuel.
Kravitz, Isadore W.
Roberts, Arthur Savery.
Rudman, Michael E.
Brown, George S.
Daubert, Miss Viola M.
Mudd, Miss Mabel.
Brehm, Jos. H., Jr.
Dowling, Miss Anna.
McNally, Edward E.
Abbott, John Barnes.
Bunting, Josiah, 2d.
McGovern, Miss Martha T.
Luecke, John H.
Munger, George C.
Ritter, Henry S.
Schaefer, Miss Lillian A.
Spencer, Harold L.
Atchison, Claude E.
DeHaas, Geo. M.
Ernst, Raymond M.
Looby, Mrs. Catherine R.
Mattern, Wm. L.
Starsinic, Mrs. Helen.
Hubbs, Harry L.
McCuff, Mrs. Ethel L.
Wolfson, Charles M.
Bennett, Miss Maysie A.
Blondin, Weaver C.
Zentmyer, Paul D.
Coulson, Miss Catherine E.
Goldstein, Harry H.
Hoffman, Miss Sylvia
Lalli, Miss Jeanne.
Myers, Miss Dorothy.
Platt, Vernon D.
Tees, Walter.
Buxton, Mrs. Blanche Demers.
Olmi, Mrs. Margaret M.
Banister, Edw. Scott.
Berger, Meyer H.
Bobbing, Ernest J.
Brown, Morris.
Bruner, J. Norman.
Buono, Frank J.
Clark, W. Thos.
Clements, Mrs. Rose W.
Conner, Miss Frances M.
Connor, Homer G.
Crossland, Wm. B.
Descano, Thomas.
Draeger, Miss Anna L.
Graf, Herbert E.
Gruninger, John H.
Holland, Mrs. Maude O.
Hutt, Miss Madeline.
Lepore, Charles R.
MacCausland, Paul R.
McFadden, Mrs. Dorothea G.
Magan, Miss Mary.
Mittler, S. E.
Neeld, J. Noble.
Persichetti, Mrs. Martha.
Reilly, John.
Reissman, Nathan P.
Ringe, Waldorf R.
Rubin, Mrs. Miriam M.
Ryan, Mrs. Teresa S.
Tauder, J. B.
Twersky, Sigmund.
VanLear, F. R.
Wightman, John B.
Wright, Roy A.
Eichele, George E.
Gallagher, Patrick J.
Maiden, Orlando C.
Moore, C. Earl.
Lightfoot, Albert M.
Scola, Miss Mollie L.

Moore, Miss Kathryn D.
Kauffmann, Julius, Jr.
Starrett, Miss Elizabeth.
Bickert, Frederick H.
Weissinger, Charles, Jr.
Astor, Leon C.
Farnan, Mrs. Anna M.
Roth, Matthew A.
Sherman, Henry.
Rosenberg, Charles K.
Folkman, Milton.
Neiman, Miss Alberta A.
Schaller, Frank C.
Schulze, Arthur A.
Belsito, Floyd L.
O'Hora, Miss Marie A.
Forrester, Mason W.
Reid, Miss Ruth A.
Armstrong, Miss Violet.
Helmich, Miss Elsie A.
Batoff, Herman.
Feder, Milton H.
McGovern, Mrs. Frances W.
Rubenstein, Meyer R.
Smith, Rowland C.
Hamilton, Joseph W.
Hornsby, G. W.
Lorch, Miss Rose T.
Samet, Miss Marie.
Levy, Dolf L.
Cohen, Arthur.
Greene, S. Robt.
Werner, Mrs. Gene.
Connor, Thomas P.
Drizin, Henry.
Schofield, Mrs. Edith S.
Dennis, J. W.
Hankin, Louis S.
Montagno, Joseph A.
Thaleg, Miss Katherine I.
Andrews, Miss Helen.
Whyte, Miss Elizabeth.
Coulston, Miss Alice.
Farran, William N., Jr.
McClosky, J. V.
Carr, Miss Margaret S.
Morehead, Miss Mildred A.
Stup, Nathan.
Wolkof, Morris.
Buob, Edwin L.
Carr, Miss Eliabeth L.
Geissel, Conrad W.
Horwald, H. Norman.
Liebert, Howard C.
Bordley, Edgar.
Freeman, David L.
Harris, Philip.
Schall, Elmer J.
Dolan, John J.
Kuhn, Harry G.
Killian, Miss Dorothy M.
Levin, Miss Anna.
O'Hanlan, Edward V.
Trumper, Julius J.
Tabak, Albert.
Paige, Miss Ruth M.
Connors, Miss Mary A.
Carlin, Miss Margaret E.
Dickinson, Mrs. Mary C.
Griffith, Miss Isabelle H.
Hoffman, I. Leo.
Kline, Miss Dorothy.
Weeks, Miss Helen C.
Mattis, J. H.
Skillman, Louis A.
Lynch, James J.
Fox, Miss Elizabeth R.
Hamaty, Miss Fay.
Lewis, Miss Ernestine G.
Wetzork, Otto W.
Ansill, Joseph G.
Armstrong, Miss Mary.
Clokey, Samuel.
Delaney, Francis J.
Gagliano, Miss Lucy M.
Wilson, Miss Margaret S.
Adams, Mrs. Jane E.
Schryer, Walter H.
Foulkes, Miss Mary T.
Landis, Walter L.
Rosen, Morton Robert.
Schmidt, Edward S.
Smolszynski, Joseph E.
Taylor, Mrs. Irma L.
Hagen, Charles J.
Carley, Mrs. Marie F.
Cohen, Leonard M.
Lipman, Morris S.
Evans, Miss Winona M.
Gidley, Mrs. Edna.
Hodgson, Miss Regina J.
Kaelin, Raymond C.
Moss, C. D.
Quaid, Miss Anne.
Rowan, William V.
Casper Milton.
Ennis, Walter F.
Houlihan, Miss Elizabeth.
Linn, Miss Millicent.
Nocella, Stephen.
Smith, Charles.
Whalen, Mrs. Jane M.
Clark, John J.
Lipschutz, Miss A. Grace.
Silver, Kalman.
Zuecca, Harold T.

PIKE COUNTY

Foster, Charles A., Milford.

POTTER COUNTY

Vogdes, Theodore R., Coudersport.
Fisk, Mrs. Myra A., Austin.

SCHUYLKILL COUNTY

Heiken, Miss Margaret K., Pottsville.
Wills, Miss Odessa I., Butler Twp.
Boreese, Joseph J., Shenandoah.
Flail, William F., Pottsville.
Derr, James M., Foster Twp.
Schwalm, Allen Q., Pine Grove.
LeVan, Miss Mary E., Pottsville.
McCord, Miss Eleaner M., Pottsville.
McCarthy, W. J., Saint Clair.
Dinger, Robert C., Schuylkill Haven.
Hahner, Miss Laura H., Pottsville.
Canfield, Mrs. Dorothy, Ashland.
O'Brien, Mrs. Gertrude K., Pottsville.
Ignatovig, A. T., Minersville.

SNYDER COUNTY

Sommer, Mrs. Margaret M., Selinsgrove.

SOMERSET COUNTY

Dougan, William R., Somerset.
Phillips, Mrs. Margaret K., Meyersdale.
Kidner, R. A., Salisbury.
Lesko, John G., Somerset.

SUSQUEHANNA COUNTY

Leonard, Miss Margaret T., Montrose.
Kimble, Miss Marion J., Susquehanna.
Dillon, A. J., Susquehanna.
Allen, Miss Margaret C., Montrose.

TIOGA COUNTY

Tingley, Mark L., Blossburg.
Collins, Mrs. Annis K., Wellsboro.

UNION COUNTY

Dershem, Frank L., Lewisburg.

VENANGO COUNTY

MacArthur, John F., Oil City.
Mellers, Miss Josephine D., Franklin.
Moyar, W. F., Oil City.
Gates, Miss Claire E., Oil City.

WARREN COUNTY

Edin, Miss Louise C., Sugar Grove.
Stoddard, Leroy J., Warren.
Hohman, Miss Julia M., Warren.
West, J. Harry, Warren.
Kelley, Miss Alice R., Warren.
Morrison, Wayne J., Kinzua Twp.
Miller, Miss Evelyn K., Warren.
Wollaston, Miss M. J., Warren.
Barrett, Kenneth R., Warren.

WASHINGTON COUNTY

Marino, Mrs. Santina S., Washington.
Anton, Miss Marian E., Monongahela.
Sumney, Miss Garnett, Washington.
Poudevigne, Edmond J., Cecil Twp.
Gallo, John A., Charleroi.
Merrin, George H., Washington.
Valentour, Louis F., McDonald.
Hoehl, Mrs. Mary A., Charleroi.
Lytle, Mrs. Dorothy B., Washington.
Pellegrine, Mrs. Minnie M., East Bethlehem Twp.
Hormell, Miss Irena M., Washington.
Swartz, H. L., Centerville.
Brozier, Phil, Independence Twp.
Ballentyne, Miss Margaret, Washington.
McGraw, Miss Betty, Washington.
Sicchitano, B. A., Bentleyville.
Jenkins, Andrew N., Monongahela.
Smith, John B., Charleroi.
Pettit, W. G., McDonald.

WAYNE COUNTY

Boyd, T. Y., Honesdale.

WESTMORELAND COUNTY

White, James B., Monessen.
Ames, George B., New Kensington.
Loughner, Miss Alice B., Monessen.
Baldwin, C. E., Greensburg.
Semko, F. E., South Huntingdon Twp.
Hostetler, H. R., Scottdale.
Kuhns, Miss Eleanor, Greensburg.
Goldman, Miss Sara, Latrobe.
Herron, Thos. P., Irwin.
Cubbage, Miss Marian B., Monessen.
Fitzgerald, Mrs. Gladys V., Vandergrift.
Reinfried, J. E., Southwest Greensburg.
Fox, Robert V., North Huntingdon Twp.
Hirsch, Miss Rhoda R., Greensburg.
Adams, A. B., West Newton.
Belli, Miss Mary, New Kensington.
Schriber, G. L., Vandergrift.
Cohen, Mss Margaret, Greensburg.
Hankey, Wm. R., New Kensington.
Kolling, J. L., Unity Twp.
Giesey, G. A., Derry.
Carson, J. Herbert, Greensburg.
Gibson, Miss Jeanne, Monessen.
Ratner, Alfred W., Greensburg.

WYOMING COUNTY

Fowles, Robert S., Tunkhannock.

YORK COUNTY

Hagarman, Miss Dorathy A., York.
Williams, A. F., Wrightsville.
Kistler, Mrs. Dorothy B., York.
Baughman, N. M., Dover.
Pugliese, Mrs. Portia, York.
Apple, Harvey B., Wellsville.
Markle, Mrs. Lida, Hanover.
Neiman, Miss Bertha M., York.
Hake, H. Milton, Hallam.
Bollinger, Joseph B., Hanover.
Garner, Ernest G., Windsor.
Miller, Miss Evelyn M., North Codorus Twp.
Moul, Richard O., York.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

SECRETARY OF FORESTS AND WATERS

James F. Bogardus, Swarthmore, from March 16, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

SECRETARY OF LABOR AND INDUSTRY

Ralph M. Bashore, Pottsville, from July 2, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

SECRETARY OF REVENUE

John B. Kelly, Philadelphia, from January 6, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBER OF THE ARMORY BOARD OF THE STATE OF PENNSYLVANIA

Edward C. Shannon, Columbia, from October 3, 1935, until the third Tuesday of January, 1939, or until his successor shall have been appointed and qualified.

MEMBERS OF THE ADVISORY HEALTH BOARD

R. J. Behan, Pittsburgh, from April 9, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Moses Behrend, Philadelphia, from April 9, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Walter S. Brenholtz, Williamsport, from April 9, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

E. S. Briggs, Warren, from April 9, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

John A. Meehan, New Castle, from April 9, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

Adrian F. Sanderbeck, Pittsburgh, from June 22, 1935, for the term of four years.

Charles H. Steel, Philadelphia, from February 25, 1936, for the term of four years.

Donald Murray Livingston, Philadelphia, from February 25, 1936, for the term of four years.

MEMBERS OF THE STATE BOARD OF MEDICAL EDUCATION AND LICENSURE

Irvin D. Metzger, Pittsburgh, from July 10, 1935, for the term of four years.

William Cullen Bryant, Pittsburgh, from December 24, 1935, for the term of four years.

G. Willis Hartman, Harrisburg, from December 24, 1935, for the term of four years.

Domer Slater Newill, Connellsville, from December 24, 1935, for the term of four years.

MEMBERS OF THE STATE BOARD OF PHARMACY

Fred J. Blumenschein, Uniontown, from February 21, 1936, for the term of six years.

George L. Kiefer, Aliquippa, from February 28, 1936, for the term of six years.

(Mrs.) Mary Florence Sabatino, Philadelphia, from February 28, 1936, for the term of six years.

John O'Neill Casey, South Ardmore, from April 15, 1936, for the term of six years.

MEMBER OF THE PENNSYLVANIA STATE BOARD OF CENSUS

Patrick A. Duffy, Wilkes-Barre, from July 10, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE BOARD OF UNDERTAKERS

Leonard A. Levine, Philadelphia, from October 3, 1935, until August 31, 1942, and until his successor shall have been appointed.

Frank M. Regan, Scranton, from April 8, 1936, until August 31, 1944, and until his successor shall have been appointed.

Maurice A. Hoff, New Cumberland, from April 13, 1936, until August 31, 1946, and until his successor shall have been appointed.

John G. Schofer, Topton, from April 14, 1936, until August 31, 1945, and until his successor shall have been appointed.

Joseph N. Nied, Swissvale, from April 20, 1936, until August 31, 1943, and until his successor shall have been appointed and qualified.

MEMBER OF THE PUBLIC SCHOOL EMPLOYES' RETIREMENT BOARD

Samuel M. Goodyear, Carlisle, from October 11, 1935, until his successor is appointed.

MEMBER OF THE INDUSTRIAL BOARD

Herbert Sander, Pittsburgh, from August 21, 1935, until the third Tuesday of January, 1939, or until his successor shall have been appointed and qualified.

WORKMEN'S COMPENSATION REFEREES

Arthur H. Schrager, Pottsville, from June 22, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Vincent A. Capano, Donora, from July 15, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Bernard Veschio, Monessen, from August 15, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBER OF THE LAKE ERIE AND OHIO RIVER CANAL BOARD

J. P. Leaf, Rochester, from February 25, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE COLLEGE

P. J. Denman, Bradford, from August 7, 1935, until July 1, 1938.

Frederick A. Heim, Williamsport, from December 9, 1935, until July 1, 1938.

S. Forry Laucks, York, from February 21, 1936, until July 1, 1937.

MEMBERS OF THE SANITARY WATER BOARD

Marion K. McKay, Pittsburgh, from June 22, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Frank D. McCue, Oil City, from April 3, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE MILK CONTROL BOARD

Charles T. Carpenter, Glenmoore, from June 28, 1935, until April 30, 1937.

Howard C. Reynolds, Harrisburg, from July 2, 1935, until April 30, 1937.

MEMBERS OF THE PENNSYLVANIA LIQUOR CONTROL BOARD

Walter T. Grosscup, Philadelphia, from July 8, 1935, for the term of six years, and until his successor shall have been appointed and qualified.

Leo A. Crossen, Philadelphia, from July 8, 1935, for the term of six years, and until his successor shall have been appointed and qualified.

W. Worrell Wagner, Philadelphia, from March 7, 1936, for the term of six years, and until his successor shall have been appointed and qualified.

MEMBERS OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PITTSBURGH

James G. Legnard, Pittsburgh, from February 21, 1936, until the first Monday of January, 1938.

W. Noble Matthews, Pittsburgh, from February 21, 1936, until the first Monday of January, 1938.

MEMBERS OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF SCRANTON

William A. Golden, Scranton, from October 9, 1935, until the first Monday of January, 1938.

(Miss) Anna R. Hannon, Scranton, from October 9, 1935, until the first Monday of January, 1938.

Louis Schumacher, Scranton, from October 9, 1935, until the first Monday of January, 1938.

Bert Price, Scranton, from October 9, 1935, until the first Monday of January, 1938.

MEMBERS OF THE BOARD OF GAME COMMISSIONERS

Frank B. Foster, Phoenixville, from June 22, 1935, for the term of six years.

William G. Fluke, Saxton, from October 10, 1935, for the term of six years.

MEMBERS OF THE ANTHRACITE MINE INSPECTORS EXAMINING BOARD

Charles Strange, Pottsville, from September 20, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Joseph Donnelly, Shamokin, from September 20, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Augustine McGuire, Scranton, from September 20, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Charles Enzian, Hazleton, from September 20, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Cornelius McLaughlin, West Hazleton, from September 20, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE FOREST COMMISSION

Gordon Dorrance, Philadelphia, from February 21, 1936, until the third Tuesday of January, 1939, or until his successor shall have been appointed and qualified.

Robert E. Dengler, State College, from February 25, 1936, until the third Tuesday of January, 1939, or until his successor shall have been appointed and qualified.

F. B. Kinzey, Johnstown, from February 25, 1936, until the third Tuesday of January, 1939, or until his successor shall have been appointed and qualified.

Francis R. Taylor, Cheltenham, from February 27, 1936, until the third Tuesday of January, 1939, or until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF FISH COMMISSONERS

Samuel J. Truscott, from March 14, 1936, for the term of six years.

MEMBER OF THE PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA

Thomas C. Buchanan, Beaver, from March 16, 1936, until July 1, 1939.

MEMBERS OF THE PENNSYLVANIA HISTORICAL COMMISSION

Paul W. Gates, Lewistown, from February 25, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Bruce A. Hunt, Williamsport, from February 25, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Frank W. Melvin, Philadelphia, from February 25, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Ross Pier Wright, Erie, from February 26, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

(Miss) M. Atherton Leach, Philadelphia, from March 5, 1936, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISSION

Cornelius Haggarty, Jr., Philadelphia, from November 12, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Harvey Childs Hodgens, Philadelphia, from April 2, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

George MacReynolds, Doylestown, from April 2, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

(Mrs.) Margaret S. B. Zantzinger, Philadelphia, from April 2, 1936, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

Benjamin H. Lackey, New Hope, from April 3, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

James Bush-Brown, Ambler, from April 8, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

(Mrs.) May Blakey Ross, Doylestown, from April 8, 1936, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

MEMBERS OF THE VALLEY FORGE PARK COMMISSION

(Mrs.) Henrietta D. Sheppard, Hanover, from October 3, 1935, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

(Mrs.) Serena M. North Hutchinson, Philadelphia, from October 3, 1935, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

George W. Hensel, Jr., Quarryville, from October 3, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

John A. McCarthy, Philadelphia, from October 3, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Lewis H. Parsons, Villanova, from October 3, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

(Mrs.) Gertrude Howard McCormick, Harrisburg, from October 3, 1935, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

Samuel D. Riddle, Glen Riddle, from October 3, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Victor C. Mather, Haverford, from October 3, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Thomas S. Gates, Philadelphia, from October 3, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

William H. Taylor, West Chester, from October 3, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Edward C. Shannon, Columbia, from October 3, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

William R. Tucker, Jr., Philadelphia, from November 8, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Frank W. Melvin, Philadelphia, from April 9, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE ART COMMISSION

W. F. Hitchens, Pittsburgh, from October 7, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Alexander J. Kostellow, Pittsburgh, from February 17, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

SECRETARY OF WELFARE

John D. Pennington, Huntingdon, from March 16, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE WELFARE COMMISSION

(Mrs.) Catharine Hansell Earle, Philadelphia, from September 27, 1935, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

(Mrs.) Emma Guffey Miller, Pittsburgh, from September 27, 1935, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

Paul N. Schaeffer, Reading, from September 27, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

S. J. Waterworth, Clearfield, from September 27, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

John Boylan, Scranton, from September 27, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Frank E. Baker, Bala-Cynwyd, from September 27, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBER OF THE STATE VETERANS COMMISSION

Louis Schmidt, Philadelphia, from April 8, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BANKING BOARD

Samuel R. Rosenbaum, Philadelphia, from September 1, 1935, for the term of two years, and until his successor is duly appointed and qualified.

C. S. Newhall, Philadelphia, from September 1, 1935, for the term of four years, and until his successor is duly appointed and qualified.

George R. Howell, Reading, from September 1, 1935, for the term of four years, and until his successor is duly appointed and qualified.

George W. Reily, Harrisburg, from September 1, 1935, for the term of eight years, and until his successor is duly appointed and qualified.

W. Walter Wilson, Milton, from September 1, 1935, for the term of eight years, and until his successor is duly appointed and qualified.

A. C. Robinson, Pittsburgh, from September 1, 1935, for the term of six years, and until his successor is duly appointed and qualified.

A. E. Mackintosh, Oil City, from September 1, 1935, for the term of six years, and until his successor is duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN STATE PENITENTIARY

Joseph Spatola, Philadelphia, from February 25, 1936, for the term of four years, and until his successor is qualified.

Edward W. Shober, Haverford, from April 20, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF WESTERN STATE PENITENTIARY

William H. Hyde, Ridgway, from July 10, 1935, for the term of four years and until his successor is qualified.

Henry Brockerhoff, Bellefonte, from January 14, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

J. L. Balthaser, Hamburg, from February 10, 1936, for the term of four years, and until his successor is qualified.

J. Stanley Hill, Stony Creek Mills, from February 11, 1936, for the term of four years, and until his successor is qualified.

Ed. Z. Ruth, Stouchsburg, from February 11, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Katharine F. Ancona, Reading, from February 13, 1936, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF HARRISBURG STATE HOSPITAL

J. C. Ludes, Harrisburg, from August 26, 1935, for the term of four years, and until his successor is qualified.

Charles S. Davis, Steelton, from August 26, 1935, for the term of four years, and until his successor is qualified.

Warren Kauffman, Millersburg, from August 27, 1935, for the term of four years, and until his successor is qualified.

Merle W. Allen, Carlisle, from August 27, 1935, for the term of four years, and until his successor is qualified.

George E. Lloyd, Mechanicsburg, from August 30, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Lewis G. Hill, Lookout, from August 26, 1935, for the term of four years, and until his successor is qualified.

Harold C. Edwards, Stroudsburg, from August 26, 1935, for the term of four years, and until his successor is qualified.

Philip T. Lonergan, Montrose, from August 26, 1935, for the term of four years, and until his successor is qualified.

J. J. Mulholland, Plains, from August 26, 1935, for the term of four years, and until his successor is qualified.

Ed. J. Healey, Carbondale, from August 26, 1935, for the term of four years, and until his successor is qualified.

Hiram E. Wood, Beach Lake, from August 28, 1935, for the term of four years, and until his successor is qualified.

Arthur Rohman, Shohola, from August 30, 1935, for the term of four years, and until his successor is qualified.

A. M. Cook, South Canaan, from September 4, 1935, for the term of four years, and until his successor is qualified.

William Sredenchek, Forest City, from March 31, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF NORRISTOWN STATE HOSPITAL

J. Elmer Porter, Pottstown, from October 2, 1935, for the term of four years, and until his successor is qualified.

Michael A. Burns, Bala-Cynwyd, from October 2, 1935, for the term of four years, and until his successor is qualified.

William D. Teefy, Merion, from October 2, 1935, for the term of four years, and until his successor is qualified.

Henry I. Fox, Norristown, from October 2, 1935, for the term of four years, and until his successor is qualified.

Samuel W. Marshall, Norristown, from October 2, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Marion Knode, Bryn Mawr, from October 2, 1935, for the term of four years, and until her successor is qualified.

(Mrs.) Mary D. Hoblitzelle, Wynnewood, from October 2, 1935, for the term of four years, and until her successor is qualified.

Joseph M. Patterson, Haverford, from October 2, 1935, for the term of four years, and until his successor is qualified.

Leonard B. Botfield, Merion Station, from January 14, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF TORRANCE STATE HOSPITAL

George K. Brennen, Scottdale, from August 21, 1935, for the term of four years, and until his successor is qualified.

William Lipsie, Blairsville, from August 23, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Estelle Johnston Stader, Latrobe, from August 27, 1935, for the term of four years, and until her successor is qualified.

Charles B. Hollingsworth, Greensburg, from August 27, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Dora M. Dunn, Greensburg, from August 27, 1935, for the term of four years, and until her successor is qualified.

Frank A. Maddas, Jeannette, from August 27, 1935, for the term of four years, and until his successor is qualified.

Robert McKelvie, Monessen, from August 27, 1935, for the term of four years, and until his successor is qualified.

Thomas St. Clair, Latrobe, from August 27, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) N. Elizabeth Sherbine, Johnstown, from February 13, 1936, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE COLONY FOR EPILEPTICS

William Erdley, Selinsgrove, from August 27, 1935, for the term of four years, and until his successor is qualified.

Isaac Headings, McAlisterville, from August 27, 1935, for the term of four years, and until his successor is qualified.

Clair Groover, Lewisburg, from August 27, 1935, for the term of four years, and until his successor is qualified.

Curtis C. Lesher, Lewisburg, from August 27, 1935, for the term of four years, and until his successor is qualified.

Lyman Guss, Mifflintown, from August 28, 1935, for the term of four years, and until his successor is qualified.

D. Edwin Ditzler, Selinsgrove, from September 3, 1935, for the term of four years, and until his successor is qualified.

T. G. Herrold, Port Trevorton, from September 4, 1935, for the term of four years, and until his successor is qualified.

Samuel R. Bashore, Port Royal, from December 19, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

Frank E. McArran, Danville, from October 8, 1935, for the term of four years, and until his successor is qualified.

D. E. Edmondson, Danville, from October 9, 1935, for the term of four years, and until his successor is qualified.

S. N. Williamson, Turbotville, from October 9, 1935, for the term of four years, and until his successor is qualified.

William B. Seibert, Hughesville, from October 11, 1935, for the term of four years, and until his successor is qualified.

C. E. Ervin, Danville, from October 14, 1935, for the term of four years, and until his successor is qualified.

M. E. Reeder, Muncy, from October 14, 1935, for the term of four years, and until his successor is qualified.

Simon K. Hoffman, Danville, from December 19, 1935, for the term of four years, and until his successor is qualified.

Edward J. Mullen, Bloomsburg, from December 19, 1935, for the term of four years, and until his successor is qualified.

M. G. Youngman, Danville, from April 21, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

C. W. Elder, Sheffield, from August 27, 1935, for the term of four years, and until his successor is qualified.

Fred W. Moser, Greenville, from August 27, 1935, for the term of four years, and until his successor is qualified.

James K. Bell, Warren, from August 28, 1935, for the term of four years, and until his successor is qualified.

James G. Paul, Bradford, from August 28, 1935, for the term of four years, and until his successor is qualified.

J. Elmer O'Brien, Erie, from August 28, 1935, for the term of four years, and until his successor is qualified.

Merle L. Russell, Marienville, from August 28, 1935, for the term of four years, and until his successor is qualified.

Merritt H. Davis, Clarion, from August 28, 1935, for the term of four years, and until his successor is qualified.

R. A. Cartright, Ridgway, from August 30, 1935, for the term of four years, and until his successor is qualified.

E. H. Beshlin, Warren, from August 30, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

Thomas Martin, Phoenixville, from August 26, 1935, for the term of four years, and until his successor is qualified.

E. G. Brownback, Trappe, from August 26, 1935, for the term of four years, and until his successor is qualified.

H. B. Shearer, Worcester, from August 26, 1935, for the term of four years, and until his successor is qualified.

William Davis, Phoenixville, from August 26, 1935, for the term of four years, and until his successor is qualified.

W. Paul Youngblud, Spring City, from August 27, 1935, for the term of four years, and until his successor is qualified.

Howard B. F. Davis, Downingtown, from August 27, 1935, for the term of four years, and until his successor is qualified.

David G. Byerly, Glenmoore, from August 27, 1935, for the term of four years, and until his successor is qualified.

Earl Witwer, Elverson, from August 28, 1935, for the term of four years, and until his successor is qualified.

Benson Curtis Rinehart, Parker Ford, from October 1, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

Harry B. Mitchell, Emlenton, from October 24, 1935, for the term of four years, and until his successor is qualified.

Samuel Messer, Oil City, from October 24, 1935, for the term of four years, and until his successor is qualified.

Richard H. Lamberton, Franklin, from October 24, 1935, for the term of four years, and until his successor is qualified.

George W. Feldman, Franklin, from October 24, 1935, for the term of four years, and until his successor is qualified.

Harry C. Winslow, Meadville, from October 24, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Mary H. Bard, Slippery Rock, from October 24, 1935, for the term of four years, and until her successor is qualified.

M. A. Garvey, Sharon, from October 24, 1935, for the term of four years, and until his successor is qualified.

John L. Nesbit, Franklin, from October 24, 1935, for the term of four years, and until his successor is qualified.

Michael Nevant, Farrell, from February 13, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOSSBURG STATE HOSPITAL

J. Raymond Stratton, Blossburg, from August 26, 1935, for the term of four years, and until his successor is qualified.

Lyle G. Seelye, Mansfield, from August 26, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Elizabeth H. Stull, Elkland, from August 26, 1935, for the term of four years, and until her successor is qualified.

Harry W. Howland, Gaines, from August 26, 1935, for the term of four years, and until his successor is qualified.

Peter Fischler, Wellsboro, from August 26, 1935, for the term of four years, and until his successor is qualified.

Theodore A. Schmidt, Morris Run, from September 3, 1935, for the term of four years, and until his successor is qualified.

Ransom I. Keeney, Blossburg, from September 4, 1935, for the term of four years, and until his successor is qualified.

Stanley J. Hudzinski, Morris Run, from September 4, 1935, for the term of four years, and until his successor is qualified.

Charles U. Maneval, Liberty, from September 4, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PHILIPSBURG STATE HOSPITAL

Constantine Auroroff, Hawk Run, from October 10, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Daisy B. Katen, Philipsburg, from October 14, 1935, for the term of four years, and until her successor is qualified.

J. E. McGowan, Tyrone, from October 14, 1935, for the term of four years, and until his successor is qualified.

H. A. Callahan, Philipsburg, from February 26, 1936, for the term of four years, and until his successor is qualified.

William W. Litke, Winburne, from February 28, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

John Hartung, Tamaqua, from June 22, 1935, for the term of four years, and until his successor is qualified.

John Carroll, Cumbola, from June 22, 1935, for the term of four years, and until his successor is qualified.

Daniel J. Malloy, Coaldale, from June 22, 1935, for the term of four years, and until his successor is qualified.

C. C. Boner, Tamaqua, from June 22, 1935, for the term of four years, and until his successor is qualified.

James C. McCready, Summit Hill, from June 22, 1935, for the term of four years, and until his successor is qualified.

Andrew Chuchran, Lansford, from June 22, 1935, for the term of four years, and until his successor is qualified

Thomas Sharpe, Nesquehoning, from June 22, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

Adam Olszewski, Nanticoke, from October 4, 1935, for the term of four years, and until his successor is qualified.

Albert Rees, Nanticoke, from October 4, 1935, for the term of four years, and until his successor is qualified.

Frank M. Shiffka, Glen Lyon, from October 4, 1935, for the term of four years, and until his successor is qualified.

Frank S. Boguszewski, Nanticoke, from October 7, 1935, for the term of four years, and until his successor is qualified.

William Baurys, Nanticoke, from October 7, 1935, for the term of four years, and until his successor is qualified.

John Dorak, Nanticoke, from October 7, 1935, for the term of four years, and until his successor is qualified.

John Kmetz, Nanticoke, from October 7, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

Jacob E. Leisenring, Bear Gap, from October 15, 1935, for the term of four years, and until his successor is qualified.

Richard P. Bridy, Mt. Carmel, from November 7, 1935, for the term of four years, and until his successor is qualified.

J. Paul Garrett, Herndon, from February 6, 1936, for the term of four years, and until his successor is qualified.

Wm. Penn Kemble, Mt. Carmel, from February 6, 1936, for the term of four years, and until his successor is qualified.

Victor Marietta, Shamokin, from February 6, 1936, for the term of four years, and until his successor is qualified.

Herbert W. Cummings, Sunbury, from February 28, 1936, for the term of four years, and until his successor is qualified.

James J. Hanlon, Kulpmont, from April 8, 1936, for the term of four years, and until his successor is qualified.

A. E. Konopka, Shamokin, from April 8, 1936, for the term of four years, and until his successor is qualified.

John F. Kramer, Mt. Carmel, from April 8, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF HAZLETON STATE HOSPITAL

H. L. Campbell, Sr., Hazleton, from August 26, 1935, for the term of four years, and until his successor is qualified.

William M. Dougherty, Freeland, from August 26, 1935, for the term of four years, and until his successor is qualified.

Henry Walser, Hazleton, from September 4, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

Earl E. Miller, Mt. Carmel, from June 22, 1935, for the term of four years, and until his successor is qualified.

Nicholas Smith, Mahanoy City, from June 22, 1935, for the term of four years, and until his successor is qualified.

M. A. Carey, Connerton, from June 22, 1935, for the term of four years, and until his successor is qualified.

Charles B. Williams, Pottsville, from June 22, 1935, for the term of four years, and until his successor is qualified.

James Campion, Heckscherville, from June 22, 1935, for the term of four years, and until his successor is qualified.

John Cuff, Shenandoah, from July 2, 1935, for the term of four years, and until his successor is qualified.

W. R. Adamson, Frackville, from February 6, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SCRANTON STATE HOSPITAL

James A. Doherty, Scranton, from August 26, 1935, for the term of four years, and until his successor is qualified.

John Boylan, Scranton, from August 26, 1935, for the term of four years, and until his successor is qualified.

Alfred Gutheinz, Scranton, from August 26, 1935, for the term of four years, and until his successor is qualified.

Thomas Boyce, Tunkhannock, from August 27, 1935, for the term of four years, and until his successor is qualified.

J. Lawrence Ware, Scranton, from August 28, 1935, for the term of four years, and until his successor is qualified.

E. P. Caulfield, Scranton, from August 28, 1935, for the term of four years, and until his successor is qualified.

Frank Meehan, Dickson City, from August 30, 1935, for the term of four years, and until his successor is qualified.

George Phillips, Scranton, from September 4, 1935, for the term of four years, and until his successor is qualified.

Paul E. Kubasko, Throop, from September 11, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

Cornelius P. Reing, Mahanoy City, from June 22, 1935, for the term of four years, and until his successor is qualified.

Albin A. Meluskey, Shenandoah, from June 22, 1935, for the term of four years, and until his successor is qualified.

M. J. Kerrigan, Gilberton, from June 22, 1935, for the term of four years, and until his successor is qualified.

Harry McDonald, Shenandoah, from June 22, 1935, for the term of four years, and until his successor is qualified.

Andrew Baraniak, Shenandoah, from June 27, 1935, for the term of four years, and until his successor is qualified.

John Dean, Shenandoah, from August 26, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL

Challen Waychoff, Waynesburg, from August 26, 1935, for the term of four years, and until his successor is qualified.

D. C. Brown, McDonald, from August 26, 1935, for the term of four years, and until his successor is qualified.

T. J. O'Donovan, Coraopolis, from August 26, 1935, for the term of four years, and until his succesor is qualified.

R. W. Knox, Washington, from August 27, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Ruth Cleland, Washington, from August 30, 1935, for the term of four years, and until her successor is qualified.

Leo J. Schmitt, Pittsburgh, from September 4, 1935, for the term of four years, and until his successor is qualified.

Geo. B. Sprowls, Claysville, from December 9, 1935, for the term of four years, and until his successor is qualfied.

MEMBERS OF THE BOARD OF TRUSTEES THADDEUS STEVENS INDUSTRIAL SCHOOL

Albert H. Fritz, Quarryville, from October 3, 1935, for the term of four years, and until his successor is qualified.

Charles W. Ursprung, Lancaster, from October 4, 1935, for the term of four years, and until his successor is qualified.

W. S. Sullivan, Lancaster, from October 7, 1935, for the term of four years, and until his successor is qualified.

Harry J. Stumpf, Lancaster, from October 10, 1935, for the term of four years, and until his successor is qualified.

W. R. Knerr, Denver, from October 10, 1935, for the term of four years, and until his successor is qualified.

Theodore Schwalm, Lancaster, from February 10, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Ruth Grigg Horting, Lancaster, from February 11, 1936, for the term of four years, and until her successor is qualified.

H. Nelson Albright, Columbia, from February 25, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF

Connel McHugh, Scranton, from August 26, 1935, for the term of four years, and until his successor is qualified.

Henry Buntz, Scranton, from August 26, 1935, for the term of four years, and until his successor is qualified.

Stanley Stoback, Eynon, from August 26, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Agnes Kahler, Jessup, from August 28, 1935, for the term of four years, and until her successor is qualified.

P. J. McDonnell, Scranton, from September 3, 1935, for the term of four years, and until his successor is qualified.

(Miss) Jennie Salerno, Old Forge, from September 3,

1935, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA INDUSTRIAL SCHOOL

C. A. Schoch, Huntingdon, from October 1, 1935, for the term of four years, and until his successor is qualified.

J. O. Bergantz, Huntingdon, from October 1, 1935, for the term of four years, and until his successor is qualified.

E. M. Huyett, Centre Hall, from October 1, 1935, for the term of four years, and until his successor is qualified.

Howard J. Thompson, Curwensville, from October 1, 1935, for the term of four years, and until his successor is qualified.

L. Oder Burket, Roaring Spring, from October 2, 1935, for the term of four years, and until his successor is qualified.

Robert E. Tuff, Saxton, from October 3, 1935, for the term of four years, and until his successor is qualified.

James K. Wiley, Mt. Union, from October 8, 1935, for the term of four years, and until his successor is qualified.

Daniel Leffler, Clearfield, from October 9, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF STATE INDUSTRIAL HOME FOR WOMEN

(Miss) Emily Wilson, Williamsport, from October 4, 1935, for the term of four years, and until her successor is qualified.

George B. Wolf, Williamsport, from October 7, 1935, for the term of four years, and until his successor is qualified.

Fearns E. Bitler, Williamsport, from October 8, 1935, for the term of four years, and until his successor is qualified.

Kenneth D. Poust, Hughesville, from October 8, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Mary W. Curry, Danville, from October 8, 1935, for the term of four years, and until her successor is qualified.

(Mrs.) Grace H. Vanderslice, Bloomsburg, from October 8, 1935, for the term of four years, and until her successor is qualified.

William E. Fernour, Millville, from April 21, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS

William M. Hargest, Harrisburg, from September 4, 1935, for the term of four years.

William A. Schnader, Philadelphia, from September 4, 1935, for the term of four years.

John E. Laughlin, Pittsburgh, from September 27, 1935, for the term of four years.

MEMBER OF THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

D. M. Hawke, Easton, from November 18, 1935, until annulled.

MEMBERS OF THE STATE BRIDGE AND TUNNEL COMMISSION

George Vang, Pittsburgh, from March 16, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Frederick A. Shaw, Tidioute, from March 16, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

John D. Shibe, Philadelphia, from March 16, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES FOR THE CARE OF PERPETUAL ENDOWMENT FUND OF CONRAD WEISER MEMORIAL PARK ASSOCIATION

Lester K. Ade, Williamsport, from February 10, 1936, until annulled.

MEMBERS OF THE STATE PARKS COMMISSION

Ellwood B. Chapman, Philadelphia, from February 25, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Ambrose J. Heller, Allentown, from February 25, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Henry Hornbostel, Pittsburgh, from February 25, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Ernest G. Smith, Wilkes-Barre, from March 12, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE FARM PRODUCTS SHOW COMMISSION

Raymond B. Arnold, Milan, from September 3, 1935, for the term of four years.

Paul Thayer, Carlisle, from September 3, 1935, for the term of four years.

Fred H. Cook, Beaver, from September 3, 1935, for the term of four years.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

Usher H. Meyers, Erie, from July 16, 1935, for the term of four years, and until his successor is qualified.

J. Frederick Wadsworth, Erie, from July 16, 1935, for the term of four years, and until his successor is qualified.

Owen M. Burns, Erie, from July 16, 1935, for the term of four years, and until his successor is qualified.

John A. Farrell, West Chester, from July 16, 1935, for the term of four years, and until his successor is qualified.

Thomas W. McCormack, Erie, from September 9, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE SEVENTY-FIFTH ANNIVERSARY OF THE BATTLE OF GETTYSBURG COMMISSION

Edward C. Shannon, Columbia, from October 1, 1935, until annulled.

William A. Schnader, Philadelphia, from October 1, 1935, until annulled.

Gerald P. O'Neill, Pittsburgh, from October 1, 1935, until annulled.

Henry W. A. Hanson, Gettysburg, from October 1, 1935, until annulled.

William S. McLean, Jr., Wilkes-Barre, from October 1, 1935, until annulled.

Frederick B. Kerr, Clearfield, from October 1, 1935, until annulled.

Victor C. Mather, Haverford, from October 1, 1935, until annulled.

John S. Rice, Gettysburg, from October 1, 1935, until annulled.

MEMBERS OF THE BUSHY RUN BATTLEFIELD COMMISSION

John B. Brunot, Greensburg, from February 13, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

James K. Clarke, Greensburg, from February 13, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

H. Albert Lauffer, Jeannette, from February 13, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

H. Burns Smith, New Kensington, from February 13, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

M. A. Gillespie, Jeannette, from February 14, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

(Mrs.) Kittie Painter Laffoon, Irwin, from February 17, 1936, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

MEMBERS OF THE COMMISSION TO COMPILE, EDIT, PUBLISH AND DISTRIBUTE PAMPHLETS DESCRIPTIVE OF SCENIC AND HISTORIC INTEREST

Henry M. Scharf, Gettysburg, from February 6, 1936, until annulled.

S. Edward Gable, Lancaster, from February 6, 1936, until annulled.

Ernest G. Smith, Wilkes-Barre, from February 6, 1936, until annulled.

Wyatt Brown, Harrisburg, from February 6, 1936, until annulled.

MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS COLLEGE

Gordon H. Cilley, Paoli, from August 26, 1935, for the term of four years, and until his successor is qualified.

Thomas L. Hoskins, West Chester, from August 26, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Sarah Hamilton Mellor, West Chester, from August 26, 1935, for the term of four years, and until her successor is qualified.

(Mrs.) Jean Kane Foulke, West Chester, from August 26, 1935, for the term of four years, and until her successor is qualified.

(Mrs.) Florence Polk Holding, West Chester, from August 26, 1935, for the term of four years, and until her successor is qualified.

Jos. Scattergood, Jr., West Chester, from August 27, 1935, for the term of four years, and until his successor is qualified.

Fred S. Wood, West Chester, from August 27, 1935, for the term of four years, and until his successor is qualified.

John A. Farrell, West Chester, from August 27, 1935, for the term of four years, and until his successor is qualified.

Merrill B. Cann, West Chester, from August 28, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE TEACHERS COLLEGE

Guy K. Bard, Lancaster, from February 25, 1936, for the term of four years, and until his successor is qualified.

Walter C. Beam, Strasburg, from February 25, 1936, for the term of four years, and until his successor is qualified.

Clair R. McCollough, Lancaster, from February 25, 1936, for the term of four years, and until his successor is qualified.

H. B. North, York, from February 25, 1936, for the term of four years, and until his successor is qualified.

Ray F. Deck, Palmyra, from March 3, 1936, for the term of four years, and until his successor is qualified.

John H. Myers, York, from April 17, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Caroline Witmer, Lancaster, from April 17, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS COLLEGE

Irvin A. Seltzer, Pottsville, from October 15, 1935, for the term of four years, and until his successor is qualified.

Charles A. Bachman, Emaus, from October 16, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Marguerite L. Krauss, Kutztown, from October 16, 1935, for the term of four years, and until her successor is qualified.

Dawson H. Muth, Shillington, from October 16, 1935, for the term of four years, and until his successor is qualified.

Charles E. Benfield, Allentown, from October 16, 1935, for the term of four years, and until his successor is qualified.

E. M. Knerr, Allentown, from October 17, 1935, for the term of four years, and until his successor is qualified.

Herman A. Fister, Kutztown, from October 21, 1935, for the term of four years, and until his successor is qualified.

Hanns Gramm, West Reading, from February 11, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS COLLEGE

Frank B. Michaels, East Stroudsburg, from July 16, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Kathryn Edwards, Stroudsburg, from July 16, 1935, for the term of four years, and until her successor is qualified.

Grant W. Nitrauer, Stroudsburg, from July 16, 1935, for the term of four years, and until his successor is qualified.

Harry B. Bock, Lehighton, from July 16, 1935, for the term of four years, and until his successor is qualified.

James Arbogast, Stroudsburg, from July 16, 1935, for the term of four years, and until his successor is qualified.

E. S. Rosenberry, Stone Church, from July 16, 1935, for the term of four years, and until his successor is qualified.

Richard P. McNichols, Scranton, from July 16, 1935, for the term of four years, and until his successor is qualified.

Thomas Heffernan, Wilkes-Barre, from July 16, 1935, for the term of four years, and until his successor is qualified.

M. G. Nye, East Stroudsburg, from July 16, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS COLLEGE

Vine B. Hughes, Tioga, from February 13, 1936, for the term of four years, and until his successor is qualified.

(Miss) Marion C. Stone, Coudersport, from February 13, 1936, for the term of four years, and until her successor is qualified.

W. A. MacCausland, Mansfield, from February 13, 1936, for the term of four years, and until his successor is qualified.

(Miss) Mary A. McInroy, Middlebury Center, from February 14, 1936, for the term of four years, and until her successor is qualified.

W. W. Beaman, Troy, from February 14, 1936, for the term of four years, and until his successor is qualified.

J. B. Matthews, Covington, from February 17, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS COLLEGE

Clinton Herring, Orangeville, from February 25, 1936, for the term of four years, and until his successor is qualified.

Henry T. Meyer, Lewisburg, from February 25, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Ethel Noecker, Schuylkill Haven, from February 25, 1936, for the term of four years, and until her successor is qualified.

Grover C. Shoemaker, Bloomsburg, from February 25, 1936, for the term of four years, and until his successor is qualified.

W. P. Gallagher, Wilkes-Barre, from February 26, 1936, for the term of four years, and until his successor is qualified.

H. V. Hower, Berwick, from February 27, 1936, for the term of four years, and until his successor is qualified.

Charles C. Evans, Berwick, from February 27, 1936, for the term of four years, and until his successor is qualified.

William W. Evans, Bloomsburg, from February 28, 1936, for the term of four years, and until his successor is qualified.

Thomas G. Vincent, Danville, from March 3, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHERS COLLEGE

Mervin A. Burkett, Lock Haven, from March 9, 1936, for the term of four years, and until his successor is qualified.

J. Fred Katzmaier, Williamsport, from March 9, 1936, for the term of four years, and until his successor is qualified.

(Miss) Elizabeth H. Peale, Lock Haven, from March 10, 1936, for the term of four years, and until her successor is qualified.

Chas. R. Lauer, Lock Heven, from March, 10, 1936, for the term of four years, and until his successor is qualified.

Hartman B. Herr, Lock Haven, from March 10, 1936, for the term of four years, and until his successor is qualified.

J. W. Sweeney, St. Marys, from March 11, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Daisy B. Henderson, Bellefonte, from March 12, 1936, for the term of four years, and until her successor is qualified.

E. Clair Davis, Clearfield, from March 14, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF INDIANA STATE TEACHERS COLLEGE

David Dale McMaster, Johnstown, from March 31, 1936, for the term of four years, and until his successor is qualified.

R. H. Philson, Myersdale, from March 31, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Jennie St. Clair Reed, Indiana, from March 31, 1936, for the term of four years, and until her successor is qualified.

W. F. Smith, Punxsutawney, from March 31, 1936, for the term of four years, and until his successor is qualified.

Thomas Sutton, Indiana, from March 31, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Cora Myers Fee, Indiana, from April 1, 1936, for the term of four years, and until her successor is qualified.

Thomas H. Sheehe, Indiana, from April 1, 1936, for the term of four years, and until his successor is qualified.

D. R. Tomb, Indiana, from April 1, 1936, for the term of four years, and until his successor is qualified.

Horace S. Miller, Greensburg, from April 2, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE TEACHERS COLLEGE

David M. McCloskey, Charleroi, from March 2, 1936, for the term of four years, and until his successor is qualified.

J. Buell Snyder, Perryopolis, from March 2, 1936, for the term of four years, and until his successor is qualified.

Harry E. Price, Charleroi, from March 3, 1936, for the term of four years, and until his successor is qualified.

Ephraim S. Tyler, Point Marion, from March 3, 1936, for the term of four years, and until his successor is qualified.

William Soisson, Jr., Connellsville, from March 4, 1936, for the term of four years, and until his successor is qualified.

George B. Frantz, Coal Center, from April 9, 1936, for the term of four years, and until his successor is qualified.

Addison B. Linhart, California, from April 9, 1936, for the term of four years, and until his successor is qualified

MEMBERS OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS COLLEGE

John H. Wilson, Butler, from October 4, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Agnes B. Howley, New Castle, from February 25, 1936, for the term of four years, and until her successor is qualified.

John H. Adams, Pittsburgh, from February 26, 1936, for the term of four years, and until his successor is qualified.

F. A. Barkley, Beaver, from February 26, 1936, for the term of four years, and until his successor is qualified.

W. R. Hockenberry, Slippery Rock, from February 26, 1936, for the term of four years, and until his successor is qualified.

Charles G. Campbell, Beaver, from February 28, 1936, for the term of four years, and until his successor is qualified.

John Laing Wise, Butler, from March 9, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS COLLEGE

C. E. Bordwell, Warren, from April 8, 1936, for the term of four years, and until his successor is qualified.

Ritchie T. Marsh, Erie, from April 8, 1936, for the term of four years, and until his successor is qualified.

O. W. Renz, Erie, from April 8, 1936, for the term of four years, and until his successor is qualified.

Charles B. Stegner, Titusville, from April 8, 1936, for the term of four years, and until his successor is qualified.

John B. Brooks, Erie, from April 9, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Bertha Winter Mahoney, Erie, from April 9, 1936, for the term of four years, and until her successor is qualified.

F. A. Loveland, Corry, from April 13, 1936, for the term of four years, and until his successor is qualified.

Albert L. Thomas, Meadville, from April 14, 1936, for the term of four years, and until his successor is qualified.

(Miss) Rowena MacBride, Sharon, from April 17, 1936, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS COLLEGE

(Mrs.) Gladys B. Long, Clarion, from April 1, 1936, for the term of four years, and until her successor is qualified.

Chester J. Randolph, Rimersburg, from April 1, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CHEYNEY TRAINING SCHOOL FOR TEACHERS

James G. Biddle, Wallingford, from February 6, 1936, for the term of four years, and until his successor is qualified.

David G. Yarnall, Wallingford, from February 6, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Mary F. Comfort, Haverford, from February 6, 1936, for the term of four years, and until her successor is qualified.

Samuel L. Smedley, Newtown Square, from February 6, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Anne Walton Pennell, Moylan, from February 6, 1936, for the term of four years, and until her successor is qualified.

Joseph H. Willits, Swarthmore, from February 6, 1936, for the term of four years, and until his successor is qualified.

J. Hulme Miller, Chester, from February 7, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Crystal Bird Fauset, Philadelphia, from February 25, 1936, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARDS OF TRUSTEES OF THE MOTHERS ASSISTANCE FUND

ALLEGHENY COUNTY

(Mrs.) Blanche M. Barr, Pittsburgh, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Frances Lutz, Pittsburgh, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Nellie C. Wisser, Dravosburg, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

ARMSTRONG COUNTY

(Mrs.) Edna R. Johnston, Apollo, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary D. Bedson, Kittanning, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Edith Dunn, Kittanning, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary M. McLaughin, Freeport, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary M. Geary, Parkers Landing, from September 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

BEAVER COUNTY

(Mrs.) Sally Patton Kenah, New Brighton, from October 7, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Nelle W. Wade, Beaver, from October 7, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Margaret I. Hurst, Rochester, from October 7, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary Agnes Perrott, Beaver Falls, from October 10, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mayme Ley, Aliquippa, from October 10, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

BEDFORD COUNTY

(Mrs.) Grace N. Walter, Everett, from October 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Effie Gaster, Hyndman, from October 7, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary E. Smith, Bedford, from October 7, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Etta S. Harclerode, Hopewell, from October 9, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Fannie Z. Enfield, Bedford, from October 10, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Fannie M. McLaughlin, Bedford, from October 14, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

BERKS COUNTY

(Mrs.) Minnie M. Mays, Weiser Park, from October 4, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Sara G. Miller, Reading, from October 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Anna R. Schmehl, Reading, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs. Hilda Berger Troutman, Reading, from October 10, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Marie L. Keffer, Reading, from March 10, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

BLAIR COUNTY

(Mrs.) Lydia G. Runkle, Altoona, from June 22, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Beatrice S. Moffitt, Altoona, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Carolina Schimminger, Altoona, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Marie F. Daugherty, Tyrone, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Jennie D. Walter, Claysburg, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Vaneeta Beegle, Hollidaysburg, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Helena C. Boland, Altoona, from October 18, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

BRADFORD COUNTY

(Mrs. Catherine Hartley Laux, Sayre, from August 28, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Charlotte Lewis Davidson, Towanda, from August 28, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Emma Buttles Bush, Towanda, from October 24, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Frances Knapp Murray, South Waverly, from October 24, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Katharine A. Moore, Athens, from October 25, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

BUCKS COUNTY

(Mrs.) Clara C. Ortt, Quakertown, from August 30, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Carrie J. Shellenberger, Doylestown, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Wilson Fretz, Doylestown, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Della H. Garver, Ivyland, from August 30, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Frances A. Rufe, Sellersville, from September 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary Bard Ermentrout, Southampton, from October 7, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

BUTLER COUNTY

(Mrs.) Kathleen McCormick Ball, Butler, from August 30, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Miss) Mary McShane, Butler, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Callie Knox, Zelienople, from September 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Frances Jane Shroup, Butler, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mabel Buchanan Conaway, Butler, from December 4, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Maud N. Patterson, Butler, from December 5, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Elva Frazier Beck, Karns City, from December 16, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

CAMBRIA COUNTY

(Mrs.) Ella M. Kearns, Conemaugh, from October 3, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Carrie W. Ellis, Johnstown, from October 7, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Naomi VanH. Shettig, Ebensburg, from October 8, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Bessie Gill Swope, Johnstown, from October 8, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lucille Maurer, Patton, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Julia E. Patrick, Johnstown, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Nelle Murphy, Carrolltown, from October 10, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

CAMERON COUNTY

(Mrs.) Perna Klees, Emporium, from June 22, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Margaret M. Branson, Emporium, from June 22, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lucy Edelman, Emporium, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Ella McLeod, Emporium, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Kathleen Daley, Driftwood, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Alice Dill, Sterling Run, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Julia Lightner, Sinnamahonnig, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

CARBON COUNTY

(Mrs.) Rose Bonner, Summit Hill, from April 27, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Ida Burke, Lehighton, from April 27, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Campbell, Nesquehoning, from April 27, 1936, until June 1, 1941, and until her sucessor is duly appointed and qualified.

(Mrs.) Josephine Quinn, Lansford, from April 27, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

CENTRE COUNTY

(Miss) Miriam Beck, Nittany, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Julia C. Noll, Pleasant Gap, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Jane E. Miller, Millheim, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Sara A. Goodhart, Centre Hall, from October 8, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary H. Broderick, State College, from October 8, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lona B. Johnston, Philipsburg, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Catherine Kilpatrick, Bellefonte, from February 17, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

CHESTER COUNTY

(Mrs.) Helen H. Mackey, New London, from August 27, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Gertrude Widdicombe, Phoenixville, from August 27, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Conway Kelly, Phoenixville, from August 27, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary L. Dewees, Berwyn, from August 27, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Hourdequin, Avondale, from August 28, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Edith H. Owens, Parkesburg, from August 28, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

CLARION COUNTY

(Mrs.) Leda Romaine Keefer Elder, Clarion, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Margaret Curll, Clarion, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Naomi C. Williams, New Bethlehem, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Ruth Johnson Hannon, East Brady, from September 3, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Sue Obenreder, Fryburg, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Minnie W. Collner, Clarion, from February 26, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

CLEARFIELD COUNTY

(Mrs.) Elizabeth M. O'Laughlin, Clearfield, from October 3, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Sallie A. Owens, Clearfield, from October 7, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Esther T. Bartell, Curwensville, from October 7, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Mary White, Morrisdale, from October 7, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Hannah M. Hewett, DuBois, from October 8, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Webb, Houtzdale, from October 10, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

CLINTON COUNTY

(Mrs.) Mary Irene Betts, Lock Haven, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Anna M. Mann, Beech Creek, from April 8, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Grace Wait, Loganton, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Edith Davis Bossert, Avis, from April 9, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Gertrude May Wheeler, Westport, from April 9, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Belle Hyde Wright, Renovo, from April 9, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Cora J. Nicholson, Lock Haven, from April 13, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

COLUMBIA COUNTY

(Mrs.) Inez Brewington, Benton, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Anna Graham H. Law, Bloomsburg, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Gertrude Hartman, Berwick, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Anna J. Stees, Bloomsburg, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

CUMBERLAND COUNTY

(Miss) Margaret Moser, Mechanicsburg, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Merte G. Kehr, Camp Hill, from August 30, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Rachel B. Hollar, Shippensburg, from August 30, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Helen S. Faller, Carlisle, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Marion Leib, New Cumberland, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and quaified.

DELAWARE COUNTY

(Mrs.) Ann T. Monihan, Ridley Park, from October 16, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Sarah P. Brock, Upper Darby, from October 18, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth C. Fleming, Lansdowne, from November 7, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Tillie Fetters Thompson Eastburn, Norwood, from December 2, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Janet King, Chester, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

ERIE COUNTY

(Mrs.) Elsie Hays Miller, Erie, from October 4, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Theresa Sulesky, Erie, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Rhea Roselind Goldman, Erie, from October 8, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Leah R. McCune, Girard, from October 9, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary Margaret Myers, Erie, from February 13, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Manora Foster Gillett, Union City, from April 1, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

FAYETTE COUNTY

(Mrs.) Nellie B. Christy, Uniontown, from August 30, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Louise Frock, Uniontown, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Swaney, Uniontown, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Marie Carmela Canistra, Republic, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Ruth Gladden, Uniontown, from August 30, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary C. Creedon, Connellsville, from August 30, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Sara Sloan Griffin, Brownsville, from August 30, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

FRANKLIN COUNTY

(Mrs.) Mary C. Gelwix, Chambersburg, from February 11, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Mary C. Rhodes, Greencastle, from February 11, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Ruth Lyne Heefner, Waynesboro, from February 21, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Marie Bell Brown, Waynesboro, from February 21, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

GREENE COUNTY

(Mrs.) Elizabeth McNeely Eakin, Jollytown, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Edith Baily Purman, Waynesburg, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Anna Farmer, Greensboro, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Brenda McClure Donley, Mt. Morris, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Sarah B. Dinsmore, Aleppo, from September 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Amanda Cowell Gordon, Waynesburg, from September 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Rhue Moore, Waynesburg, from October 1, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

HUNTINGDON COUNTY

(Mrs.) Jessie H. McClain, Huntingdon, from August 28, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Minna K. Hutchison, Huntingdon, from August 28, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Maude Kerr, Mt. Union, from August 28, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Vena H. Lightner, Shirleysburg, from August 28, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Harriet W. Forbes, Huntingdon, from February 25, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

JEFFERSON COUNTY

(Mrs.) Charlotte Britton, Brockway, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Adaline S. Corbett, Summerville, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Gertrude Buzard Sandt, Brookville, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Edna Bell Eggenberger, Brookville, from September 3, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Miss) Cynthia Wehrle, Punxsutawney, from September 3, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Armede Gadd, Sykesville, from September 9, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

JUNIATA COUNTY

(Mrs.) Nelle B. Fasick, Mifflintown, from October 17, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Millie B. McClure, Port Royal, from October 17, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Martha S. Guss, Mifflin, from October 18, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Anna L. Neely, Honey Grove from October 21, 1935. until June 1. 1941, and until her successor is duly appointed and qualified.

LACKAWANNA COUNTY

(Miss Florence E. Robertson, Scranton, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Rose Fiorani, Scranton, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Katherine Mitchell Butler, Archbald, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Milkman, Scranton, from August 30, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Clare P. Fitzgerald. Scranton, from September 4. 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Angela Rooney, Carbondale, from February 14, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

LANCASTER COUNTY

(Miss) Alice B. Reilly, Lancaster, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth Cottman North, Lancaster, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Maude Weaver, Lancaster, from August 26, 1935, until June 1, 1037, and until her successor is duly appointed and qualified.

(Mrs.) Maude Markel Becker, Columbia, from September 3, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Louise Tinsley Steinman, Lancaster, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

LAWRENCE COUNTY

(Miss) Clare C. Duff, New Castle, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Stella Haines, Ellwood City, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Laura Holliday Miller, New Castle, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Frances Hall Tomasson, Ellwood City, from April 8, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

LEBANON COUNTY

(Miss) Anna L. McCoy, Lebanon, from February 10, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Ernestine T. Weber, Lebanon, from February 10, 1936 until June 1, 1941, nd until her successor is duly appointed and qualified.

(Mrs.) Laura M. Williams, Annville, from February 13, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

LEHIGH COUNTY

(Mrs.) Edna S. Zweifel. Bethlehem, from October 4, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Marguerite Anewalt, Allentown, from October 7, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Anna Lena O'Brien, Allentown, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mabel Newhard McCollom, Allentown, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Melba W. Hennemuth, Emaus, from February 25, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth Gitt Schaeffer, Allentown, from February 25, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

LUZERNE COUNTY

(Mrs.) Isabelle L. Finn, Sugar Notch, from February 25, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary V. Joyce, Pittston, from February 25, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Theodosia Kolenda, Nanticoke, from February 25, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Anna Gertrude Netzel, Larksville, from February 27, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth Mohorter Stroh, Wyoming, from February 28, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Maragret Kennedy Corrigan, azleton, from March 6, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) May Conlon Mundy, Wilkes-Barre, from March 9, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

LYCOMING COUNTY

(Mrs.) Ella Cummings, Williamsport, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Clara Wihlmee Greevy, Williamsport, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Hazel Raemore Fisher, Jersey Shore, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Lillian Reider, Williamsport, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary Caroline Grittner, Montgomery. from September 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Laura Mansuy, Ralston, from April 8, 1936, until June 1. 1937, and until her successor is duly appointed and qualified.

McKEAN COUNTY

(Mrs.) Ida E. Johnson, Bradford, from February 10, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Lura B. Moss, Port Allegany, from February 13, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Emma G. Bovaird, Bradford, from March 31, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Grace Paul Nunnemaker, Bradford, from April 17, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

MERCER COUNTY

(Mrs.) Maude Moreland, Jamestown, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Martha Guthrie, Grove City, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Helen Bryer, Sharon, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mabel Whistler, Mercer, from February 21, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Ferringer, Stoneboro, from February 25, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

MIFFLIN COUNTY

(Mrs.) Marion Ruth Illingworth Andrews, Burnham, from August 26, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Janet B. Sweigart, Belleville, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Miriam Ullrich Hoffman, Lewistown, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Florence Beckwith, Lewistown, from August 26, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Rebecca L. Snook, Lewistown, from August 30, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Mary Briggs, Newton Hamilton, from April 2, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

MONTGOMERY COUNTY

(Mrs.) Elizabeth Griffith Page, Bryn Mawr, from October 24, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary H. Longaker, Pottstown, from October 25, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lena Sklar, Willow Grove, from October 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary E. Norton, Philadelphia, from October 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Lillian L. Strauss, Elkins Park, from November 15, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Marjorie N. MacCoy, Haverford, from November 15, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary E. Saylor, Norristown, from March 2, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

NORTHAMPTON COUNTY

(Miss) Carrie Hay, Easton, from April 20, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Ethel Hecker, Bethlehem, from April 20, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary Houck, Bangor, from April 20, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth Reimer, Easton, from April 20, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Marie O'Donnell, Bethlehem, from April 20, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Sarah N. Silfies, Nazareth, from April 20, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Grace M. Ulrich, Bethlehem, from April 20, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

PHILADELPHIA COUNTY

(Mrs.) Nellie Lee Bok, Philadelphia, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Goldie Paley, Philadelphia, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Katharine M. Lukens, Philadelphia, from August 26, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

POTTER COUNTY

(Mrs.) Nellie Carpenter, Genesee, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Burt, Coudersport, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Lucy Mulchay, Coudersport, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Grace M. Lush, Galeton, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

SCHUYLKILL COUNTY

(Mrs.) Anna Pepper, Ashland, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Helen Chaikowski, Shenandoah, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Catherine Bannan Zerbey, Pottsville, from June 22, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Anna Grabarek, Minersville, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Annette Umbenhen Ryon, Pottsville, from June 22, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Nan Kenney, Mahanoy City, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Helen Birmingham, Girardville, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

SNYDER COUNTY

(Miss) Miriam Ulrich, Selinsgrove, from August 28, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Phoebe Wetzel, Selinsgrove, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mabel Wentzel Aucker, Port Trevorton, from August 30, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Laura Weidenmyer, McClure, from August 30, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Anna M. Weader, McClure, from August 30, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Alverna E. Kauffman, Middleburg, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Wilhelmina Stetler, Middleburg, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

SOMERSET COUNTY

(Mrs.) Ruey Florence Picking, Somerset, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Gilbert, Jennerstown, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Kathryn Hayman, Confluence, from August 30, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Louise Kieffer Miller, Somerset, from September 27, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Elsie Rae Carter, Somerset, from October 1, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

SULLIVAN COUNTY

(Mrs.) Emma Murphy, Dushore, from June 22, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Miss) Marguerite C. Moran, Muncy Valley, from June 22, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Miss) Teresa V. Walsh, Lopez, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Marguerite Gavitt, Lopez, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Lenora M. Cott, Forksville, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Nora Kester, Hillsgrove, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Anna M. Finan, Mildred, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

SUSQUEHANNA COUNTY

(Mrs.) Sara E. Skelly, Susquehanna, from August 26, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Catherine A. O'Brien, Montrose, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Liguori S. Cherney, Forest City, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Lora B. Riley, Springville, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Loretta McCormick, Forest City, from September 3, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary B. Donley, New Milford, from February 21, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

TIOGA COUNTY

(Mrs.) Christina Ward, Blossburg, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Erna H. Meaker, Mansfield, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Stagamen, Wellsboro, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Miss) Mary F. Guiles, Lawrenceville, from September 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Reba C. Davis, Westfield, from September 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Rosa Hamilton, Wellsboro, from April 17, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

UNION COUNTY

(Miss) Almah Shafer, Mifflinburg, from June 22, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Eveline S. Gundy, Lewisburg, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Martha R. Farley, New Columbia, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Martha W. Kalp, Lewisburg, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Martha Braucht, Allenwood, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

WARREN COUNTY

(Mrs.) Victoria M. Pequignot, Tidioute, from October 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Emma D. Chrisman, Warren, from October 4, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Bessie Elder, Sheffield, from October 8, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary McCracken, Warren, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Minnie Haggerty, Sugar Grove, from October 9, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

WAYNE COUNTY

(Mrs.) Anna Stahl, Ariel, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Bridget Corcoran, Hawley, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Veronica York, Forest City, from August 27, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Emma Roslyn Martin, Gouldsboro, from October 8, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lottie M. S. Brenneman, Honesdale, from November 7, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

WYOMING COUNTY

(Mrs.) Edith Lydia Avery, Mill City, from April 8, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Helen Stark Harding, Tunkhannock, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Florence Marion Heitsman, Center Moreland, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Quinn, Meshoppen, from April 8, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Flossie Leona Shupp, Factoryville, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Lucy Catherine Vaughn, Mehoopany, from April 8, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Emily Geraldine Wright, Tunkhannock, from April 8, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

YORK COUNTY

(Mrs.) Edythe M. Brenneman, York, October 21, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Helen P. Appell, York, from October 21, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Kathryn R. Fix, York, from November 7, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Lois O. Rinehardt, York, from November 7, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lorma W. Myers, Hanover, from January 17, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Nellie B. Neely, Highrock, from April 2, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

BOARDS OF TRUSTEES OF THE OLD AGE ASSISTANCE FUND

ELK COUNTY

(Mrs.) Susie L. Geary, Johnsonburg, from October 17, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Anna M. Hayes, Force, from October 17, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Miss) Winifred Maynard, Ridgway, from October 18, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Gladys G. Huson, Wilcox, from October 21, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Kathryn D. Willard, St. Marys, from October 21, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Sue M. Bonnert, St. Marys, from November 7, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Bertha B. Phelps, Ridgway, from February 13, 1936, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

FOREST COUNTY

(Mrs.) Ernestine B. Vail, Tionesta, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Gertrude Mortimer, Marienville, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Miss) Leona Bowman, East Hickory, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Beulah M. Crider, East Hickory, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Adelaide Seigworth, Tionesta, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Anna Mensch, Marienville, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) June Herman Carringer, Tionesta, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

FULTON COUNTY

(Mrs.) Bertha Kirk, Warfordsburg, from September 4, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Rachel Lamberson, Hustontown, from September 4, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

PERRY COUNTY

(Mrs.) Ada Lewis Beale, Duncannon, from September 4, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Myra Kathryn Russell, Millerstown, from September 4, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Lena Weaver Snyder, Liverpool, from September 4, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Margaret Naomi Welker, Marysville, from September 4, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) May Smith Sharp, Newport, from December 5, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Miss) Pearl Rice, Elliottsburg, from December 6, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Miss) Catharine Johnston, New Bloomfield, from December 11, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

PIKE COUNTY

(Mrs.) Ethel Noyes Barckley, Milford, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) ODorette T. Gumble, Paupack, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Mary Reinert, Matamoras, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Helen M. Clark, Blooming Grove, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Catherine Grimm, Greentown, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Mary Galvin, Millrift, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

GEORGE H. EARLE.

COMMISSIONERS OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Commissioners of Deeds, for the term of five years to compute from the dates set opposite their names respectively:

Hamilton, Robert Willoughby, Dowra, Irish Free State, October 2, 1935.

Fazl, Abul, Kapurthala, India, from March 16, 1936.

Campbell. Miss Elizabeth B., Cape May, New Jersey, from March 27, 1936.

GEORGE H. EARLE.

REPORT OF THE DELAWARE RIVER JOINT COMMISSION

The Chair cleared his table and laid before the Senate the report of the Delaware River Joint Commission covering operation of the Deleware River Bridge for the calendar year 1935.

The PRESIDENT. The report will be noted in the Journal.

REPORT OF SAVING FUND SOCIETY OF GERMANTOWN

The Chair cleared his table and laid before the Senate the Eighty-first Annual Statement of the Saving Fund Society of Germantown and Its Vicinity.

The PRESIDENT. The report will be noted in the Journal.

REPORT OF THE PHILADELPHIA SAVING FUND SOCIETY

The Chair cleared his table and laid before the Senate the report of the Auditors of the accounts of The Philadelphia Saving Fund Society for the year ending December 31, 1935.

The PRESIDENT. The report will be noted in the Journal.

RESOLUTION RELATIVE TO MEETINGS OF THE COMMITTEE ON APPROPRIATIONS

Mr. HARRIS offered the following resolution: which was twice read:

In the Senate, May 4, 1936.

Whereas, that for more than a score of years—with two exceptions—the Committee on Appropriations of the Senate has not met nor carefully considered the appropriation bills and acted upon them as required by the rules of this body; and

Whereas, thousands of bills appropriating millions upon millions of dollars of the people's money have been reported out of the Senate Appropriations Committee, without a meeting of this Committee being held, therefore be it

Resolved, That the Committee on Appropriations be informed that the members of the Senate respectfully request that no appropriation bills be reported out of the Committee on Appropriations without the approval of the Committee at a meeting regularly called at which such bills were carefully considered in accordance with the rules of the Senate.

Mr. HARRIS. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended, and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. BUCKMAN. Mr. President, I object, and ask that the resolution be referred to the Committee on Appropriations.

Mr. HARRIS. Mr. President, I hoped that there would not be any objection to the immediate consideration of this resolution. If there had not been objection, of course I would not be required to speak of it. Everybody—every old member of this Senate remembers that for the nine sessions that I have been a member of this body I have objected to the practice by the Chairman of the Committee on Appropriations of reporting out bills without a meeting of that committee.

No attention was paid to my protests except in two instances, and one, I regret to say, occurred at the last session, in the very closing hours. I will not discuss tonight the cause of my asking and insisting then upon a meeting of that committee, but a meeting was held, and, as I am informed by those who know, it was only the second time in more than a quarter of a century.

Now, the fact that something has been done does not make it right, and I want to submit to every member of this body, and particularly those who are members of the Committee on Appropriations, that the practice of reporting bills out of the Committee—thousands of bills in this number of years, appropriating millions and millions of dollars of the people's money—by one man, the Chairman of the Committee,—no one can argue with me and convince me that if the rules require a majority of the members present, and this Committee be guided by the same rules as the other committees, that the report of the most important Committee of all, the Committee on Appropriations, can be made by one man.

This resolution merely does this: it empowers the members of this body to do away with the practice that has been, I would say, a stench in the nostrils of the people of this State. No man has a right to appropriate these moneys without the consent of the other members of the committee; and I ask the Senator from Bucks, Mr. Buckman, to withdraw his objection to the immediate consideration of the resolution.

And I want to say now that if this resolution is not passed, and if this practice is not stopped, any time an appropriation bill is reported out of committee without a legal committee meeting having been held, without the number required by law, I shall move immediately that it be sent back to the committee; and the chairman may do nothing else than send it back, because otherwise, it would be a violation of the law. I ask the Senator from Bucks, Mr. Buckman, to withdraw his objection and permit the immediate consideration of this resolution.

Mr. BUCKMAN. Mr. President, I do not know but that I shall support this resolution. It is an important resolution. Therefore, under the rules, without unanimous consent it must go to Committee. I merely ask that that be done.

Of course, the Senator from Allegheny County, Mr. Harris, is entirely out of order in discussing at this time a resolution which has been merely introduced, and which, under the rules, must go to Committee unless unanimous consent be given otherwise.

Mr. HARRIS. Mr. President, I challenge the statement of the Senator from Bucks, Mr. Buckman, that I am out of order. I am discussing his objection to this resolution and not the resolution itself; and, if necessary, I shall exercise the time honored and much abused expedient of personal privilege to discuss this, under which other resolutions have been discussed on this floor.

Tonight more than twenty resolutions have been presented, and all acted upon immediately; and now, when one dealing with this important subject is offered, its immediate consideration meets with objection. There is no study required of this, because this is not a new song with me.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, was perfectly in order in discussing this objection. The objection has been made, however, to the unanimous consent for immediate consideration, and unless the objection is withdrawn the Chair has no alternative to referring the resolution to Committee. The objection still stands, and the resolution is referred to the Committee on Appropriations.

NOTIFICATION FROM THE HOUSE

Messrs. Burke, Woodside and Lovett, a Committee of the House of Representatives, being introduced, informed the Senate that it was duly organized and ready to proceed with the business and were extended the thanks of the Senate.

HOUSE MESSAGES

JOINT SESSION

The Clerk of the House of Representatives being introduced informed the Senate that the House had concurred in Resolution from the Senate as follows,

In the Senate, May 4, 1936.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, Monday evening, May 4, 1936, at 10 o'clock in the Hall of the House for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

NOTIFICATION TO THE GOVERNOR

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, May 4, 1936.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House, if the House shall appoint such committee, to wait upon his Excellency, the Governor of the Commonwealth, and inform him that the General Assembly is convened in Extraordinary Session in conformity with the proclamation of April 27, 1936, and the supplement thereto of April 30, 1936, and is ready to receive any communications he may have to make.

The PRESIDENT. The Chair appoints as said Committee the Senator from Monroe, Mr. Huffman, the Senator from Washington, Mr. Reed, and the Senator from Luzerne, Mr. Sordoni.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

COMMITTEE APPOINTED TO WAIT UPON THE GOVERNOR

Mr. HUFFMAN. Mr. President, the Committee appointed by the Senate to act in conjunction with a similar committee of the House of Representatives to inform the Governor that the General Assembly is organized and ready to receive any communications he may be pleased to make has performed its duty.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

HOUSE MESSAGES

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

The Clerk of the House of Representatives being introduced informed the Senate that the House had concurred in Resolution from the Senate as follows,

In the Senate, May 4, 1936.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House, (if the House shall appoint such Committee), to escort the Governor to the Hall of the House to address the members of the General Assembly in Joint Session, at 10:00 o'clock P. M., May 4, 1936, pursuant to a concurrent resolution already adopted by the Senate and House of Representatives.

The PRESIDENT. The Chair appoints as said Committee on the part of the Senate, the Senator from Northampton, Mr. Roberts, the Senator from Westmoreland, Mr. Thompson, and the Senator from Schuylkill, Mr. Staudenmeier.

SENATE PROCEEDS TO HOUSE TO HEAR GOVERNOR'S MESSAGE

Messrs. Zimmerman and Gerard, a Committee of the House of Representatives, being introduced, informed the Senate that the House was ready for the reception of the President and members of the Senate for the purpose of listening to the reading of a message by His Excellency, the Governor.

Whereupon,

The President and members of the Senate proceded to the hall of the House of Representatives.

SENATE RETURNS FROM HOUSE

After some time the President and Senators returned to the Senate Chamber.

BILLS INTRODUCED

Mr. WOODWARD read in his place and presented to the Chair, Senate Bill No. 1, entitled:

A Joint Resolution proposing an amendment to section twelve of article five of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Also read in his place and presented to the Chair, Senate Bill No. 2, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Also read in his place and presented to the Chair, Senate Bill No. 3, entitled:

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Also read in his place and presented to the Chair, Senate Bill No. 4, entitled:

A Joint Resolution proposing an amendment to section one, article eight of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Also read in his place and presented to the Chair, Senate Bill No. 5, entitled:

A Joint Resolution proposing an amendment to section four, article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Also read in his place and presented to the Chair, Senate Bill No. 6, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Mr. SHAPIRO read in his place and presented to the Chair, Senate Bill No. 7, entitled:

An Act creating a system of Unemployment Insurance providing an Unemployment Insurance Fund, and the method of its administration.

Which was committed to the Committee on Insurance.

Mr. REED (Dauphin) read in his place and presented to the Chair, Senate Bill No. 8, entitled:

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Mr. LAW read in his place and presented to the Chair, Senate Bill No. 9, entitled:

A Joint Resolution proposing an amendment to article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Also read in his place and presented to the Chair, Senate Bill No. 10, entitled:

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

RESOLUTIONS ON THE DEATH OF HONORABLE JAMES E. NORTON

Mr. RUTH offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 4, 1936.

It is with sorrow that the members of the Senate of Pennsylvania record the death December 9, 1935, of Honorable James Edward Norton, of Reading, member of this body for many years from the Eleventh District.

Senator Norton was born in Reading, Pennsylvania, and was elected to the House of Representatives in 1918 and to the Senate in 1920, being re-elected in 1924, 1928, and 1932. He was conspicuous for his attention to his public duties and for the sound judgment he displayed in handling public questions. He was reliable, efficient, patient and always happy to be of service to his constituents and associates.

Senator Norton was highly respected in his home community, was an enthusiastic teacher and worker in church circles and was nationally known in fraternal society affairs having been Supreme Regent of the Royal Arcanum and prominent in Masonic activities. His death imposes a great loss upon this Senate and upon the community and organizations in which he was such a factor for good.

It is hereby resolved that the sympathy of the Senate be extended to the bereaved family with a copy of this minute and that when the Senate adjourns this evening it do so in memory of and out of respect for the late Senator Norton.

The PRESIDENT. The Chair wishes to express its thanks to the employees of the Bureau of Property and Supplies for the beautiful boquet of flowers sent up to the desk.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn out of respect to the memory of the late Senator from Berks, Hon. James E. Norton, until tomorrow at 12 o'clock noon.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:56 P. M. until 12 o'clock noon (Eastern Standard Time) Tuesday, May 5, 1936.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 4, 1936

EXTRAORDINARY SESSION

Mr. EUGENE A. CAPUTO (Chairman Committee on Judiciary General) in the Chair.

The CHAIRMAN. This being the day and the hour fixed by His Excellency, the Governor of the Commonwealth, convening the General Assembly in Extraordinary Session by virtue of the authority conferred upon him under Article IV, Section 12 of the Constitution of Pennsylvania, and by virtue of the authority vested in me by law, as Chairman of the Committee on Judiciary General, to perform the duties of the office of Speaker of the House of Representatives in case a vacancy shall occur, now call this House to order.

PRAYER

REV. MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

O God, our Heavenly Father we pray Thy blessings upon the members of this General Assembly and the workers as we gather here in this special session of the Legislature.

We are keenly conscious as we come here of the great loss that we have sustained through the death of our beloved Speaker and other members of this General Assembly. We pray Thee that we might carry on the work that they have well started, with increased devotion to the high ideals that animated their lives.

We pray that as we come here we may be conscious of the fact that our coming has been caused by a great need on the part of millions of people in our great Commonwealth. May we devote our best efforts, sincerity of purpose and plans for meeting these needs.

We pray that Thou wouldst bless the Governor of this Commonwealth and the members of his official family. May Thy wisdom guide us in all our deliberations and may Thy spirit keep us in the ways of righteousness and peace.

We pray Thy blessings upon all the people everywhere, all classes and conditions of mankind, and may the time soon come when righteousness and peace and true holiness shall cover the earth as the waters cover the great deep.

These and other blessings we ask through Jesus Christ our Lord and for His sake. Amen.

PROCLAMATION OF THE GOVERNOR

The CHAIRMAN. The Clerk will read the proclamation of the Governor.

The Clerk read the proclamation as follows:

IN THE NAME AND BY AUTHORITY OF THE COMMONWEALTH OF PENNSYLVANIA, GOVERNOR'S OFFICE, HARRISBURG

By virtue of the authority vested in me by Article IV, Section 12, of the Constitution, I, George H. Earle, Governor of Pennsylvania, do hereby convene the General Assembly of the Commonwealth in extraordinary session to meet in the Capitol, at Harrisburg, on Monday, May 4th, one thousand nine hundred thirty-six, at 8:00 o'clock P. M. (Eastern Standard Time) of that day, to consider legislation upon the following subjects:

1. Appropriations to the State Emergency Relief Board for unemployment relief, and expenses incident thereto,

including an allocation to the State Veterans' Commission for expenses and for the purpose of providing necessities of life or other assistance to needy Pennsylvania veterans or their dependents.

2. Authorizing the Commonwealth and its various political subdivisions and their agencies or instrumentalities, either together, alone, or in cooperation with the United States Government, or any agency or instrumentality thereof, to extend relief to the victims of the recent calamitous floods, including the rehabilitation of property damaged or destroyed and the restoration of the flooded territories to a wholesome and sanitary condition.

3. Authorizing the Commonwealth, its political subdivisions and their agencies or instrumentalities, either together, alone, or in cooperation with the United States Government, or any agency or instrumentality thereof, to take appropriate measures for the prevention of floods, including reforestation, the prevention of soil erosion, and the building of dams, reservoirs, dikes and levees.

4. Social legislation to enable the Commonwealth, its political subdivisions, their agencies or instrumentalities and its citizens to obtain the full benefits of the Federal Social Security Act, including unemployment insurance, old age assistance, blind pensions, aid to dependent children, mother and child welfare assistance, assistance for public health services, amendment of existing laws to conform to the Federal requirements, and additional appropriations to enable the Commonwealth to match in full any Federal moneys available under the Social Security Act, including Federal moneys available for vocational and industrial rehabilitation purposes.

5. Providing for the abatement of tax penalties and interest on taxes imposed by the various political subdivisions, poor districts and school districts of the Commonwealth.

6. Appropriations for the purpose of increasing the capacity of over-crowded State institutions, eliminating fire, and other hazards to safety at State institutions, the purchase of safety and other equipment, the erection and construction of new buildings, and repairs, alterations and additions to and replacement of existing buildings and equipment.

7. Refunding of the bonded indebtedness of the Commonwealth.

8. Validating municipal bond issues.

9. Authorizing chattel mortgages securing loans solely from the United States of America, or any agency or instrumentality thereof.

10. Appropriations to supply deficiencies incurred by various State departments, boards and commissions in rendering assistance in connection with the recent calamitous floods.

11. Legislation to strengthen enforcement of existing revenue statutes and to offset adverse court decisions interpreting existing revenue statutes.

12. Appropriations for financially distressed school districts.

13. By taxation or otherwise to provide revenue for the Commonwealth, its political subdivisions and their agencies or instrumentalities, and the appropriation thereof to carry out the purposes of this call.

14. Legislation appropriate for the commemoration by the Commonwealth and its citizens of (a) the One Hundred Fiftieth Anniversary of the Adoption of the Constitution of the United States of America, and (b) the Three Hundredth Anniversary of the First Civilization, the Establishment of the Courts of Law and the First Capital of the United States within what is now known as the Commonwealth of Pennsylvania.

15. An amendment to Article XVIII, Section 1 of the Constitution of Pennsylvania, permitting amendments to the State Constitution to be submitted to the electors of the Commonwealth more frequently than is now permitted.

16. Legislation to eliminate cruelty to animals, that are displayed for commercial purposes.

17. Appropriation for the expenses of the Special Session.

Given under my hand and the Great Seal of the State at the City of Harrisburg, this 27th day of April, in the year of our Lord one thousand nine hundred thirty-six, and of the Commonwealth the one hundred sixtieth.

[SEAL]

GEORGE H. EARLE.

By the Governor:

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

IN THE NAME AND BY AUTHORITY OF THE COMMONWEALTH OF PENNSYLVANIA, GOVERNOR'S OFFICE, HARRISBURG

Whereas, an Extraordinary Session of the General Assembly of the Commonwealth of Pennsylvania has been called, under authority of Article IV, Section 12 of the Constitution, to meet in the Capitol at Harrisburg, on Monday, May 4, 1936, at 8:00 o'clock P. M. (Eastern Standard Time).

Now, therefore, I, George H. Earle, Governor of the Commonwealth, do hereby designate the following additional subjects for the consideration of the General Assembly:

I. At the request of Mayor S. Davis Wilson, of the City of Philadelphia, the following subjects are hereby designated:

(a) Legislation authorizing the Board of Revision of Taxes of cities of the first class to classify the real estate situated therein so as to discriminate between those parcels employed exclusively for manufacturing purposes, and other real estate in such cities.

(b) Legislation authorizing cities of the first class to sell at public sale all or any part of the delinquent taxes upon real estate owing to such cities and authorizing the appropriation of monies realized from such sales, in addition to other appropriations as now provided by law.

(c) Legislation authorizing the City of Philadelphia in acquiring public improvements of public utilities or parts thereof or interests therein, which may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges upon municipal bonds issued to effect such acquisition as now provided by law and by Article Nine Section Eight of the Constitution, to issue such bonds, directly to the seller or sellers of the said public improvements or public utilities or parts thereof or interests therein. The assent of the electors at a referendum shall be required for the creation of such indebtedness.

II. Legislation requiring cities of the Second A Class to allow members of the police departments twenty-four consecutive hours of rest each week, and fourteen days vacation each year, except in emergency cases.

Given under my hand and the Great Seal of the State at the City of Harrisburg, this 30th day of April, in the year of our Lord one thousand nine hundred thirty-six, and of the Commonwealth the one hundred sixtieth.

[GREAT SEAL]

GEORGE H. EARLE.

By the Governor:

DAVID L. LAWRENCE
Secretary of the Commonwealth

The CHAIRMAN. The Proclamation will be spread upon the Journal and printed in full in the Legislative Journal.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. "In accordance with the mandate of Article II, Section 2 of the Constitution and the laws of this Commonwealth, I, Eugene A. Caputo, by virtue of the authority conferred upon me by law, has issued writs of election to the sheriffs of the several counties where vacancies have occurred in the membership of this House, directing that special elections be held to fill said vacancies in the following districts:

1. Sixth Legislative District, comprising the 7th ward of the County of Philadelphia, by reason of the death of the Honorable Samuel B. Hart, on the 24th day of March, 1936.

2. Tenth Legislative District, comprising the 15th ward of the County of Philadelphia, by reason of the resignation of the Honorable Alexander C. Green on 14th day of January, 1936.

3. Thirteenth Legislative District, comprising the 16th and 20th wards of the County of Philadelphia, by reason of the resignation of the Honorable Louis Schwartz on the 14th day of January, 1936.

4. Twenty-first Legislative District, comprising the 20th and 47th wards of the County of Philadelphia, by reason of the resignation of the Honorable Patrick Conner on the 14th day of January, 1936.

5. Third Legislative District of the County of Berks by reason of the resignation of the Honorable Frank W. Ruth on the 27th day of March, 1936.

6. Fourth Legislative District of the County of Berks, by reason of the death of the Honorable Wilson G. Sarig on the 14th day of March, 1936.

7. County of Forest, by reason of the death of the Honorable Alexander R. Wheeler on the 27th day of November, 1935.

8. Second Legislative District of the County of Lancaster, by reason of the death of the Honorable Edwin R. Spangler on the 15th day of October, 1935.

The Chair directs these writs of election together with the letters of resignation, be noted in the Journal and printed in full in the Legislative Journal.

Commonwealth of Pennsylvania, }
To William J. Hamilton, Sheriff of } ss:
the County of Philadelphia:

Greeting:

Whereas, A vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the sixth Legislative District of the County of Philadelphia, composed of the seventh ward of the City of Philadelphia, caused by the death of Samuel B. Hart, the Representative elect from said district, on the twenty-fourth day of March, one thousand nine hundred thirty-six;

Now, Therefore, I Eugene A. Caputo, Chairman of the Committee on Judiciary General, by virtue of the authority vested in me by law to perform the duties of the office of Speaker of the House of Representatives in case a vacancy shall occur in the said office of Speaker, and by virtue of the authority vested in the Speaker of the House of Representatives by the Constitution of the Commonwealth of Pennsylvania and the act of assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said sixth Legislative District of the County of Philadelphia, on the twenty-eighth day of April, one thousand nine hundred thirty-six, to choose a person to represent said sixth Legislative District in the House of Representatives of the Commonwealth of Pennsylvania for the term expiring December first, one thousand nine hundred thirty-six, and that you give due and public notice of said election throughout said sixth Legislative District and to at least one of the inspectors of each election district therein, in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, the 27th day of March, one thousand nine hundred thirty-six.

EUGENE A. CAPUTO [SEAL]
Chairman of the Committee on Judiciary General.

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF DAUPHIN } ss:

William C. Wakefield, being duly sworn according to law, says that he resides at Bills Place, Fulton County, Pennsylvania, that he is a Chief Sergeant-at-Arms of the House of Representatives of the Commonwealth of Pennsylvania.

That he served on the Honorable Wm. J. Hamilton, Jr., Sheriff of the County of Philadelphia, on the 2nd day of April, 1936, at 11.15 o'clock A. M., at his office in the City of Philadelphia, a writ for a special election for the Office of Representative in the sixth Legislative District of the County of Philadelphia by command of the Honorable Eugene A. Caputo, Chairman of the Committee on Judiciary General of the House of Representatives of the Commonwealth of Pennsylvania.

WILLIAM C. WAKEFIELD,
Sergeant-at-Arms.

Sworn and subscribed to before me this 3d day of April, 1936.

CHAS. W. HENNINGER,
Clerk of the Court,
Dauphin County, Penna.

[SEAL]

Commonwealth of Pennsylvania, ss:

To William J. Hamilton, Sheriff of the County of Philadelphia:

Greeting:

Whereas, a vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the tenth Legistive District of the County of Philadelphia, composed of the fifteenth ward of the city of Philadelphia, caused by the resignation of Alexander C. Green, the Representative-elect from said district, on the fourteenth day of January, one thousand nine hundred thirty-six,

Now, therefore, I, Eugene A. Caputo, Chairman of the Committee on Judiciary General, by virtue of the authority vested in me by law to perform the duties of the office of Speaker of the House of Representatives in case a vacancy shall occur in the said office of Speaker, and by virtue of the authority vested in the Speaker of the House of Representatives by the Constitution of the Commonwealth of Pennsylvania and the act of assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said tenth Legislative District of the County of Philadelphia, on the twenty-eight day of April, one thousand nine hundred thirty-six, to choose a person to represent said tenth Legislative District in the House of Representatives of the Commonwealth of Pennsylvania for the term expiring December first, one thousand nine hundred thirty-six, and that you give due and public notice of said election throughout said tenth Legislative District and to at least one of the inspectors of each election district therein, in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this 27th day of March, one thousand nine hundred thirty-six.

EUGENE A. CAPUTO, [SEAL]
Chairman of the Committee on
Judiciary Genera

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF DAUPHIN } ss:

William C. Wakefield, being duly sworn according to law, says that he resides at Bills Place, Fulton County, Pennsylvania, that he is a Chief Sergeant-at-Arms of the House of Representatives of the Commonwealth of Pennsylvania.

That he served on the Honorable Wm. J. Hamilton, Jr., Sheriff of the County of Philadelphia, on the 2nd day of April, 1936, at 11.15 o'clock A. M., at his office in the City of Philadelphia, a writ for a special election for the Office of Representative in the tenth Legislative District of the County of Philadelphia by command of the Honorable Eugene A. Caputo, Chairman of the Committee on Judiciary General of the House of Representatives of the Commonwealth of Pennsylvania.

WILLIAM C. WAKEFIELD,
Sergeant-at-Arms.

Sworn and subscribed to before me this 3d day of April, 1936.

CHAS. W. HENNINGER,
Clerk of the Court,
Dauphin County, Penna.

[SEAL]

Commonwealth of Pennsylvania, ss:

To William J. Hamilton, Sheriff of the County of Philadelphia:

Greeting:

Whereas, a vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the thirteenth legislative district of the County of Philadelphia, composed of the sixteenth and twentieth wards of the city of Philadelphia, caused by the resignation of Louis Schwartz, the Representative-elect from said district, on the fourteenth day of January, one thousand nine hundred thirty-six;

Now, therefore, I, Eugene A. Caputo, Chairman of the Committee on Judiciary General, by virtue of the authority vested in me by law to perform the duties of the office of Speaker of the House of Representatives in case a vacancy shall occur in the said office of Speaker, and by virtue of the authority vested in the Speaker of the House of Representatives by the Constitution of the Commonwealth of Pennsylvania and the act of assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said 13th Legislative District of the County of Philadelphia, on the twenty-eighth day of April, one thousand nine hundred thirty-six, to choose a person to represent said 13th Legislative District in the House of Representatives of the Commonwealth of Pennsylvania for the term expiring December first, one thousand nine hundred thirty-six, and that you give due and public notice of said election throughout said 13th Legislative District and to at least one of the inspectors of each election district therein, in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this 27th day of March, one thousand nine hundred thirty-six.

EUGENE A. CAPUTO, [SEAL]
Chairman of the Committee on
Judiciary General.

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF DAUPHIN } ss:

William C. Wakefield, being duly sworn according to law, says that he resides at Bills Place, Fulton County, Pennsylvania, that he is a Chief Sergeant-at-Arms of the House of Representatives of the Commonwealth of Pennsylvania.

That he served on the Honorable Wm. J. Hamilton, Jr., Sheriff of the County of Philadelphia, on the 2nd day of April, 1936, at 11.15 o'clock A. M., at his office in the City of Philadelphia, a writ for a special election for the Office of Representative in the thirteen Legislative District of the County of Philadelphia by command of the Honorable Eugene A. Caputo, Chairman of the Committee on Judiciary General of the House of Representatives of the Commonwealth of Pennsylvania.

WILLIAM C. WAKEFIELD,
Sergeant-at-Arms.

Sworn and subscribed to before me this 3d day of April, 1936.

CHAS. W. HENNINGER,
Clerk of the Court,
Dauphin County, Penna.

[SEAL]

Commonwealth of Pennsylvania, ss:

To William J. Hamilton, Sheriff of the County of Philadelphia:

Greeting:

Whereas, a vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the twenty-first Legislative District of the County of Philadelphia, composed of the twenty-ninth and forty-seventh wards of the city of Philadelphia, caused by the resignation of Patrick Conner, the Representative-elect from said district, on the fourteenth day of January, one thousand nine hundred thirty-six.

Now, therefore, I, Eugene A. Caputo, Chairman of the Committee on Judiciary General, by virtue of the authority vested in me by law to perform the duties of the office of Speaker of the House of Representatives in case a vacancy shall occur in the said office of Speaker, and by virtue of the authority vested in the Speaker of the House of Representatives by the Constitution of the Commonwealth of Pennsylvania and the act of assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said 21st Legislative District of the County of Philadelphia, on the twenty-eight day of April, one thousand nine hundred thirty-six, to choose a person to represent said 21st Legislative District in the House of Representatives of the Commonwealth of Pennsylvania for the term expiring December first, one thousand nine hundred thirty-six, and that you give due and public notice of said election throughout said 21st Legislative District and to at least one of the inspectors of each election district therein, in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this 27th day of March, one thousand nine hundred thirty-six.

EUGENE A. CAPUTO, [SEAL]
Chairman of the Committee on
Judiciary General.

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF DAUPHIN } ss:

William C. Wakefield, being duly sworn according to law, says that he resides at Bills Place, Fulton County, Pennsylvania, that he is a Chief Sergeant-at-Arms of the House of Representatives of the Commonwealth of Pennsylvania.

That he served on the Honorable Wm. J. Hamilton, Jr., Sheriff of the County of Philadelphia, on the 2nd day of April, 1936, at 11:15 o'clock A. M., at his office in the City of Philadelphia, a writ for a special election for the Office of Representative in the twenty-first Legislative District of the County of Philadelphia by command of the Honorable Eugene A. Caputo, Chairman of the Committee on Judiciary General of the House of Representatives of the Commonwealth of Pennsylvania.

WILLIAM C. WAKEFIELD,
Sergeant-at-Arms.

Sworn and subscribed to before me this 3rd day of April, 1936.

[SEAL]

CHAS. W. HENNINGER,
Clerk of the Courts,
Dauphin County, Pa.

Commonwealth of Pennsylvania, ss:

To John C. Cook, Sheriff of the County of Berks:
Greeting:

Whereas, a vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the third Legislative District of the County of Berks, composed of the boroughs of Bernville, Centreport, Hamburg, Lenhartsville, Robesonia, Shoemakersville, Strausstown, Wernersville, West Leesport and Womelsdorf, and the townships of Albany, Bern, Bethel, Centre, Greenwich, Heidelberg, Jefferson, Lower Heidelberg, Narion, North Heidelberg, Penn, Perry, South Heidelberg, Tilden, Tulpehocken, Upper Bern, Upper Tulpehocken and Windsor caused by the resignation of Frank W. Ruth on the 27th day of March, one thousand nine hundred thirty-six.

Now, therefore, I, Eugene A. Caputo, Chairman of the Committee on Judiciary General, by virtue of the authority vested in me by law to perform the duties of the office of Speaker of the House of Representatives in case a vacancy shall occur in the said office of Speaker, and by virtue of the authority vested in the Speaker of the House of Representatives by the Constitution of the Commonwealth of Pennsylvania and the act of assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said third Legislative District of the County of Berks, on the twenty-eighth day of April, one thousand nine hundred thirty-six, to choose a person to represent said third Legislative District in the House of Representatives of the Commonwealth of Pennsylvania for the term expiring December first, one thousand nine hundred thirty-six, and that you give due and public notice of said election throughout said third Legislative District and to at least one of the inspectors of each election district therein, in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this 27th day of March, one thousand nine hundred thirty-six.

EUGENE A. CAPUTO [SEAL]
Chairman of the Committee on
Judiciary General.

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF DAUPHIN } ss:

William C. Wakefield, being duly sworn according to law, says that he resides at Bills Place, Fulton County, Pennsylvania, that he is a Chief Sergeant-at-Arms of the House of Representatives of the Commonwealth of Pennsylvania.

That he served on the Honorable John C. Cook, Sheriff of the County of Berks, on the 1st day of April, 1936, at 9 o'clock P. M., at his office at Reading, a writ for a special election for the Office of Representative in the third Legislative District of the County of Berks by command of the Honorable Eugene A. Caputo, Chairman of the Committee on Judiciary General of the House of Representatives of the Commonwealth of Pennsylvania.

WILLIAM C. WAKEFIELD,
Sergeant-at-Arms.

Sworn and subscribed to before me this 3rd day of April, 1936.

[SEAL]

CHAS. W. HENNINGER,
Clerk of the Courts,
Dauphin County, Pa.

Commonwealth of Pennsylvania, ss:

To John C. Cook, Sheriff of the County of Berks:
Greeting:

Whereas, A vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the fourth Legislative District of the County of Berks, composed of the Boroughs of Bally, Bechtelville, Boyerstown, Fleetwood, Kutztown, Lyons, Temple, and Topton, and the townships of Alsace, Colebrookdale, District, Earl, Hereford, Longswamp, Maidencreek, Maxatawny, Muhlenberg, Oley, Ontelaunwee, Pike, Richmond, Rockland, Ruscombmanor and Washington, caused by the death of Wilson G. Sarig, on the fourteenth day of March, one thousand nine hundred and thirty-six.

Now, therefore, I, Eugene A. Caputo, Chairman of the Committee on Judiciary General, by virtue of the authority vested in me by law to perform the duties of the office of Speaker of the House of Representatives in case a vacancy shall occur in the said office of Speaker, and by virtue of the authority vested in the Speaker of the House of Representatives by the Constitution of the Commonwealth of Pennsylvania and the act of assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said fourth Legislative District of the County of Berks, on the twenty-eighth day of April, one thousand nine hundred thirty-six, to choose a person to represent said fourth Legislative District in the House of Representatives of the Commonwealth of Pennsylvania for the term expiring December first, one thousand nine hundred thirty-six, and that you give due and public notice of said election throughout said fourth Legislative District and to at least one of the inspectors of each election district therein, in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this 27th day of March, one thousand nine hundred thirty-six.

EUGENE A. CAPUTO [SEAL]
Chairman of the Committee on
Judiciary General.

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF DAUPHIN } ss:

William C. Wakefield, being duly sworn according to law, says that he resides at Bills Place, Fulton County, Pennsylvania, that he is a Chief Sergeant-at-Arms of the House of Representatives of the Commonwealth of Pennsylvania.

That he served on the Honorable John C. Cook, Sheriff of the County of Berks, on the 1st day of April, 1936, at 9 o'clock P. M., at his office at Reading, a writ for a special election for the Office of Representative in the fourth Legislative District of the County of Berks by command of the Honorable Eugene A. Caputo, Chairman of the Committee on Judiciary General of the House of Representatives of the Commonwealth of Pennsylvania.

WILLIAM C. WAKEFIELD,
Sergeant-at-Arms.

Sworn and subscribed to before me this 3rd day of April, 1936.

[SEAL]

CHAS. W. HENNINGER,
Clerk of the Courts,
Dauphin County, Pa.

Commonwealth of Pennsylvania, ss:

To Frank Ellis, Sheriff of the County of Forest:
Greeting:

Whereas, A vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the Legislative District composed of the County of Forest, caused by the death of Alexander R. Wheeler, the Representative elect from said district on the twenty-seventh day of November, one thousand nine hundred thirty-five.

Now, Therefore, I, Eugene A. Caputo, Chairman of the Committee on Judiciary General, by virtue of the authority vested in me by law to perform the duties of the office of Speaker of the House of Representatives in case a vacancy shall occur in the said office of Speaker, and by virtue of the authority vested in the Speaker of the House of Representatives by the Constitution of the Commonwealth of Pennsylvania and the act of assembly in such case made and provided, do hereby command you: That you cause an election to be held in the County of Forest, on the twenty-eighth day of April, one thousand

nine hundred thirty-six, to choose a person to represent said forest County in the House of Representatives of the Commonwealth of Pennsylvania for the term expiring December first, one thousand nine hundred thirty-six, and that you give due and public notice of said election throughout said county and to at least one of the inspectors of each election district therein, in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this 27th day of March, one thousand nine hundred thirty-six.

EUGENE A. CAPUTO, [SEAL]
Chairman of the Committee on Judiciary General.

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF DAUPHIN } ss:

William C. Wakefield, being duly sworn according to law, says that he resides at Bills Place, Fulton County, Pennsylvania, that he is a Chief Sergeant-at-Arms of the House of Representatives of the Commonwealth of Pennsylvania.

That he served on the Honorable Frank Ellis, Sheriff of the County of Forest, on the 1st day of April, 1936, at 8:30 o'clock A. M., at his office at Tionesta, a writ for a special election for the Office of Representative in the Legislative District composed of the County of Forest, by command of the Honorable Eugene A. Caputo, Chairman of the Committee on Judiciary General of the House of Representatives of the Commonwealth of Pennsylvania.

WILLIAM C. WAKEFIELD,
Sergeant-at-Arms.

Sworn and subscribed to before me this 3rd day of April, 1936.

[SEAL] CHAS. W. HENNINGER.
Clerk of the Courts,
Dauphin County, Penna.

Commonwealth of Pennsylvania, ss:

To Thomas C. Shirk, Sheriff of the County of Lancaster:
Greeting:

Whereas, A vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the second Legislative District of the County of Lancaster, composed of the County of Lancaster except the City of Lancaster, caused by the death of Edwin R. Spangler, the Representative-elect from said district on the fifteenth day of October, one thousand nine hundred thirty-five.

Now, Therefore, I, Eugene A. Caputo, Chairman of the Committee on Judiciary General, by virtue of the authority vested in me by law to perform the duties of the office of Speaker of the House of Representatives in case a vacancy shall occur in the said office of Speaker, and by virtue of the authority vested in the Speaker of the House of Representatives by the Constitution of the Commonwealth of Pennsylvania and the act of assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said second Legislative District of the County of Lancaster, on the twenty-eighth day of April, one thousand nine hundred thirty-six, to choose a person to represent said second Legislative District in the House of Representatives of the Commonwealth of Pennsylvania for the term expiring December first, one thousand nine hundred thirty-six, and that you give due and public notice of said election throughout said second Legislative District and to at least one of the inspectors of each election district therein, in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this 27th day of March, one thousand nine hundred thirty-six.

EUGENE A. CAPUTO [SEAL]
Chairman of the Committee on Judiciary General.

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF DAUPHIN } ss:

William C. Wakefield, being duly sworn according to law, says that he resides at Bills Place, Fulton County, Pennsylvania, that he is a Chief, Sergeant-at-Arms of the House of Representatives of the Commonwealth of Pennsylvania.

That he served on the Honorable Thomas C. Shirk, Sheriff of the County of Lancaster, on the 2nd day of April, 1936, at 3:45 o'clock P. M., at his office at Lancaster, a writ for a special election for the Office of Representative in the second Legislative District of the County of Lancaster by command of the Honorable Eugene A. Caputo, Chairman of the Committee on Judiciary General of the House of Representatives of the Commonwealth of Pennsylvania.

WILLIAM C. WAKEFIELD,
Sergeant-at-Arms.

Sworn and subscribed to before me this 3rd day of April, 1936.

[SEAL] CHAS. W. HENNINGER.
Clerk of the Courts,
Dauphin County, Penna.

Alexander C. Green, 1537 Odgen Street, Philadelphia, Pa.
Committees: Corporations, Building and Loan Assns., Fisheries, Manufacturers, Pensions and Gratuities

COMMONWEALTH OF PENNSYLVANIA

[SEAL]

House of Representatives,
Harrisburg, December 31, 1935.

Honorable Wilson G. Sarig,
Speaker, House of Representatives,
Harrisburg, Pennsylvania.

Dear Speaker:

May I present my resignation as a member of the House of Representatives from the Tenth Legislative District, Philadelphia, to take effect immediately?

This action is necessary because of my election to the City Council of Philadelphia.

My associations with you and your Honorable Body have always been most pleasant and it is with regret that I sever my connections therewith.

Very truly yours,

(Signed) Alexander C. Green,
Member of the House of
Representatives from the 10th
Legislative District.

ACG-b

WESTERN UNION

Received at 5 P. 50 7 extra Paid 1202 P. M.
Phila., Pa., 1-4-36.

Hon. Wilson G. Sarig,
Temple, Pa.

Dear Mister Sarig:

Please accept my resignation as a member of the House of Representatives from the Thirteenth Legislative District of Philadelphia to take effect immediately owing to conditions with which you are familiar with. Kindest personal regards and greetings of the season.

Louis Schwartz
924 West Girard Ave.,
Phila.

Patrick Conner, 2807 Oxford St., Philadelphia, Pa.

COMMONWEALTH OF PENNSYLVANIA

[SEAL]

House of Representatives,
Harrisburg, January 4, 1936.

Honorable Wilson G. Sarig,
Speaker of the House of Representatives,
813 Mt. Laurel Avenue,
Temple, Pennsylvania.

Dear Mr. Speaker:

I hereby tender my resignation as a member of the House of Representatives of the State of Pennsylvania to be effective immediately.

Respectfully yours,

(Signed) Patrick Conner.

C:R

House of Representatives,
Harrisburg, March 27, 1936.

Honorable Eugene A. Caputo,
Chairman of Judiciary General Committee,
Speaker's Office, House of Representatives,
Harrisburg, Pa.

My dear Mr. Caputo:

I am herewith tendering my resignation as Representative from the Third Legislative District of Berks County, which is take effect at once.

I am resigning for the purpose of being a candidate for the nomination and election for Senator from the Eleventh Senatorial District, Berks County, to complete the unexpired term of the late Senator James E. Norton, at a Special Election.

Sincerely yours,

(Signed) Frank W. Ruth.

THE SECRETARY OF THE COMMONWEALTH PRESENTS RETURNS OF ELECTION OF MEMBERS

The Deputy Secretary of the Commonwealth being introduced presented, pursuant to the special election called by the Speaker by virtue of the authority vested in him by the Constitution and Act of Assembly in such case made and provided, held on April 28, 1936, to fill the vacancy in the office of Representative in the General Assembly in the Sixth Legislative District of the County of Philadelphia; the Tenth Legislative District of the County of Philadelphia; the Thirteenth Legislative District of the County of Philadelphia; the Twenty-first Legislative District of the County of Philadelphia; the Third Legislative District of the County of Berks; the Fourth Legislative District of the County of Berks; the Legislative District of the County of Forest, and the Second Legislative District of the County of Lancaster, the returns of said special election.

RESOLUTION

OPENING OF SPECIAL ELECTION RETURNS

Mr. O'KEEFE, offered the following resolution which was twice read, considered and adopted:

To the House of Representatives of Pennsylvania:

In the House of Representatives,
May 4, 1936.

Resolved, That the returns of the special election of the members of the House of Representatives held April 28, 1936 be now opened and read.

The returns of the special election were opened and read as follows:

To the House of Representatives of Pennsylvania.

Commonwealth of Pennsylvania }
County of Philadelphia } ss:

I John M. Scott, Prothonotary of the Court of Common Pleas in and for said County, do hereby certify, that it appears from the Returns of the Special Election, held in said county on the fourth Tuesday of April, being the twenty-eighth day of April, A. D. 1936, as computed in the presence of the Judges of the said Court by the proper officers and his sworn assistants, and duly certified and filed by said Juges in my office, that the following is the number of votes cast for the several candidates for the office of Representative in the General Assembly, in the sixth Representative district of said county:

Republican

Richard A. Cooper had three thousand eight hundred three votes (3803).

Democratic

Scholley Pace Alexander had one thousand three hundred ninety-five votes (1395).
Howard Taylor had one vote (1).

In Testimony Whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this first day of May A. D. 1936.

[SEAL]

JOHN M. SCOTT,
Prothonotary.

To the House of Representatives of Pennsylvania:

Commonwealth of Pennsylvania }
County of Philadelphia } ss:

I John M. Scott, Prothonotary of the Court of Common Pleas in and for said County, do hereby certify, that it appears from the Returns of the Special Election, held in said county on the fourth Tuesday of April, being the twenty-eighth day of April, A. D. 1936, as computed in the presence of the Judges of the said Court by the proper officer and his sworn assistants, and duly certified and filed by said Juges in my office, that the following is the number of votes cast for the several candidates for the office of Representative in the General Assembly, in the tenth Representative district of said County:

Republican

Charles W. Sweeney has seven thousand three hundred fifty-six votes (7356).

Democratic

Sylvester J. Deehan had four thousand one hundred fifty-nine votes (4159).
E. Berner had one vote (1).
Thomas E. Shay had three votes (3).
James McCaughan had two votes (2).

In Testimony Whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this first day of May, A. D. 1936.

[SEAL]

JOHN M. SCOTT,
Prothonotary.

To the House of Representatives of Pennsylvania:

Commonwealth of Pennsylvania }
County of Philadelphia } ss:

I John M. Scott, Prothonotary of the Court of Common Pleas in and for said County, do hereby certify, that it appears from the Returns of the Special Election, held in said county on the fourth Tuesday of April, being the Twenty-eighth day of April, A. D. 1936, as computed in the presence of the Judges of the said Court by the proper

officer and his sworn assistants, and duly certified and filed by said Judges in my office, that the following is the number of votes cast for the several candidates for the office of Representative in the General Assembly, in the Thirteenth Representative district of said County:

Republican

William J. Beadman had nine thousand six hundred seventy-five votes (9675).

Democratic

Joseph P. Lawler had three thousand five hundred one votes (3501).
Robert King had one vote (1).

In Testimony Whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this first day of May, A. D. 1936.

[SEAL]

JOHN M. SCOTT,
Prothonotary.

To the House of Representatives of Pennsylvania:

Commonwealth of Pennsylvania } ss:
County of Philadelphia }

I John M. Scott, Prothonotary of the Court of Common Pleas in and for said County, do hereby certify, that it appears from the Returns of the Special Election, held in said county on the fourth Tuesday of April, being the Twenty-eighth day of April, A. D. 1936, as computed in the presence of the Judges of the said Court by the proper officer and his sworn assistants, and duly certified and filed by said Judges in my office, that the following is the number of votes cast for the several candidates for the office of Representative in the General Assembly, in the Twenty-first Representative district of said County:

Republican

J. Raymond Kenney had ten thousand nine hundred sixty-two votes (10962).

Democratic

Leonard P. McGee had six thousand two hundred thirty-two votes (6232).
Benjamin Brown had two votes (2).

In Testimony Whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this first day of May, A. D. 1936.

[SEAL]

JOHN M. SCOTT,
Prothonotary.

To the House of Representatives of Pennsylvania:

Commonwealth of Pennsylvania } ss:
County of Berks }

I, Lewis R. Schaeffer, Prothonotary of the Court of Common Pleas in and for said County, do hereby certify, that it appears from the Returns of the Special Election, held in said County on the fourth Tuesday of April, being the Twenty-eighth day of April, A. D. 1936, as computed in the presence of the Judge of the said Court by the proper officer and his sworn assistants, and duly certified and filed by said Judge in my office, that the following is the number of votes cast for the several candidates for the office of Representatives in the General Assembly, in the third Representative district of said County:

Republican

Langhorn W. Fink had one thousand two hundred ninety votes (1290).

Democratic

Harry W. Anthony had two thousand nine hundred seventy-nine votes (2979).

Socialist

Paul Gassert had six hundred eighteen votes (618).
Jacob Balthaser had thirteen votes (13).
Otis Rothenberger had one vote (1).

In testimony whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this 2nd day of May A. D. 1936.

[SEAL]

LEWIS R. SCHAEFFER, Prothonotary

To the House of Representatives of Pennsylvania:

Commonwealth of Pennsylvania } ss:
County of Berks }

I, Lewis R. Schaeffer, Pronotary of the Court of Common Pleas in and for said County, do hereby certify, that it appears from the Returns of the Special Election, held in said County on the fourth Tuesday of April, being the Twenty-eighth day of April, A. D. 1936, as computed in the presence of the Judge of the said Court by the proper officer and his sworn assistants, and duly certified and filed by said Judge in my office, that the following is the number of votes cast for the several candidates for the office of Representative in the General Assembly, in the fourth Representative district of said County:

Republican

Roy F. Schealer had one thousand five hundred fourteen votes (1514).

Democratic

Lloyd M Schaeffer had three thousand seven hundred thirty votes (3730).

Socialist

William R. Schoener had eight hundred two votes (802).
Richard Argans had one vote (1).
Pauline Thomas had one vote (1).
Leon Minker had one vote (1).

In testimony whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this 2nd day of May A. D. 1936.

[SEAL]

LEWIS R. SCHAEFFER, Prothonotary

To the House of Representatives of Pennsylvania:

Commonwealth of Pennsylvania } ss:
County of Forest }

I, J. N. Bankhead, Prothonotary of the Court of Common Pleas in and for said County, do hereby certify, that it appears from the Returns of the Special Election, held in said county on the fourth Tuesday of April, being the Twenty-eighth day of April, A. D. 1936, as computed in the presence of the Judges of the said Court by the proper officer and his sworn assistants, and duly certified and filed by said Judges in my office, that the following is the number of votes cast for the several candidates for the office of Representative in the General Assembly, in the .....Representative district of said County:

Republican

William W. Serrill had fourteen hundred twenty-nine votes (1429).

Democratic

Lewis Mensch had seven hundred seventy-nine votes (779).

In Testimony Whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this 30th day of April A. D. 1936.

[SEAL]

J. N. BANKHEAD,
Prothonotary.

To the House of Representatives of Pennsylvania:

Commonwealth of Pennsylvania }
County of Lancaster } ss:

I Walter F. Rochon, Prothonotary of the Court of Common Pleas in and for said County, do hereby certify, that it appears from the Returns of the Special Election, held in said county on the fourth Tuesday of April, being the Twenty-eighth day of April, A. D. 1936, as computed in the presence of the Judge of the said Court by the proper officer and his sworn assistants, and duly certified and filed by said Judge in my office, that the following is the number of votes cast for the several candidates for the office of Representative in the General Assembly, in the 2nd Representative district of said County:

Republican

Baker Royer had nine thousand six hundred fifty-seven votes (9657).

Democratic

H. Wilson Zwally had four thousand eight hundred seventy-five votes (4875).

In Testimony Whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this 30th day of April A. D. 1936.

[SEAL]

WALTER F. ROCHON,
Prothonotary.

RESOLUTION

HONORABLE HENRY C. NILES REQUESTED TO ADMINISTER OATH

Mr. COHEN, offered the folowing resolutions which was twice read, considered and adopted.

In the House of Representatives, May 4, 1936.

Resolved, That the Honorable Henry C. Niles, a judge of the Court of Common Pleas of York County, learned in the law, be requested to administer the oath of office required by Article VII of the Constitution to be taken by the members-elect of the House of Representatives.

COMMITTEE TO ESCORT HON. HENRY C. NILES TO ROSTRUM

The CHAIRMAN appointed Messrs. Cohen and Turner to escort the Hon. Henry C. Niles to the rostrum to administer the oath of office to the members-elect.

OATH OF OFFICE ADMINISTERED TO MEMBERS-ELECT

The CHAIRMAN. The Chair requests the Honorable Judge Niles to administer the oath of office to the members-elect.

Whereupon, the oath of office was administered to the Honorable Richard A. Cooper, the Honorable Charles W. Sweeney, the Honorable William J. Beadman, the Honorable J. Raymond Kenney, the Honorable Harry W. Anthony, the Honorable Lloyd M. Schaeffer, the Honorable William W. Serrill and the Honorable Baker Royer.

ROLL CALL

The CHAIRMAN. The Clerk will call the roll.

The roll of the members was called by the Clerk and the following members answered as being present.

Achterman,	Duffort,	Mallen,	Shaw,
Alexander,	Eberharter,	Mason,	Shepard,
Allen,	Falkenstein,	McCreary,	Shortz,
Altenburg,	Ferko,	McDermott,	Shreiner,
Andrews,	Finnerty,	McDevitt,	Shugarts,
Anthony,	Fitch,	McElroy,	Siegel,
Arnold,	Flanagan,	McKinney,	Simon,
Atkins,	Flinchbaugh,	Melchiorre,	Simpson,
Aukerman,	Flynn,	Mentzer,	Sinwell,
Baine,	Forrest,	Merrell,	Sloan,
Baker, F. T.,	Furman,	Moomaw,	Smith, J. A.,
Baker, J. J.,	Gates,	Mooney,	Smith, W. G.,
Baldi,	Gerard,	Moore,	Snyder, F. E.,
Barber,	Gillette,	Moran,	Snyder, J. L.,
Barnhardt,	Greenstein,	Muir,	Sowers,
Beadman,	Habbyshaw,	Munley,	Sproul,
Bernhard,	Haberlen,	Murrin,	Stank,
Blumberg,	Hagerty,	Nagel,	Stevens,
Boose,	Haluska,	Nothnagle,	Stewart,
Boyd, R.,	Hamilton, F. P.,	O'Keefe,	Stockham,
Boyer,	Hamilton, R. S.,	Ominsky,	Stone,
Bradley,	Harkins,	O'Neill,	Stott,
Brancato,	Harmuth,	Panton,	Sumney,
Brennan,	Hartman,	Parks,	Surface,
Brown, H. S.,	Hermansen,	Patterson, C.,	Sweeney,
Brown, J. E.,	Hetrick,	Patterson, J. W.,	Tahl,
Brownfield,	Hindman,	Pearson,	Terry,
Brumbaugh,	Hirsch,	Perry,	Tronzo,
Burke,	Hoffner,	Peters,	Trout,
Cannon,	Holland,	Pfaff,	Tumelty,
Caputo	Holstrom,	Phillips,	Turner,
Carr,	Hoopes,	Piole,	VanAllsburg,
Carson,	Horst,	Powers,	VanSickle,
Castor,	Jackson,	Reising,	Wall,
Chervenak,	Jones,	Reynolds,	Wasserman,
Coakley,	Kane,	Rhys,	Weidemann,
Cochran,	Kelder,	Rinn,	Weiss,
Cohen,	Kelso,	Roan,	Welliver,
Coleman,	Kenney,	Robinson,	Welsh,
Condon,	Kilroy,	Rooney,	Westrick,
Coolahan,	Kinney,	Root,	White,
Cordier,	Klinger,	Royer,	Wickersham,
Davies,	Kobelak,	Ruffennach,	Winner,
Decker,	LaRue,	Sarraf,	Witkin,
Denning	Linderman,	Scanlon,	Wood,
Dent,	Long,	Schaeffer,	Woodside,
Diehl,	Longaker,	Schrock,	Yeakel,
Dilley,	Lovett,	Schrope,	Yourishin,
Downey, G. E.,	Lynch,	Schwab,	Zappala,
Downey, J. J.,	Male,	Serrill,	Zimmerman,

The CHAIRMAN. One hundred and ninety-eight members having answered to their names a quorum of the House is present. The House is ready to proceed with the business of the Session.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary of the Governor being introduced presented communications from His Excellency the Governor which were laid upon the table.

LEAVE OF ABSENCE

Mr. Mentzer asked and obtained leave of absence for Mr. HARRY N. BOYD.

Mr. Hoopes asked and obtained leave of absence for Mrs. WILSON on account of illness.

ELECTION OF SPEAKER

Mr. Flinchbaugh offered the following resolution which was twice read, considered and adopted.

In the House of Representatives, May 4, 1936.

Resolved, That by reason of a vacancy in the office of the Speaker due to the death of the Honorable Wilson G. Sarig, and in accordance with the provisions of Article II, Section 9 of the Constitution of Pennsylvania, the House do now proceed to the election of a Speaker and that the Clerks act as Tellers:

The CHAIRMAN. The Chair turns the gavel over to the Chief Clerk of the House, Honorable William P. Gallagher.

THE CHIEF CLERK (William P. Gallagher) PRESIDING.

NOMINATIONS FOR SPEAKER

Mr. CAPUTO. Mr. Chief Clerk and fellow members of the House, this evening over nine millions of Pennsylvanians are focusing their eyes upon this Legislature. Under the call of the Governor, we are here to act upon legislation which will affect every person in Pennsylvania either directly or indirectly. Under these conditions it is important that we cast aside all personal dissatisfaction, disappointments and ambitions. Under these conditions it behooves us to select as our leader someone who has the qualifications to lead us through these troublesome times. We should select a man who has the confidence not only of his own party but the confidence and respect of everyone in this House. For this reason I take great pleasure and it is indeed a pleasure for me to submit the name of a personal friend of mine, a man who is well fitted for the office I am about to nominate, a man who has served here the last four sessions, both through the regular sessions and special sessions. He has been trustworthy. He has gained the admiration and respect of all of us. It is, therefore, a privilege and an honor that I submit to you the name of Roy E Furman of Greene County.

Mr. CLIFF PATTERSON. Mr. Chief Clerk and fellow members of the House, I rise at this time to second the nomination of the Honorable Roy E. Furman for the Speakership of this House. During the many years I have known him, I have learned that he is one you can count upon as a true friend, and I am sure that at the end of his term, when he has finished his Speakership, you will agree with me that Roy E. Furman has been fair and honest and will have fulfilled every expectation that you have asked of him. It gives me great pleasure to second the nomination of Roy E. Furman as Speaker.

Mr. FLINCHBAUGH. Mr. Chief Clerk and fellow members of the House, it has been my pleasure to serve with the member from Greene for a number of years. I have served with him on a number of committees, and I know that with his sagacity, with his fairness, and with his poise, he will make an excellent Speaker of this legislative body. It affords me great pleasure also to second the nomination of Roy E. Furman for Speaker of this House.

Mr. BROWNFIELD. Mr. Chief Clerk and fellow members of the House, it is indeed a pleasure for me to second the nomination also of Roy E. Furman of Green County, that neighbor county of my county, Fayette.

We received sometime ago with deep regret the news that our Speaker of the last legislative session, Mr. Sarig, had died.

During this past session we have learned to love and admire Roy Furman. It was in the session of 1933 that Mr. Furman began his service in this House, and he had the good fortune and the opportunity to be seated here right in this row beside Mr. Sarig. Mr. Sarig had the aisle seat and he had the one next to it. All through that session we could see that a close friendship was developing between the veteran of many legislative sessions and the youth of potential ability. During that session Mr. Furman received from Mr. Sarig that most valuable instruction and advice that only Mr. Sarig could give, and during the next session, the session of 1935, Mr. Furman played an important part in the oragnization of this House. He was made Chairman of the Highways Committee and later on was thrown into the breach created by the sudden illness of the Reverend Ruth at a critical time in the chairmanship of the Ways and Means Committee.

Mr. Chief Clerk and fellow members of this House, it is most fitting tonight that we elect as our Speaker the friend and the pupil of Mr. Sarig, the man who can take the work up just where he left it off.

Mr. TURNER. Mr. Chief Clerk and fellow members of the House, although the party to which I belong is in the minority in this House I nevertheless arise with an extreme feeling of pride that the honor has been given to me this evening by the Republican Caucus, that met but a short time ago, to place in nomination a Republican, a true Republican, to the high office of Speaker of this House.

Eleven years ago I came to this House and since that time I have sat here under four Speakers, and I believe that I have a full realization of the dignity of the office, of the splendid position that a man occupies as the Speaker of this House, of the honor that is cast upon him to preside over the House of Representatives of this great Empire of ten millions of people in the Commonwealth of Pennsylvania. This rostrum has a great tradition behind it and in the time that I have had knowledge of this House, I think that every man who has occupied that rostrum has graced it and has given honor and credit to it.

When I came to this House eleven years ago, there was another green member who came from the city of Philadelphia and during the eleven years that we have been associated together I have formed for him a strong, personal attachment that has not only existed within the halls of this House but has existed outside in our professional lives and in our social connections.

I have always thought that the Speaker of this House should, in the first place, be a man of calm and judicious temperament, that he should be a fair minded man, that he should be schooled in the procedure of this House, the parliamentary procedure that is necessary to run this House, I believe that he must be filled with a desire to carry out the business which comes before the Legislature and to dispatch its business for the best interests of the people of Pennsylvania. So, I think the Republican Party, the Republican members of this House have taken the right step when tonight they placed in nomination and, therefore, gave me this delightful task of presenting a nomination to this House, my colleague and long time friend, Morton Witkin.

Mr. BLUMBERG. Mr. Chief Clerk and members of the House, in rising to second the nomination just made by my colleague from Delaware, I must confess that I do so strongly moved by personal emotion. Ever since January of 1925, when Morton Witkin first came to this House, he and I have been not only close personal friends but also real legislative buddies. When he first came here a very close political friend of his asked me whether I wouldn't look after him as a green member, and it wasn't very many days before I found that he probably would be the teacher and I the pupil. During the service of his first session in this House Mr. Witkin displayed a keen sense of fairness, justice and humanity when he arose in the defense of one Judge Berkey who was charged with impeachment proceedings. Although new to his duties, the minority report filed by him and one

other member against impeachment was adopted as the policy of the House.

A number of the members now sitting in this session will recall the will, the determination, the never-say-die spirit that this Legislator assumed when he refused to concede the defeat of the Firearms Act, now on our statute books.

All of us know that at all times he has been a sincere and thorough legislator, a tireless worker. He has the happy faculty of keen perception, a ready wit, and clear and logical thinking—all part of his equipment as a lawyer. His deportment is unexpected legislative situations, his activity on the floor of the House, his dependability, his ability in debate brought him, as you know the honor of being selected as Chairman of the Republican Steering Committee during the regular session of 1935. All of us know how excellently he performed the arduous duties of leading the minority party during that regular session. He fought hard but always fair. He knew when to be uncompromising and when the best interests of the people required harmonious concessions. His word given either to a member of his own party or to the members of the other two parties, the Democrat and the Socialist party, was never broken. While you know he was a stormy petrel, he was always courteous in the treatment of his fellow members. Now, back in his native city, the electorate have recognized those sterling qualities and in the election just passed, they honored him by electing him a member of the Board of County Commissioners, to be followed very shortly thereafter by his designation as president of that Commission. He is now discharging the duties of that office with the same high regard for fairness, the same dynamic spirit that characterized all of his actions here. The work on the Commission has necessitated his refusal to be a candidate for the 1937 session. So Morton Witkin is now serving his last session in this House, and what more fitting honor, I ask you, can we confer upon him than by making him our unanimous choice for Speaker of this House. He has the experience and the equipment to bring to that office the highest degree of efficiency. He will bring to it the same qualities that endeared him to all of us as the minority floor leader during the last regular session.

Now if this House is to transact the business of this extraordinary session without delay, if we prefer spending our vacation in someplace other than Harrisburg, if we want legislation worthwhile legislation enacted without undue delay, without rancor and with dispatch, then I urge and recommend all the members of this House in a spirit of nonpartisanship, regardless of party politics, that we vote for this choice of the Republican members of this House for Speaker.

This is an important session. It was called by the Governor to provide relief, relief for the needy, not waste, not debauchery of public funds by the creation of jobs for political satellites. We need a firm hand at the helm and in electing this candidate of the Republican party as Speaker, you know by his past actions in this House that he will uphold every measure that has in view the best interests of the needy, and that he will resist with all the vigor of his small body but firm will any attempt at debauchery of W. P. A. or State funds.

I present to you, in seconding this nomination, one who has the right to say to you in the spirit of nonpartisanship that he will conduct the office of Speaker also without regard to party and in the same spirit as his Excellency says he called this session: He wants a non-polital session. Mr. Morton Witkin will give it to him.

If you Democrats can forget your party label tonight, I say to you then cast your vote for the Republican nominee.

Mr. Chief Clerk I have the greatest pleasure in seconding the nomination of Morton Witkin as Speaker of the House.

Mr. KINNEY. Mr. Chief Clerk I move that the nominations for Speaker of the House be closed.

The motion was agreed to.

ROLL CALL

The CHIEF CLERK. The Clerk will call the roll.

The members will name the candidate for whom they desire to vote.

The roll was called and the vote was as follows:

FOR MR. FURMAN (115)

Achterman,	Downey, G. E.,	Long,	Ruffennach,
Alexander,	Downey, J. J.,	Lovett,	Sarraff,
Allen,	Eberharter,	Lynch,	Scanlon,
Andrews,	Eroe,	Male,	Schaeffer,
Arnold,	Falkenstein,	McDermott,	Schrope,
Aukerman,	Ferko,	McElroy,	Schwab,
Baine,	Finnerty,	McHenry,	Shaw,
Baker, J. J.,	Fitch,	Melchiorre,	Shepard,
Barber,	Flanagan,	Mentzer,	Shugarts,
Bradley,	Flinchbaugh,	Moomaw,	Siegel,
Brancato,	Gerard,	Mooney,	Simon,
Brown, H. S.,	Haberlen,	Moran,	Sinwell,
Brown, J. E.,	Hagerty,	Moul,	Smith, J. A.,
Brownfield,	Haluska,	Munley,	Smith, W. G.,
Brumbaugh,	Hamilton, F. P.,	Murrin,	Stank,
Burke,	Harkins,	Nagel,	Stevens,
Cannon,	Harmuth,	O'Keefe,	Stone,
Caputo,	Hartman,	Ominsky,	Sumney,
Carson,	Hetrick,	O'Neill,	Tronzo,
Chervenak,	Hindman,	Panton,	Tumelty,
Coakley,	Hirsch,	Patterson, C.,	VanSickle,
Cochran,	Holland,	Patterson, J. W.,	Weiss,
Cohen,	Holstrom,	Pearson,	Welliver,
Coleman,	Kelso,	Pfaff,	Welsh,
Coolahan,	Kilroy,	Piole,	Westrick,
Decker,	Kinney,	Powers,	Witkin,
Dent,	Klingler,	Reising,	Yourishin,
Diehl,	Kobelak,	Rinn,	Zappala,
Dilley,	LaRue,	Robinson,	

FOR MR. WITKIN (86)

Altenburg,	Furman,	Moore,	Sowers,
Atkins,	Gates,	Muir,	Sproul,
Baker, F. T.,	Gillette,	Nothnagle,	Stewart,
Baldi,	Greenstein,	Parks,	Stockham,
Barnhardt,	Habbyshaw,	Perry,	Stott,
Beadman,	Hamilton, R. S.,	Peters,	Surface,
Bernhard,	Hermansen,	Phillips,	Sweeney,
Blumberg,	Hoffner,	Reynolds,	Tahl,
Boose,	Horst,	Rhys,	Terry,
Boyd, R.,	Jackson,	Roan,	Trout,
Boyer,	Jones,	Rooney,	Turner,
Brennan,	Kane,	Root,	VanAlsburg,
Carr,	Kelder,	Royer,	Wall,
Castor,	Kenney,	Schrock,	Wasserman,
Condon,	Linderman,	Serrill,	Weidemann,
Cooper	Longaker,	Shortz,	White,
Cordier,	Mallen,	Shreiner,	Wickersham,
Davies,	Mason,	Simpson,	Winner,
Denning,	McCreary,	Sloan,	Woodside,
Duffort,	McDevitt,	Snyder, F. E.,	Yeakel,
Flynn,	McKinney,	Snyder, J. L.,	Zimmerman,
Forrest,	Merrell,		

The CHIEF CLERK. The tellers agree in their count and the votes cast by the members is as follows:

Honorable Roy E. Furman received one hundred and fifteen votes.

Honorable Morton Witkin received eighty-six votes.

Honorable Roy E. Furman having received a majority

of all the votes cast is declared elected Speaker of the House of Representatives for the Extraordinary Session of 1936.

The Chair appoints Messrs. Caputo and Witkin to escort the Speaker-elect to the Chair.

The CHIEF CLERK. Members of the House I want to present to you the Honorable Roy E. Furman Speaker-elect of this House.

OATH OF OFFICE ADMINISTERED TO SPEAKER

The oath of office was then administered to Honorable Roy E. Furman Speaker-elect of the House of Representatives, by the Hon. Henry C. Niles, Judge of Court of Common Pleas of York County.

THE SPEAKER (ROY E. FURMAN) IN THE CHAIR

ADDRESS OF THE SPEAKER

Members of the House: As much as you have honored me tonight by your action in elevating me to the Speakership, it would be only natural that this would be one of the happiest moments of my life, yet, under the circumstances that is not the case.

I am indeed sorry that it has been necessary for this House to elect a new Speaker. The late Speaker, the Honorable Wilson G. Sarig, was one of my dearest and closest friends. I attribute the greater portion of my success in this House to his influence and direction. He was a true friend, a patient and faithful teacher, and an outstanding leader among men, as well as a great statesman. It is my greatest desire to conduct the affairs of this office as he would have done, and I now dedicate myself to that purpose.

I wish to thank the Members of this House for the honor you have conferred upon me tonight. I trust you have chosen me for your Presiding Officer, with a singleness of purpose, believing that together we can carry on the duties of our common aim, which is the welfare and advancement of the interests of the people of Pennsylvania. Our duty as Members of the Legislature is to act and so use our opportunities in a way that will gain that end, and in obtaining it, we shall also advance Democracy itself.

It will be impossible for each of us to be informed on the details of each proposed bit of legislation coming before this Assembly. This being the case, we should all start with the common purpose to consider each other just as honest, just as patriotic, just as wise, and just as able and well meaning as we ourselves claim to be, and to so act and believe until our minds are changed by our fellow-members.

It shall me my aim as your Presiding Officer to try to carry out this policy to the best of my ability, and in doing this I ask the co-operation of each Member of this Assembly, whether you are a member of my particular political party or not.

I ask that each one of you feel free personally to consult with me at all times and explain your views, the purposes and the workings of any measure in which you are interested. And in this way we may work with a minimum of friction, a maximum of efficiency, and in that way the public welfare may be advanced to its highest degree.

I promise each of you who may have opposed my policies, that in the conduct of my duties I shall try to be impartial, try to give you as fair a deal at all times as I hope you will show towards me and your fellow Members.

I take it that we are a unit in the belief that the old days of static philosophy are gone and, we hope, gone forever, and that we are in an age of action; it, therefore, is incumbent on us all to strive to depend less and less on tricks, sharp practices, and to resort to parliamentary law to further our purposes, and to depend more and more on the spirit of American fairness, enlightenment and scientific approach.

In the fulfillment of this compact that I hope we are all forming here and now, I shall try to do my best to carry this out in spirit to the end that human welfare may be advanced, and that at the close of this Special Session it will be written in history that our work was not in vain.

NOTIFICATION FROM THE SENATE

A Committee on the part of the Senate being introduced informed the House that the Senate is now organized and ready to proceed with the business of the Session.

THANKING HONOR HENRY C. NILES FOR ADMINISTERING OATH

Mr. MOUL offered the following resolution which was twice read, considered and adopted.

In the House of Representatives, May 4, 1936.

Resolved, That the members of the House of Representatives hereby extend their thanks to th Honorable Henry C. Niles of York County for his services in administering the oath of office to its members and officers.

RULES OF THE HOUSE

Mr. SINWELL offered the following resolution which was twice read, considered and adopted.

In the House of Representatives, May 4, 1936.

Resolved, that the Rules of the last session of the House of Representatives be the rules of this extraordinary session.

RESOLUTION

NOTIFICATION OF SENATE

Mr. BURKE offered the following resolution which was twice read, considered and adopted.

In the House of Representatives, May 4, 1936.

Resolved, that a committee of three be appointed by the Speaker to wait upon the Senate and inform that body that the House of Representatives is convened in extraordinary session, pursuant to the call of His Excellency, the Governor of the Commonwealth, and is ready to proceed with the business of the session.

APPOINTMENT OF COMMITTEE

The SPEAKER. The Chair appoints as a Committee to wait upon the Senate to inform that body that the House of Representatives is organized and ready to proceed with business, Messrs. Burke, Woodside and Lovett.

The Committee will proceed in the performance of its duty.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 4, 1936.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House, (if the House shall appoint such committee), to await his Excellency, the Governor of the Commonwealth, and inform him that the General Assembly is convened in Extraordinary Session in conformity with the proclamation of April 27, 1936, and the supplement thereto of April 30, 1936, and is ready to receive any communications he may have to make.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

COMMITTEE APPOINTED TO WAIT UPON GOVERNOR

The SPEAKER. The Chair appoints as a committee on the part of the House to act in conjunction with a similar committee on the part of the Senate to wait upon His Excellency the Governor, Messrs. Eberharter, Horst and Achterman.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS GENERAL ASSEMBLY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly I should like to address the members in joint session today.

I shall be glad to have you fix the hour to suit your convenience.

GEORGE H. EARLE.

GOVERNOR INVITED TO ADDRESS GENERAL ASSEMBLY

Mr. VanSICKLE. Mr. Speaker, I move that the Governor be invited to the Hall of the House of Representatives to address the General Assembly at a time to be fixed by concurrent resolution.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 4, 1936.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, Monday evening, May 4, 1936, at 10 o'clock in the Hall of the House for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

COMMITTEE TO ESCORT THE SENATE TO THE HALL OF THE HOUSE

Mr. GERARD offered the following resolution which was twice read, considered and adopted.

In the House of Representatives, May 4, 1936.

Resolved, That the Chair appoint a committee of two to escort the members of the Senate to the Hall of the House Monday, May 4, 1936 at 10 o'clock P. M. for the purpose of attending a joint session of the General Assembly.

COMMITTEE APPOINTED TO ESCORT SENATE

The SPEAKER. The Chair appoints as a Committee to escort the Senate to the Hall of the House, Messrs. Gerard and Zimmerman.

PARLIAMENTARIAN APPOINTED

The SPEAKER. In compliance with the Act of Assembly, approved the 28th day of May, 1931, the Chair appoints S. Edward Moore of Cumberland County, as Parliamentarian.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 4, 1936.

Resolved, (if the House of Representatives concur), That the State Treasurer be and is hereby authorized to pay on warrant of the Auditor General to each member of the General Assembly the sum of $250.00 on account of the salary of $500.00, and $50.00 in postage, to which each member is entitled for an Extraordinary Session of the General Assembly by virtue of the provisions of the Act of Assembly approved the second day of June, A. D. 1933, P. L. 1422; and the balance of said $500.00, namely, $250.00, on the day of final adjournment of the Extraordinary Session of the General Assembly, convened in session on call of the Governor, May 4, 1936.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 4, 1936.

Resolved, (if the House of Representatives concur), That the Chief Clerks of the Senate and the House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department, and the Appropriations Committee provide for the cost of the same in the bill providing for the expenses of the Extraordinary Session.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

COMMUNICATIONS FROM UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

To the Honorable, the General Assembly of the Commonwealth of Pennsylvania:

I have the honor to submit herewith for your consideration a copy of a letter addressed to me from Hon. Sol Bloom, Director General of the United States Constitution Sesquicentennial Commission, Washington, D. C., dated December 12, 1935, together with a copy of the joint resolution of Congress establishing the United States Constitution Sesquicentennial Commission; two suggested forms of resolutions for adoption by State Legislatures; and a copy of my reply to Mr. Bloom, dated December 18, 1935.

"December 12, 1935.

"Honorable George H. Earle,
Governor of Pennsylvania,
Harrisburg, Pennsylvania.

"My dear Governor:

"The Sesquicentennial of the Formation of the Constitution of the United States will be celebrated nationally in 1937-1938, and this Commission is now engaged in preparing plans for this nation-wide celebration.

"Enclosed is a copy of the Joint Resolution of Congress establishing this commission, and directing the Commission to take such steps as may be necessary in the coordination and correlation of plan prepared by Constitution State Commissions or by bodies created under appointment by the Governors of the respective States, and by representative civic bodies.

"Also enclosed are two suggested forms of Resolutions for adoption by State Legislatures, creating a Constitution State Commission in laying plans for a fitting celebration within your State.

"Please advise us when your Constitution State Commission is appointed and give us the personnel of your Commission. We would also like to receive information as to proposed plans for the celebration in your State and any suggestions or ideas which you may furnish for this celebration.

"We will appreciate your cooperation in this matter, and will await your advices as to when it may be possible for your State Commission to be appointed. If there is any further information you desire, I shall be pleased to furnish it.

"With kindest personal regards, I am

"Sincerely yours,

(Signed) SOL BLOOM,
Director General."

"(PUBLIC RESOLUTION—No. 53—74TH CONGRESS)
(S. J. Res. 59)

"JOINT RESOLUTION

"Providing for the preparation and completion of plans for a comprehensive observance of the one hundred and fifteenth anniversary of the formation of the Constitution of the United States.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission, to be known as the 'United States Constitution Sesquicentennial Commission' (hereinafter referred to as the 'Commission') for the celebration of the one hundred and fiftieth anniversary of the formation of the Constitution, and to be composed of eighteen commissioners, as follows: The President of the United States; the President of the Senate and the Speaker of the House of Representatives, ex officio; five persons to be appointed by the President of the United States; five Senators to be appointed by the President of the Senate; and five Representatives by the Speaker of the House of Representatives.

"Sec. 2. The commissioners shall receive no compensation for their services but shall be paid their actual and necessary traveling, hotel, and other expenses incurred in the discharge of their duties.

"Sec. 3. The Commission shall select a chairman and appoint a Director, who shall appoint, with the approval of the Commission, such assistants and subordinates as he deems necessary.

"Sec. 4. That it shall be the duty of the commissioners, after promulgating to the American people an address relative to the reason of its creation and of its purpose, to prepare a plan or plans and a program for the adequate celebration of the sesquicentennial anniversary, and to give due and proper consideration to any plan or plans which may be submitted to them; and to take such steps as may be necessary in the coordination and correlation of plans prepared by State's commissions, or by bodies created under appointment by the Governors of the respective States, and by representative civic bodies.

"Sec. 5. That the Commission shall, on or before the 20th day of January 1936, make a report to the Congress, in order that enabling legislation may be enacted.

"Sec. 6. That the Commission hereby created shall expire December 31, 1939.

"Sec. 7. That the Commission may receive from any source contributions to aid in carrying out the general purpose of this resolution, but the same shall be expended and accounted for in the same manner as any appropriation which may be made under authority of this Act.

"Sec. 8. There is hereby authorized to be appropriated the sum of $10,000 to defray necessary expenses.

"Approved, August 23, 1935."

"SUGGESTED FORM OF RESOLUTION TO BE ADOPTED BY THE VARIOUS STATE LEGISLATURES CREATING A STATE COMMISSION TO COOPERATE WITH THE UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION IN PREPARING PLANS FOR A FITTING CELEBRATION OF THE 150TH ANNIVERSARY OF THE FORMATION OF THE CONSTIUTUTION.

"RESOLUTION

"Whereas, The Congress of the United States has established a Commission known as the 'United States Constitution Sesquicentennial Commission to arrange a fitting nation-wide observance of the 150th anniversary of the Formation of the Constitution of the United States, and

"Whereas, The United States Constitution Sesquicentennial Commission is authorized to prepare plans and programs for the adequate celebration of the sesquicentennial anniversary; to give due and proper consideration to any plan or plans which may be submitted to it; and to take such steps as may be necessary in the coordination and correlation of plans prepared by the various State Commissions, or by bodies created under appointment by the Governors of the respective States, and by representative civic bodies, and

"Whereas, The United States Constitution Sesquicentennial Commission, desiring the full cooperation of the people of the United States, has urged each State to appoint a State Constitution Sesquicentennial Commission, and each city and town to appoint a Constitution Sesquicentennial Committee, and, furthermore, will extend a most cordial and urgent invitation to each and every organization of every kind and description throughout the United States to appoint their own Constitution Sesquicentennial Committee, therefore be it

"Resolved by the Legislature of the State of ..... that there is hereby established a commission to be known as the 'Constitution Sesquicentennial Commission of ..... for the celebration of the 150th anniversary of the Formation of the Constitution of the United States' within ..... State, and to be composed of the Governor, Lieutenant Governor, Speaker of the House, of

Delegates, and five Commissioners to be appointed by the Governor.

"That it shall be the duty of the commissioners to prepare plans and programs for the adequate celebration of the Sesquicentennial Anniversary within this State; to give due and proper consideration to any plans which may be submitted to them; and to contact the United States Constitution Sesquicentennial Commission, Washington, D. C., and to cooperate in every way with that Commission in connection with plans for the nation-wide celebration.

"That there is hereby appropriated the sum of ..... dollars to defray necessary expenses in connection with the celebration within this State, under authority of this Resolution.

"That a transcript of this Resolution be sent to Honorable Sol Bloom, Director General of the United States Constitution Sesquicentennial Commission, advising him of the action taken by this State.

"Approved ....., 1936."

"SUGGESTED LEGISLATION PROVIDING FOR A CONSTITUTION STATE COMMISSION.

"An Act creating a State Commission to cooperate with the United States Constitution Sesquicentennial Commission in the celebration of the 150th Anniversary of the Formation of the Constitution of the United States, and making an appropriation to pay the expenses of the Commission.

"The People of the State of ....., represented in Senate and Assembly, do enact as follows:

"Section 1. A temporary state commission is hereby created to cooperate with the federal government in the celebration of the 150th Anniversary of the Formation of the Constitution of the United States, and said Commission shall be known as the 'Constitution Sesquicentennial Commission of .....'

"2. Such Commission shall consist of six members, two of whom shall be appointed by the governor, two by the temporary president of the senate and two by the speaker of the assembly. A vacancy in the Commission arising by reason of death, resignation or otherwise, shall be filled in the same manner as for an original appointment. The Commission shall organize by selecting from its members a chairman and appointing a secretary. A majority of the members of the Commission shall constitute a quorum. The members of the Commission shall serve without pay, but shall be allowed their actual and necessary expenses incurred in the performance of their duties. The Commission may act within the state and shall lend every assistance within its power so that the celebration will be of lasting honor to the nation. The Commission shall keep a record of all its proceedings, shall have all the powers of a legislative committee as provided by the legislative law, and shall make a report to the legislature in the month of December, nineteen hundred and thirty-eight.

"3. The sum of ..... dollars or so much thereof as may be necessary, is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to pay the expenses of the Commission created by this act, payable from the treasury upon the audit and warrant of the comptroller on vouchers approved by the chairman of the Commission.

"4. This act shall take effect immediately."

"December 18, 1935.

"Honorable Sol Bloom,
Director General, United States Constitution
Sesquicentennial Commission,
524 House Office Building,
Washington, D. C.

"Dear Mr. Bloom:

"I have received your courteous letter of the 12th with enclosed copy of the Joint Resolution of Congress establishing the United States Constitution Sesquicentennial Commission.

"I shall be very glad to submit this matter to the General Assembly of Pennsylvania when it convenes again. The regular session will meet in January 1937. If, however, it becomes necessary to call a special session before that time, it may be possible to get some action on the Resolution at that time.

"With kindest regards , I am

"Sincerely yours,

(Signed) GEORGE H. EARLE."

REPORT AND DISCHARGE OF COMMITTEE

Mr. EBERHARTER. Mr. Speaker, your committee, appointed to act with a similar committee on the part of the Senate to wait upon His Excellency the Governor, and inform him that the General Assembly is organized, has performed that duty.

The SPEAKER. The Chair extends the thanks of the House of the Committee.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REASONS FOR PARDONS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to present herewith the reasons for pardons granted by me from January 15, 1936, to date.

GEORGE H. EARLE

The SPEAKER. The Communication will be noted in the Journal and the Reasons for Pardon will be printed in the Appendix to the Legislative Journal.

REPORT FROM PHILADELPHIA SAVING FUND SOCIETY.

The SPEAKER laid before the House the report of the Philadelphia Saving Fund Society for the year ending December 31st, 1935.

(For report see Appendix to Legislative Journal)

WESTERN SAVING FUND SOCIETY.

The SPEAKER laid before the House the report of the Western Saving Fund Society for the year 1935.

(For report see Appendix to Legislative Journal)

SAVING FUND SOCIETY OF GERMANTOWN

The SPEAKER laid before the House the eighty-first annual statement of the Saving Fund Society of Germantown as of Janary 1, 1936.

(For report see Appendix to Legislative Journal)

THE DOLLAR SAVINGS BANK.

The SPEAKER laid before the House the semi-annual report of the Dollar Savings Bank as of December 31, 1935.

(For report see Appendix to Legislative Journal)

LEHIGH COAL AND NAVIGATION COMPANY.

The SPEAKER laid before the House the report of the Lehigh Coal and Navigation Company for the year 1935.

(For report see Appendix to Legislative Journal)

THE DELAWARE RIVER JOINT COMMISSION.

The SPEAKER laid before the House the report of the Delaware River Joint Commission for the year 1935.

(For report see Appendix to Legislative Journal)

SENATE MESSAGE

COMMITTEE TO ESCORT GOVERNOR

The Clerk of the Senate being introduced, presented and extract from the Journal of the Senate, which was read as follows:

In the Senate, May 4, 1936.

Resolved, (if the House of Representatives concur) That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House (if the House shall appoint such Committee) to escort the Governor to the Hall of the House to address the members of the General Assembly in Joint Session, at 10 o'clock P. M. May 4, 1936, pursuant to a concurrnt resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

COMMITTEE APPOINTED TO ESCORT GOVERNOR

The SPEAKER. The Chair appoints as a Committee to act in conjunction with a similar committee on the part of the Senate to escort the Governor to the Hall of the House, Merrs. LaRue, Blumberg and O'Neill.

Ordered, that the Clerk inform the Senate accordingly.

COMMUNICATION FROM CITY COUNCIL OF PHILADELPHIA

The SPEAKER laid before the House a communication from the City Council of Philadelphia which was read by the Clerk as follows:

CITY COUNCIL
Philadelphia

May 2, 1936.

Dear Sir:

I am enclosing herewith copy of Resolution unanimously passed by City Council and approved by the Mayor on May 1, 1936.

Very truly yours,

WILLIAM W. FELTON,
Clerk of City Council.

CLERK'S OFFICE, CITY COUNCIL

Philadelphia, May 2, 1936.

Sir:

This is to certify that the following is a true and correct copy of the original Resolution passed by City Council and approved by the Mayor on the 1st day of May, 1936.

RESOLUTION

With respect to the celebration in Philadelphia in 1937 of the One Hundred and Fiftieth Anniversary of the Adoption of the Constitution of the United States; inviting the Governor and the General Assembly of the Commonwealth of Pennsylvania to participate in the historic event, and requesting an appropriation of one hundred thousand (100,000) dollars by the Commonwealth of Pennsylvania to be used as part of a fund to pay the costs of such celebration; and directing the presentation of this resolution to the Mayor for his approval or disapproval.

Whereas, A grateful and appreciative Nation will appropriately celebrate during 1937 the One Hundred and Fiftieth Anniversary of the Adoption of the Constitution of the United States, a charter of government under which we have thrived and grown great;

And Whereas, The Constitution of the United States was conceived, debated and adopted by a Constitutional Convention composed of delegates from the thirteen original States, and held in the City of Philadelphia;

And Whereas, The Federal Government is fully cooperating in this celebration by giving it official status and by indicating Philadelphia as the historic focal point where not only the Commonwealth of Pennsylvania should be represented but also the other original States, all of them to participate with the people of Philadelphia in this celebration and with the large number of patriotic, fraternal, professional and business organizations which have accepted the invitation of the Mayor to hold their conventions in this City at that time; now therefore

Resolved, By the Council of the City of Philadelphia, That the Governor and the members of the General Assembly of the Commonwealth of Pennsylvania be invited by the Mayor and the Council of the City of Philadelphia to participate in the celebration held in this City and sponsored by its citizens; and

Resolved, That the General Assembly of the Commonwealth of Pennsylvania, in special session beginning on May fourth next, be and hereby is, requested to make an appropriation of one hundred thousand (100,000) dollars to the City of Philadelphia, so that the One Hundred and Fiftieth Anniversary of the Constitution of the United States may be properly observed and celebrated.

Resolved, That the Clerk of Council be hereby directed to present this resolution to the Mayor for his approval or disapproval.

Attest: WILLIAM W. FELTON,
Clerk of City Council.

The SPEAKER. The communication will be noted in the Journal and printed in the Legislative Journal.

STANDING COMMITTEES

The SPEAKER. The Chair desires to state that the standing committees of the House will serve as the standing committees of this Extraordinary Session now convened.

Members are privileged to introduce their bills now by filing them with the Bill Clerk. Make certain that all copies are legibly endorsed and dated before handing them in.

REPORT AND DISCHARGE OF COMMITTEE

Mr. BURKE. Mr. Speaker, your Committee appointed to wait upon the Senate and inform that body that the House is organized and ready to proceed with the business of the session has performed that duty.

The SPEAKER. The Chair receives the report and the Committee is discharged with the thanks of the House.

REPORT AND DISCHARGE OF COMMITTEE

Mr. ZIMMERMAN. Mr. Speaker, your committee appointed to escort the members of the Senate to the Hall of the House for the purpose of attending a Joint Session has performed that duty and the members of the Senate are now present.

The SPEAKER. The committee is discharged with the thanks of the House. The President of the Senate is invited to preside over the Joint Session of the General Assembly; the President Pro Tempore is invited to a seat on the rostrum and the members of the Senate will be seated in the chairs provided for them in the front of the House.

JOINT SESSION

LIEUTENANT-GOVERNOR THOMAS KENNEDY PRESIDING

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present to you the Committee appointed to escort the Governor of the Commonwealth to the Hall of the House to address the Joint Assembly.

Mr. ROBERTS. Mr. President, I have the honor to present to you His Excellency, the Governor of the Commonwealth, who will address the Joint Session.

LIEUTENANT-GOVERNOR KENNEDY. It is my privilege and pleasure at this time to present His Excellency the Governor of the Commonwealth, The Honorable George H. Earle.

MESSAGE TO THE GENERAL ASSEMBLY

The GOVERNOR.

Ladies and Gentlemen of the General Assembly:

I have convened your honorable body in extraordinary session to consider important measures which vitally affect the welfare of our people.

Our most important problem is unemployment relief. As you are aware, my original request for an appropriation of $120,000,000 for relief during the biennium was reduced to $60,000,000.

As a result of this action by your members our relief appropriation is inadequate and will be exhausted one week from today. It is principally for that reason that this special session is now necessary.

Other unforseen needs have arisen as a result of the recent disastrous floods and other conditions.

My first recommendation is that you immediately provide an appropriation to meet unemployment relief needs after May 11 by emergency transfers from special funds, pending enactment of a relief program for the remainder of the year. Under no circumstances should these transfers be made without providing for repayment at this session.

In order to meet the Commonwealth's financial needs until the next regular session of the State Legislature I submit hrewith, in accordance with the provisions of my Call, the following schedule of necessary expenditures:

Unemployment Relief Needs to January 31, 1937		$70,991,000.00
State Veterans' Commission		250,000.00
Flood Relief—Department of Welfare		279,100.00
Flood Control		500,000.00
Social Security		
Labor and Industry	$134,666.26	
Welfare	2,500,000.00	
		$2,634,666.26
State Institutions		
Emergency Construction Eliminating fire and other hazards	$500,000.00	
Construction to reduce overcrowding	1,000,000.00	
Tubercular Hospitals	600,000.00	
Military Projects	500,000.00	
		$2,600,000.00
Refunding Bonds		$25,000.00
Deficiencies		
State Police	$9,000.00	
Health	684,103.53	
Agriculture	5,927.70	
Military	400,000.00	
Labor and Industry	24,795.00	
		$1,123,826.23
Distressed School Districts		$1,000,000.00
Revenue: Cost of Collections		800,000.00
Historical Observances		50,000.00
Expenses of Special Session		365,000.00
		$80,618,592.49

The estimate of unemployment relief needs made by Karl de Schweinitz, State Emergency Relief Director, is based upon a minimum amount to provide for comfort and decency. You can reduce it only by causing great suffering to the unfortunate men, women and children on our relief rolls, and the more you reduce it the more they will suffer. My Administration most urgently recommends that you appropriate the full amount, and will gladly present any facts and figures you may desire to justify this estimate.

The flood relief appropriation to the Department of Welfare is for the repair of flood damage to State institutions.

The flood control appropriation of $500,000, together with enabling legislation to dovetail with Federal flood control measures, will permit us to receive an estimated $2,000,000 in Federal funds for this work. That amount will be adequate for all the flood control work that the Federal government will start before the regular session. Remembering how this year's flood caused physical suffering and economic havoc in Pennsylvania's richest areas, the busy industrial centers and the fertile river bottom farm lands, I most urgently recommend approval of this item.

The Social security appropriation, together with other necessary enabling legislation, will permit Pennsylvania to receive millions of dollars under the provisions of the Federal Social Security Act. Unless such legislation is enacted Pennsylvania taxpayers will be obliged to pay their share of the cost of this security program without participating in its benefits.

The Social Security Act provides for old age assistance, old age annuities, unemployment compensation, mothers' assistance, medical and nursing service for mothers and infants, help for crippled children, general child welfare, vocational rehabitation, public health service and pensions for the blind. It is fully justified on economic as well as humitarian grounds, and in addition it will relieve the State and local poor boards of a large relief tax burden. I most urgently recommend adoption of this legislation.

My estimate of the needs of our State institutions has been reduced to a minimum. The appropriations for emergency construction and removal of fire and safety hazards will enable us to receive millions additional in Federal funds for this necessary work. The suggested appropriation to relieve overcrowding of the State's institutional wards will permit us to make a start toward these improvements pending a regular session.

I do not believe the appropriation to reduce the tubercular waiting list requires discussion. Common humanity,

requires that we shall not permit our stricken citizens on institutional waiting lists to suffer and die without medical and hospital care.

The military project I have recommended will permit the Commonwealth to receive approximately $5,000,000 of Federal funds if we provide $500,000 for work on our armories, including repair of the $61,600 flood damage to those armories.

The small appropriation for refunding the State's bonded obligations is to cover printing and administrative costs involved. It is estimated that this refunding will save up to $5,000,000 in interest charges over a 15 year period.

The departmental deficiencies are a result of extraordinary expenditures during the recent floods. The Health Department appropriation includes the cost of dewatering flooded mines. The National Guard deficiency covers the expenses incurred in occupying flood zones. The Labor and Industry deficiency is chiefly for emergency building inspection work in the same areas.

The estimate of $1,000,000 for distressed school districts is far below normal needs, but I believe it will tide us over until the regular session next year.

The need for additional Revenue Department appropriations for collection of new taxes is obvious.

A nominal sum has been fixed as the administrative cost of recommended historical observances.

The item for expenses of the session has been placed at a minimum in the hope that this session will be very short. If that is not the case you will of course appropriate as needed.

In order to provide the necessary funds for the expenditures I have recommended, I submit herewith the following revenue-raising program:

An additional one cent tax upon to yield	$12,000,000
An increase of three mills in the Personal Property Tax striking out the exemption of securities of those corporations that now pay a Capital Stock or Foreign Franchise Tax; to yield	40,000,000
A graduated license tax upon chain store organizations based upon the number of stores each organization; to yield	3,000,000
A ten per cent (10%) tax upon the sale of Spiritous Vinous liquors to the consumer; to yield	7,500,000
An excise tax upon the sale of electrical energy, both retail and wholesale within the Commonwealth of Pennsylvania; to yield..	5,000,000
An increase in the motor vehicle license fees upon the heavier trucks and trailers; to yield	3,000,000
An increase of four per cent (4%) in the corporate net income tax rate; to yield	10,150,000
Grand Total	$80,650,000

The increase in the gasoline tax should not result in a price increase to the consumer since recent financial statements of gasoline companies show that they are more than able to bear this tax burden.

The increase in the personal property tax, and the repeal of existing exemptions, is entirely fair and just under existing circumstances, particularly in view of the fact that intangible wealth has long escaped its fair share of the tax burden.

The chain store tax is based squarely upon ability to pay, and in addition is economically advantageous in that it protects our independent merchants against the cut-throat competition of large chains, many of which are owned by corporations outside of Pennsylvania.

The 10 per cent tax upon liquors is a luxury tax and I do not believe any consumer will object to this levy for the relief of suffering and distress among the poor.

The tax upon electrical energy, as recommended, will be levied in such a way that it cannot be passed on to the consumer. At the same time it works no hardship upon the electrical utilities, which now enjoy a virtual exemption from the real estate taxes all other corporations are obliged to pay.

The additional license fees for heavier trucks and trailers do not begin to compensate for the advantage they derive from the use of State-constructed roadbeds. I am heartily in favor of this tax, and I am sure most other motorists will agree that the gigantic trucks which monopolize our highways should be made to pay.

The foregoing items I have already submitted to the bi-partisan committee of legislators as my recommendations for unemployment relief taxes. In order to provide funds for the other subjects in the Call I have, in addition, suggested the increase in the corporation net income tax, which will bring this tax to 10 per cent. That figure was recommended to me last year by the Republican Senate Caucus.

All taxes are objectionable. I have no pride of authorship in the tax program I have presented here. It is subject to change in any or all particulars. I shall be happy to meet with any committee of your honorable body, at any time, to discuss the entire subject. I am perfectly willing to accept any tax substitutes you may propose, on two conditions. One is that such substitute do not fall upon necessities, the other is that they be based upon ability to pay.

There is no reason why we should not reach a speedy agreement. I beg of you to make this session short. We must not delay. Politics and political consideration must take a holiday in this emergency.

You know, and I know, that the appropriation estimates I have submitted can be reduced. But I warn you to consider the cost. Unless we meet this crisis courageously indescribable privation, hardship, and economic, physical and moral disaster will be visited upon hundreds of thousands of our fellow citizens. You can cut corners only at the expense of the poor unfortunates whose destiny rests in your hands, the men, women and children on relief, the sick and the lame and the halt and the blind.

In addition to the subjects involving appropriations which I have discussed, there are several other points in the Call to which I direct your attention. Abatement of penalties and interest on real estate taxes is a measure for relief of distressed farmers and home-owners. The validating of municipal bond issues needs no discussion. Legislation to remove defects in existing revenue legislation will naturally permit greater tax returns.

The proposed Constitutional amendment to remove the so-called "time lock" on amendments is highly desirable. At present our Constitution can be amended only once in every five years. This is one of its most criticized provisions. It imposes an undue and unnecessary restraint upon the will of the people. For these reasons I recommend that immediate steps be taken to remove it.

The proposal to eliminate roadside displays of wild animals is intended to end a type of cruelty that is degrading to human beings and barbarous to the suffering animals. We cannot move too quickly in this direction.

In addition to the subjects in the Call there are certain items included in a supplementary Call on recommendation of Mayor S Davis Wilson of Philadelphia. These I submit without comment, for your consideration on their merits. I am also recommending amendment of the Act providing a weekly day of rest and vacation for policemen. This amendment will extend the benefits of the Act to the policemen of the City of Scranton, who for some reason, unknown to me were specifically exempted from the provisions of the original Act.

I am submitting to your honorable body a statement covering in detail the subjects of this call, and my recommendations thereon.

I would like to see this session ended as quickly as humanly possible. Whatever you do I beg of you to cast partisanship aside and give deep and serious consideration to the dire need of our people. They are our neighbors. The situation in which we find ourselves today comes down to just one thing—we are our brother's keeper. We share a common responsibility toward the unfortunate. Let us face that responsibility courageously and intelligently, with solemn regard for our sacred oath to provide for the general welfare of the people of our Commonwealth.

LIEUTENANT GOVERNOR KENNEDY. The Chair wishes to express the thanks of the General Assembly to the Governor for the wonderful message delivered to us this evening. I join with you in expressing the hope that we will have prompt and favorable action upon your recommendations. Thank you very much.

ADJOURNMENT OF JOINT SESSION

LIEUTENANT GOVERNOR KENNEDY. The business for which the Joint Session of the General Assembly was convened having been transacted, the Joint Session is adjourned. The Senators will immediately assemble in the Senate Chamber.

THE SPEAKER (Roy E. Furman) IN THE CHAIR

ADDRESS OF THE GOVERNOR

THE SPEAKER. The Chair lays before the House the address of His Excellency the Governor which will be printed in the Journal and also in the Legislative Journal.

The GOVERNOR:

To the Honorable, the General Assembly of the Commonwealth of Pennsylvania:

I have convened your honorable body in extraordinary session to consider important measures which vitally affect the welfare of our people.

Our most important problem is unemployment relief. As you are aware, my original request for an appropriation of $120,000,000 for relief during the biennium was reduced to $60,000,000.

As a result of this action by your members our relief appropriation is inadequate and will be exhausted one week from today. It is principally for that reason that this special session is now necessary.

Other unforeseen needs have arisen as a result of the recent disastrous floods and other conditions.

My first recommendation is that you immediately provide an appropriation to meet unemployment relief needs after May 11 by emergency transfers from special funds, pending enactment of a relief program for the remainder of the year. Under no circumstances should these transfers be made without providing for repayment at this session.

In order to meet the Commonwealth's financial needs until the next regular session of the State Legislature I submit herewith, in accordance with the provisions of my Call, the following schedule of necessary expenditures:

Unemployment Relief Needs to January 31, 1937		$70,991,000.00
State Veterans' Commission		250,000.00
Flood Relief—Department of Welfare		279,100.00
Floor Control		500,000.00
Social Security		
Labor and Industry	$ 134,666.26	
Welfare	2,500,000.00	
		$ 2,634,666.26
State Institutions		
Emergency Construction Eliminating fire and other hazards	$ 500,000.00	
Construction to reduce overcrowding	1,000,000.00	
Tubercular Hospitals	600,000.00	
Military Projects	500,000.00	
		$ 2,600,000.00
Refunding Bonds		$ 25,000.00
Deficiencies		
State Police	$ 9,000.00	
Health	684,103.53	
Agriculture	5,927.70	
Military	400,000.00	
Labor and Industry	24,795.00	
		$ 1,123,826.23
Distressed School Districts		$ 1,000,000.00
Revenue: Cost of Collections		800,000.00
Historical Observances		50,000.00
Expenses of Special Session		365,000.00
		$80,618,592.49

The estimate of unemployment relief funds made by Karl de Schweinitz, State Emergency Relief Director, is based upon a minimum amount to provide for comfort and decency. You can reduce it only by causing great suffering to the unfortunate men, women and children on our relief rolls, and the more you reduce it the more they will suffer. My Administration most urgently recommends that you appropriate the full amount, and will gladly present any facts and figures you may desire to justify this estimate.

The flood relief appropriation to the Department of Welfare is for the repair of flood damage to State institutions.

The flood control appropriation of $500,000, together with enabling legislation to dovetail with Federal flood control measures, will permit us to receive an estimated $2,000,000 in Federal funds for this work. That amount will be adequate for all the flood control work that the Federal government will start before the regular session. Remembering how this year's floods caused physical suffering and economic havoc in Pennsylvania's richest areas, the busy industrial centers and the fertile river bottom farm lands, I most urgently recommend approval of this item.

The Social security appropriation, together with other necessary enabling legislation, will permit Pennsylvania to receive millions of dollars under the provision of the Federal Social Security Act. Unless such legislation is enacted Pennsylvania taxpayers will be obliged to pay their share of the cost of this security program without participating in its benefits.

The Social Security Act provides for old age assistance, old age annuities, unemployment compensation, mothers' assistance, medical and nursing service for mothers and infants, help for crippled children, general child welfare,

vocational rehabilitation, public health service and pensions for the blind. It is fully justified on economic as well as humanitarian grounds, and in addition it will relieve the State and local poor boards of a large relief tax burden. I most urgently recommend adoption of this legislation.

My estimate of the needs of our State institutions has been reduced to a minimum. The appropriations for emergency construction and removal of fire and safety hazards will enable us to receive millions additional in Federal funds for this necessary work. The suggested appropriation to relieve overcrowding of the State's institutional wards will permit us to make a start toward these improvements pending a regular session.

I do not believe the appropriation to reduce the tubercular waiting list requires discussion. Common humanity requires that we shall not permit our stricken citizens on institutional waiting lists to suffer and die without medical and hospital care.

The military project I have recommended will permit the Commonwealth to receive approximately $5,000,000 of Federal funds if we provide $500,000 for work on our armories, including repair of the $61,600 flood damage to those armories.

The small appropriation for refunding the State's bonded obligations is to cover printing and administrative cost involved. It is estimated that this refunding will save up to $5,000,000 in interest charges over a 15-year period.

The departmental deficiencies are a result of extraordinary expenditures during the recent floods. The Health Department appropriation includes the cost of dewatering flooded mines. The National Guard deficiency covers the expenses incurred in occupying flood zones. The Labor and Industry deficiency is chiefly for emergency building inspection work in the same areas.

The estimate of $1,000,000 for distressed school districts is far below normal needs, but I believe it will tide us over until the regular session next year.

The need for additional Revenue Department appropriations for collection of new taxes is obvious.

A nominal sum has been fixed as the administrative cost of recommended historical observances.

The item for expenses of the session has been placed at a minimum in the hope that this session will be very short. If that is not the case you will of course appropriate as needed.

In order to provide the necessary funds for the expenditures I have recommended, I submit herewith the following revenue-raising program.

An additional one cent tax upon Gasoline; to yield	$12,000,000
An increase of three mills in the Personal Property Tax striking out the exemption of securities of those corporations that now pay a Capital Stock or Foreign Franchise Tax; to yield	40,000,000
A graduated license tax upon chain store organizations based upon the number of stores of each organization; to yield	3,000,000
A ten per cent (10%) tax upon the sale of Spiritous Vinous liquors to the consumer; to yield	7,500,000
An excise tax upon the sale of electrical energy, both retail and wholesale within the Commonwealth of Pennsylvania; to yield	5,000,000
An increase in the motor vehicle license fees upon the heavier trucks and trailers; to yield	3,000,000
An increase of four per cent (4%) in the corporate net income tax rate; to yield	10,150,000
Grand Total	$80,650,000

The increase in the gasoline tax should not result in a price increase to the consumer since recent financial statements of gasoline companies show that they are more than able to bear this tax burden.

The increase in the personal property tax, and the repeal of existing exemptions, is entirely fair and just under existing circumstances, particularly in view of the fact that intangible wealth has long escaped its fair share of the tax burden.

The chain store tax is based squarely upon ability to pay, and in addition is economically advantageous in that it protects out independent merchants against the cut-throat competition of large chains, many of which are owned by corporations outside of Pennsylvania.

The 10 per cent tax upon liquors is a luxury tax and I do not believe any consumer will object to this levy for the relief of suffering and distress among the poor.

The tax upon electrical energy, as recommended, will be levied in such a way that it cannot be passed on to the consumer. At the same time it works no hardship upon the electric utilities, which now enjoy a virtual exemption from the real estate taxes all other corporations are obliged to pay.

The additional license fees for heavier trucks and trailers do not begin to compensate for the advantage they derive from the use of State-constructed roadbeds. I am heartily in favor of this tax, and I am sure most other motorists will agree that the gigantic trucks which monopolize our highways should be made to pay.

The foregoing items I have already submitted to the bipartisan committee of legislators as my recommendations for unemployment relief taxes. In order to provide funds for the other subjects in the Call I have, in addition, suggested the increase in the corporate net income tax, which will bring this tax to 10 per cent. That figure was recommended to me last year by the Republican Senate Caucus.

All taxes are objectionable. I have no pride of authorship in the tax program I have presented here. It is subject to change in any or all particulars. I shall be happy to meet with any committee of your honorable body, at any time, to discuss the entire subject. I am perfectly willing to accept any tax substitutes you may propose, on two conditions. One is that such substitutes do not fall upon necessities, the other is that they be based upon ability to pay.

There is no reason why we should not reach a speedy agreement. I beg of you to make this session short. We must not delay. Politics and political consideration must take a holiday in this emergency.

You know, and I know, that the appropriation estimates I have submitted can be reduced. But I warn you to consider the cost. Unless we meet this crisis courageously indescribable privation, hardship, and economic, physical and moral disaster will be visited upon hundreds of thousands of our fellow citizens. You can cut corners only at the expense of the poor unfortunates whose destiny rests in your hands, the men, women and children on relief, the sick and the lame and the halt and the blind.

In addition to the subjects involving appropriations which I have discussed; there are several other points in the Call to which I direct your attention. Abatement of penalties and interest on real estate taxes is a measure for relief of distressed farmers and home-owners. The validating of municipal bond issues needs no discussion. Legislation to remove defects in existng revenue legislaton will naturally permit greater tax returns.

The proposed Constitutional amendment to remove the so-called "time lock" on amendments is highly desirable. At present our Constitution can be amended only once in every five years. This is one of its most criticized provisions. It imposes an undue and unnecessary restraint upon the will of the people. For these reasons I recommend that immediate steps be taken to remove it.

The proposal to eliminate roadside displays of wild animals is intended to end a type of cruelty that is degrading to human beings and barbarous to the suffering animals. We cannot move too quickly in this direction.

In addition to the subjects in the Call there are certain items included in a supplementary Call on recommendation of Mayor S. Davis Wilson of Philadelphia. These I submit without comment, for your consideration on their merits. I am also recommending amendment of the Act providing a weekly day of rest and vacation for policemen.

This amendment will extend the benefits of the Act to the policemen of the City of Scranton, who for some reason, unknown to me, were specifically exempted from the provisions of the original Act.

I am submitting to your honorable body a statement covering in detail the subjects of this call, and my recommendations thereon.

I would like to see this session ended as quickly as humanly possible. Whatever you do, I beg of you to cast partisanship aside and give deep and serious consideration to the dire need of our people. They are our neighbors. The situation in which we find ourselves today comes down on just one thing—we are our brother's keeper. We share a common responsibility toward the unfortunate. Let us face that responsibility courageously and intelligently, with solemn regard for our sacred oath to provide for the general welfare of the people of our Commonwealth.

I submit to your honorable body this statement covering in detail the subjects of the call for this Special Session and my recommendations thereon.

First. Appropriations to the State Emergency Relief Board for unemployment relief and expenses incident thereto should be considered.

At the beginning of the 1935 session of the Legislature, I, as Governor, submitted a program calling for the appropriation of $120,000,000 for unemployment relief in Pennsylvania for the two-year period ending May 31, 1937.

After months of debate, relief funds were provided for only the first year of the biennium. No provision was made for the second year.

You are familiar with what happened then. The Federal Government changed its relief policy, substituting work relief for direct relief. Pennsylvania, like other states, was then and still is required to bear the entire direct relief burden. Instead of spending $5,000,000 a month for relief, as we had planned, we had to spend much larger sums, with the result that the $60,000,000 appropriated for this purpose is now gone.

After a most careful study of the unemployment relief situation in Pennsylvania, the State Relief Director estimates that $70,991,000 will be needed to care for the unemployed through January of next year.

A thorough study of facts and figures convinces me that this amounts is necessary. However, if conditions should change so that all of this money is not needed, any balance can be used for relief in the remainder of the biennium: that is, from February 1, 1937 to May 31, 1937, a period of four months unprovided for in this program.

If the Legislature should decide that relief funds economically necessary to provide for our unemployed are less than $70,991,000 and fails to appropriate an adequate amount, another special session of the Legislature will be necessary the moment it appears that we are running short of relief money.

In dealing with the relief problem, funds should be provided both for the continuation of relief at present rates and also to furnish shelter and certain other necessities which are more urgently required every day for many of the unemployed on the relief rolls.

The funds appropriated by the Legislature at the 1935 session will have been exhausted early next week. It, therefore, is recommended that resolutions be adopted transferring funds sufficient to carry relief through the remainder of May and through the month of June. There must be no stoppage in relief while a program for the remainder of the year is being considered by the Legislature. Immediate repayment of these funds must be provided during this session.

A request for temporary provision during May and June is based upon a budget of $6,971,620 for May, which already has been approved by the State Emergency Relief Board, and an estimate of $7,200,000 for the month of June.

Against this total of $14,171,620 there was available on May 1st an unexpended balance of $3,341,620, leaving $10,830,000 needed to carry relief through June. No increase in the present rate of relief is involved in these requirements. This sum should be transferred at once to the General Fund for relief purposes.

To continue relief at the current standard, $53,100,000 would be required for the period beginning July 1st, ending February 1st, next. To include provision for shelter would require an additional $2,950,000. This is a need that is becoming increasingly more acute. The lack of sufficient funds for this type of relief is causing great hardship both to the unemployed and to the owners of property, most of whom have been compelled to give free rent.

In other respects also our present grants to families are considerably below the minimum needed to maintain physical efficiency. The grants for clothing are two per cent less than they were a year ago, and there is urgent need in many instances for fuel for light and cooking. These essential requirements would involve an additional expenditure of $4,111,000.

Thus you will see a relief need through January of next year for $74,332,620. Deducting existing balances an appropriation of $70,991,000 is required.

This program provides only for the absolute necessities of life. The latest available comparative figures show that the cost of relief per case, including administrative cost, is less in Pennsylvania than Massachusetts, Connecticut, New York, Minnesota, California, and many other states. We must provide for those who through no fault of their own cannot provide for themselves. Therefore, I most earnestly recommend appropriation of the full amount.

The Legislature at its last session appropriated funds to enable the State Veterans' Commission to provide for indigent veterans of any wars or their widows and infant children. This is a just cause, and I ask that funds be made available to continue this work on the same basis as heretofore. A total of $250,000 will be required for the period from June 1, 1936, to January 31, 1937.

Second. Flood Relief.

The disastrous floods of last March created conditions which must be remedied as quickly as is humanly possible. Those of you who come from flooded districts fully understand the seriousness of the situation. You are familiar with the tremendous destruction that was caused when swollen rivers rushed out of their banks and flowed through the streets of our cities. You know that even before the turbulent waters had stopped rising, every agency of the State Government was mobilized to meet the crisis. We did everything possible to alleviate the distress that arose on every hand. We met the situation then with emergency measures. We must meet the situation now with rehabilitation measures. The despair of flood destruction has given way to the hope of reconstruction. The task of saving lives and alleviating human suffering is done. Now we must rebuild. Thousands of our citizens were sorely afflicted by the calamity. Their homes were washed away or badly damaged. Their furnishings were destroyed and places of business were filled with muck and slime. Merchants' stocks of goods were ruined. Millions of dollars of public and private property was destroyed. Pennsylvania, of all states, was hardest hit. Many saw the fruits of a lifetime of toil swept away by the angry waters.

The people of our Commonwealth should face this as their calamity and their problem. Those who were most sorely affected as a consequence of this flood cannot help themselves. Their rehabilitation rests in your hands. Most of this relief has already been provided by the Federal Government and the American Red Cross. We cannot commend and praise too highly the splendid untiring work performed by the Red Cross at no cost to the Commonwealth.

The United States Congress is now considering legislation to provide relief to these stricken areas. Unquestionably that will require some measure of co-operation from the State.

As soon as the Federal program is completed and the extent of the State's participation determined, legislation will be submitted to provide for such co-operation.

At present an appropriation of $279,100 to the Department of Welfare to repair flood damage to State institutions is needed.

Third. Flood Control.

This destruction to property and human suffering caused by the recent flood makes it imperative that we institute a flood control program to prevent the recurrence of such disasters. Flood prevention and flood control are the only protective measures which will insure against the loss of life and property accompanying every major flood. There

is now before the United States Senate the so-called omnibus flood bill providing for this necessary work. In order to take advantage of the funds to be made available to the states under this bill, it is necessary that the Commonwealth pass enabling legislation authorizing some agency of the State to carry out for and on behalf of the State its participation in a Federal program of flood control.

We must take advantage of Federal co-operation without the loss of valuable time. The Department of Forests and Waters should be designated as the agency of the Commonwealth to carry out the State's work in flood control. Legislation is also necessary in order that proper studies may be made with reference to this subject to provide reforestation and the prevention of erosion. The State's share in co-operating wit hthe Federal Government in the prevention of floods and flood control will amount to a large sum. That sum is not now known and cannot be provided for at this time. However, in order that the work may be begun and as an evidence of good faith on the part of the Commonwealth, you should immediately appropriate the sum of $500,000 to be used by the Commonwealth in participation with the Federal Government in its work, with the provision that such sum shall not be available unless and until the Federal Government shall have authorized one or more flood projects within Pennsylvania, and shall have allotted funds for the carrying out of such project or projects. This appropriation, with enabling legislation, will bring to Pennsylvania $2,000,000 in Federal funds for this work. This total sum of $2,500,000 will be sufficient to begin and carry on a flood control program until your next Regular Session. As soon as we definitely learn the exact requirements imposed upon the Commonwealth by the Federal Flood Control Act, further co-operating legislation will be submitted.

Fourth. Social Security.

The Federal Social Security Act covers a number of important social subjects. Most important to labor and industry is the enactment of an unemployment compensation law. Unemployment compensation has both a humanitarian and an economic aspect. It is one of the most inexpensive and effective methods of alleviating the results of depression. It undertakes to level off purchasing power by carrying over buying power from those of good times to those of declining prosperity. It will definitely help the individual workman at all times when he is out of work for an extended period. The Federal Social Security Act levies an assessment on payrolls beginning January 1, 1936. The assessment is 1% for the first year 2% for 1937, and 3% for each succeeding year. Unless our State has such an act, it will receive none of the benefits of the Federal act while its employers will still be required to pay the assessments. In other words, although Pennsylvania employers will pay out approximately $20,000,000 in 1936, $40,000,000 in 1937 and $60,000,000 each year thereafter in payroll assessments, the workmen of Pennsylvania will receive no return from the same unless an unemployment compensation act is enacted in Pennsylvania. Under the Federal Social Security Act each state having an unemployment compensation act will receive back 90% of the total amount of the assessments for the benefit of its workers.

Therefore, if Pennsylvania does not, at this session, enact such legislation, its citizens will lose approximately $18,000,000 this year, approximately $36,000,000 next year, and approximately $54,000,000 every year thereafter until such legislation is enacted in this State. These millions lost to Pennsylvnaia, paid by Pennsylvania employers, will go to other states having unemployment compensation laws.

It should be clearly understood that this plan requires no expenditure whatsoever by Pennsylvania for the administration of the act, no additional levies upon its employers, and no appropriation to carry out its purposes. All these costs will be supplied by the Federal Government.

The next important subject of the Social Security Act is old age assistance. At the present time there are 39,520 people receiving the benefit of old age assistance. This costs the Commonwealth $840,000 monthly. Our Old Age Assistance Act should be amended to conform with the standards of the Social Security Act so that the number of those eligible will be increased to a total of 94,930 persons at a monthly increase in cost to the Commonwealth of only $180,000.

Therefore, the Commonwealth will be able to provide for 55,410 additional old men and women who are now in dire need of assistance and who will be removed from the relief rolls. Today the average monthly cost to this Commonwealth for old age assistance is approximately $21.20 per person. If we amend our laws to conform to the Social Security Act and accept the resulting benefits from the Federal Government, the average monthly cost to Pennsylvania for old age assistance will be reduced to approximately $10.60 per person, while the average amount received monthly per aged person will be at least $21.60.

If you fail to pass this legislation, $12,696,000 which the Federal Government is willing to give us to help our needy aged will go to other states each year.

Such legislation as will entitle us to receive the full benefits of the Federal Social Security Act for mothers assistance, medical and nursing services for mothers and infants, help for crippled children, general child welfare, public health service and pensions for the blind should be enacted. This will bring grants of several million dollars from the Federal Government which will go to other States if we fail to pass such legislation.

The Department of Labor and Industry, through its Bureau of Rehabitation, has been supervising the transforming of its poor, maimed in Pennsylvania industry, from what might ultimately become public charges to self-sustaining persons. Under the Federal Social Security law, additional grants are made to the State for this purpose, provided we match dollar for dollar the amount granted. The appropriation to the Department of Labor and Industry of $134,666.26 should be provided for this purpose.

The appropriation of $2,500,000 to the Department of Welfare for old age and mothers' assistance also should be provided.

Aside from some small items and the amount just mentioned for Labor and Industry, there is no other appropriation needed to give Pennsylvania the full benefits of the Federal Social Security Act.

From this investment, Pennsylvania's needy will receive at least $34,278,000, if not more, from the Federal Government; otherwise, Pennsylvania's citizens will receive nothing and the citizens of other States will benefit by our neglect.

Fifth. Abatement of Tax Penalties.

This merely extends the operation of similar acts passed at the last session of the Legislature. We are all aware that economic conditions have made the ownership of real estate an onerour burden. Because of an outworn and antiquated taxing system real estate is bearing far more than its fair share of the cost of local government. Such abatement acts will, in a small measure, afford a limited relief to the real estate owner.

Sixth. Safety and Expansion Needs of State Institutions.

The law, common sense, and humanitarianism fix certain standards necessary to reduce to a minimum hazardous conditions in public buildings. The Department of Welfare, Health, Education and Military Affairs are all charged with the maintenance of certain State institutions. Because of inefficient supervision and lack of funds, these institutions have fallen into disrepair; they have become overcrowded; fire and other hazards to safety constantly imperil the lives of those who are forced to inhabit them. This institution has become so acute that it is a disgrace to a modern State and reminds one of conditions of a barbaric age. The cost of emergency construction eliminating fire and other hazards is $2,808,417. If the State appropriates $500,000, the Works Progress Administration will provide the balance, $2,308,417. You should, therefore, unhesitatingly appropriate $500,000 for this purpose.

Many of our State institutions are overcrowded. Our hospitals, asylums, homes, penal and correctional institutions, must be expended. There are thousands of applicants on the waiting lists for admission to State schools for mental defectives, asylums, hospitals and homes. The

over-crowded conditions at our State penal and correctional institutions constitute a constant menace to the safety of our people.

There are a thousand tubercular cases on the waiting list in Pennsylvania, which the Department of Health is not able to provide for under its present facilities. Five hundred of these cases are sick cases, which cannot go to camp, and consequently there is urgent need for additional hospitalization for five hundred patients.

To meet these needs of construction to reduce hazardous overcrowding, waiting lists, and facilities required to properly care for the increased population would require $37,500,000. In order to recognize the need, and as a pledge of good faith toward meeting that need, $1,000,000 should be appropriated at this time to increase the facilities of institutions under the Department of Welfare, and $600,000 should be appropriated to the Department of Health to relieve the waiting list of tubercular patients. Further provisions for these purposes must await the next regular session.

Under the State Authority Act which was enacted at the last session of the Legislature all of these much needed results would have been accomplished at a relatively small cost to the State. Projects totaling $60,000,000 had been approved by the Federal authorities, of which sum the Federal Government would have contributed $33,000,000 and the balance would have been paid by the State through rentals over a period of thirty years. However, due to the fact that the Supreme Court of Pennsylvania held this act unconstitutional, the State is now forced to bear this entire burden and to begin providing revenues therefor immediately.

In addition to the matters outlined, your attention is directed to the fact that a list of projects amounting to $4,568,202.00 has received Presidental approval. These projects are for the erection of additional National Guard armories throughout the Commonwealth. The only condition for the final launching of this project is the appropriation of $500,000 as the sponsor's share of this program. An appropriation of $500,000 for this purpose should therefore be made.

Seventh. Refunding of the bonded indebtedness.

There are now outstanding, among other, Commonwealth of Pennsylvania bonds, series "D" 4¾, in the amount of $11,200,000, which are due December 1, 1951, but which are callable, in whole or in part, at any time subsequent to December 1, 1936. The annual debt service on these bonds is $532,000. It is obvious that if these bonds can be refunded at 2% it will result in an annual saving of $308,000, or a total saving of $4,620,000 between December 1, 1936, and the time of their maturity.

I considered legislation to produce such refunding at the last session of the Legislature, and the Attorney General, under my instruction, prepared a bill to provide for the same. However, after the bill was prepared the Attorney General advised me that the Supreme Court of Pennsylvania had stated in the case of MONTGOMERY v. MARTIN, 294 Pa. 25. that the Constitution of Pennsylvania prohibited refunding of the State's loan. Accordingly, the bill was laid aside.

However, so much is at stake for the Commonwealth that it is advisable to enact such legislation and immediately test its constitutionality before the Supreme Court. The Attorney General will institute a test suit immediately after the bill is enacted and will do his utmost to persuade the Supreme Court, that, as a matter of justice to the taxpayers of Pennsylvania, such legislation should be upheld.

Eighth. Validating Municipal Bond Issues.

This subject has been included as a result of requests from various municipalities. Although the Act of April 11, 1929, P. L. 516, cures irregularities in municipal bond issues, there may be instances where its provisions do not afford a complete remedy, such as cases where there is some question as to the validity of the election authorizing the issue. Therefore, some good may result by including this subject.

Ninth. Chattel Mortgages.

Although chattel mortgages generally have been looked upon with disfavor in Pennsylvania, a limited Chattel Mortgages Act is now essential.

The act contemplated will permit the pledging of chattels solely to agencies and instrumentalities of the Federal Government, such as the R. F. C., in order to increase the borrowing capacity of our citizens, partnerships and corporations. Many of our home owners, farmers, small merchants and small businessmen have no means of rehabiliating themselves from the disastrous result of the recent floods except by loans secured only by personal property. Such loans are now available from Federal agencies now in existence. Congress has made $50,000,000 available to the R. F. C. for such loans, and our citizens should be placed in a position to avail themselves of this opportunity.

Tenth. Deficiencies Caused by Floods.

The recent flood emergency imposed extraordinary and unanticipated burdens and obligations upon certain departments of the State government. As a consequence, their appropriations were insufficient to provide for the great work they were required to do. In taking care of the flooded districts, preserving health and presenting disease, doing rescue and police work, supplying food, medicine, clothing and shelter, and in assisting in rehabilitation, the resources of the Department of Health, Military Affairs and Agriculture have been seriously impaired.

Deficiency appropriations to these departments amounting to $1,123,826.23 should be made.

Your attention is specifically called to the deficiency appropriation of $684,103.53 to the Department of Health, which is included in the figure mentioned. This deficiency was practically all necessitated because of the work that has been undertaken by the Department of Health to assist in overcoming the flooded conditions in the coal mines of Luzerne, Lackawanna, Fayette and Westmoreland Counties. As a result of the flood, certain mines in these districts were so inundated that emergency measures by the State were necssary; otherwise, they would have remained closed permanently. The presence of water in these mines constitutes a constant and acute menace to the health of our people generally, inasmuch as acids developing in these waters seeping into our streams would affect the purity of our water supply and destroy all animal life within the streams affected. The most important consideration, however, and that which prompted the Department of Health to act in this matter by purchasing equipment and supplying power with which to operate it, was the fact that thousands of people had been put out of work by the flooded conditions. It was anticipated that in the Pittston district alone 15,000 miners would eventually be put out of work, resulting in a $600,000 monthly relief cost to the State. In addition, there are approximately 1,000 miners jobless in Lackawanna County and 400 in Fayette County, due to similar conditions. The saving in relief cost to the taxpayers of the Commonwealth of Pennsylvania which will be effected by this project is obvious. The owners of the flooded mines are rehabilitating them and are supplying the labor to operate the State's pumps at a cost to them of approximately $1,100,000. Accordingly, in order to maintain the pure stream supply, preserve this vital industry, and prevent the eventual unemployment of so many people, with the resulting cost to the State, this undertaking by the Department of Health was imperatively necessary.

Eleventh. Strengthening Existing Revenue Statutes.

By reason of adverse court decisions, ambiguous wording, and insufficient provision for enforcement, the Commonwealth is liable to incur substantial losses of revenue in taxes, a considerable portion of which have been included in the budget estimates for the current biennium. It is necessary that these conditions be remedied immediately, so that our budget may be balanced. Among the necessary amendments are:

(a) An amendment offsetting the decision of the Supreme Court of the United States in the case of SCHUYLKILL TRUST COMPANY v. COMMONWEALTH OF PENNSYLVANIA, by renacting the Act of 1927 and omitting therefrom existing deductions permitted in the case of shares of corporations paying Pennsylvania tax or exempt therefrom.

(b) Amendments to the Acts of 1897 and 1907, to more effectively control deductions for depreciations by banks, trust companies, and savings institutions having capital stock, and also to charge for appreciation in the value of certain of their assets.

(c) An amendment to the Corporate Net Income Tax Act to repeal that section which makes it mandatory upon the Secretary of Revenue to permit consolidated returns. That obnoxious section which was made a part of the act by amendment in the Senate, at the price of its passage, must be removed.

(d) An amendment to the Corporate Net Income Tax Act and the Foreign Franchise Tax Act, so as to make the income of the taxpayer from personal and other holding companies taxable.

(e) An amendment to the Act of 1897, so as to make it specifically applicable to shares in domestic building and loan associations.

(f) An amendment of the State Personal Property Tax Act, so as to make failure to file a return, as required by the act, a penal offense. The omission of such a provision in the original act clearly affected its enforceability.

(g) An amendment strengthening and making effective the County Personal Property Tax Act, by inserting therein penal provisions for failure to comply therewith. By such an amendment, the County Personal Property Tax Act will be more than mere words upon our statute books, and will provide substantial revenues to the counties. Through the increase of their revenues from this tax, it wlil become possible for the counties to provide a substantial reduction in the tax upon real estate. This object should certainly have the most wholehearted support of this entire assemblage.

Twelfth. School Relief.

The need for special State aid to distressed school districts is imperative. If schools are to be operated for at least the minimum required term, the Commonwealth must come to the rescue of these school districts. The high standards of our Public School System must at all times be maintained. Every child is entitled to an equal opportunity for education. His training must not depend on locality. Accordingly, an appropriation of $1,000,000 should be provided for relief to financially distressed school districts.

Thirteenth. The Budget.

In order to provide the revenues necessary to carry out the various subject you will consider, I have prepared a program of taxation which I now submit to you for your consideration. I want to make it clear that I am not of the opinion that these are the only means by which the necessary revenues can be obtained. In my opinion, they are reasonable, practical and equitable. If you should feel that other methods are preferable, I shall be only too glad to consider them seriously, so long as they are just and sound. However, I shall insist that such measures be based upon ability to pay, and necessities always exempted.

In the program which I am submitting to you, I recommend the following appropriations:

Unemployment Relief Needs to January 31, 1937		$70,991,000.00
State Veterans' Commission		250,000.00
Flood Relief—Department of Welfare		279,100.00
Flood Control		500,000.00
Social Security		
Labor and Industry	$ 134,666.26	
Welfare	2,500,000.00	
		2,634,666.26
State Institutions		
Emergency Construction Eliminating fire and other hazards	500,000.00	
Construction to reduce overcrowding	1,000,000.00	
Tuberculosis Hospitals	600,000.00	
Military Projects	500,000.00	
		2,600,000.00
Refunding Bonds		25,000.00
Deficiencies		
State Police	9,000.00	
Health	684,103.53	
Agriculture	5,927.70	
Military	400,000.00	
Labor and Industry	24,795.00	1,123,826.23
Distressed School Districts		1,000,000.00
Revenue: Cost of Collections		800,000.00
Historical Observances		50,000.00
Expenses of Special Session		365,000.00
		$80,618,592.49

In order to provide the necessary funds for the expenditures I have recommended, I submit herewith the following revenue-raising program:

An additional one cent tax upon Gasoline; to yield	$12,000,000
An increase of three mills in the Personal Property Tax striking out the exemption of securities of those corporations that now pay a Capital Stock or Foreign Franchise Tax; to yield	40,000,000
A graduated license tax upon chain store organizations based upon the number of stores of each organization; to yield	3,000,000
A ten per cent (10%) tax upon the sale of Spiritous Vinous liquors to the consumer; to yield	7,500,000
An excise tax to be paid by utilities upon the sale of electrical energy, both retail and wholesale within the Commonwealth of Pennsylvania; to yield	5,000,000
An increase in the motor vehicle license fees upon the heavier trucks and trailers; to yield	3,000,000
A four per cent (4%) increase in the corporate net income tax; to yield	10,150,000
Grand Total	$80,650,000

Fourteenth. Historical Observances.

(1). Commemoration of the Constitution of the United States.

It is most fitting that Pennsylvania play an important part in commemorating the One Hundred Fiftieth Anniversary of the adoption of the Constitution of the United States of America. As you know it was in Philadelphia, the city whose name signifies the principles of brotherly love, that this great humanitarian document was signed.

The Federal Congress has taken action to observe the anniversary of this great event by appointing a bi-partisan United States Constitution Sesquicentennial Commission.

A national celebration, a jubilee of a free people, will be observed in Philadelphia beginning on September 17th of next year. It is singularly appropriate that this Commonwealth be as fervent and faithful in leadership in these anniversary proceedings as were the framers of the great charter of the Republic a century and a half ago.

Therefore, you should authorize the observance of the years 1937, 1938 and 1939 as a period of State-wide commemoration.

The Department of Public Instruction should be authorized in conjunction with the congressional commission to arrange a fitting celebration. An appropriation of $25,000 for this purpose should be made.

(2). Commemoration of First Settlement.

In recent years, Massachusetts and Connecticut have conducted three hundredth anniversaries of their foundation settlements. Last year, Delaware, our neighbor, enacted legislation to commemorate, in 1938, the Three Hundredth Anniversary of the Initial Civilization along the Delaware River and on Delaware Bay. With its glorious heritage, Pennsylvania should not lag in this respect.

Therefore, the Department of Public Instruction should be authorized to arrange for a fitting celebration on behalf of our Commonwealth in conjunction with similar commissions of other states. A further appropriation of $25,000 should be made for this purpose.

Fifteenth. Constitutional Amendments.

Our present Constitution, written in 1873, provides that amendments may not be submitted to the people more than once every five years.

This restriction manifestly is not a just one. Surely, the people themselves should have the right to say as often as they choose whether they want to change their basic law. The Constitution should be changed so that amendments may be submitted as often as the Legislature may prescribe.

Sixteenth. Prevention of Cruelty to Animals.

The practice of exhibiting animals in poorly equipped roadside zoos has been growing in Pennsylvania.

During the hot summer months, thousands of raccoons, bears and other animals are chained and penned in small cages. They are not fed properly, they have no room to exercise, many times they go without water. They are entirely out of their proper element. As a result they become mangy, diseased, vicious and dangerous.

In a civilized world, we should not tolerate such abuse of helpless animals, neither should we permit their degrading effect upon those who view them.

Therefore, adequate legislation to eliminate this form of cruelty is necessary.

Seventeenth. Expenses of Special Session.

An appropriation of $365,000 to cover the expenses of this Special Session should be made. This appropriation should be sufficient for a short business-like session.

In addition to the subjects in the Call there are certain items included in a supplementary call on recommendation of Mayor S. Davis Wilson of Philadelphia. These are submitted without comment, for consideration on the basis of their merits.

Further, the act providing a weekly day of rest and vacation for policemen should be amended to extend its benefits to the City of Scranton, which for some unknown reason was specifically exempted from the provisions of the original act.

The appropriations recommended are necessary and essential for the welfare of our people. You now have a complete program and reasons for its adoption.

RESOLUTION

SOUND AMPLIFICATION SYSTEM

Mr. MOOMAW offered the following resolution and asked unanimous consent for its immediate consideration.

In the House of Representatives, May 4, 1936.

Whereas, The present sound and amplifying equipment being used in this House is that installed during the last Session on thirty days trial to demonstrate improved sound amplification possible, and

Whereas, Bids have been received by the Secretary of Property and Supplies for the purchase of equipment for use during the remainder of this Session and for future use, therefore be it

Resolved, That the Speaker of the House appoint a Committee of five members to the House to confer with the Secretary of Property and Supplies and make selection of equipment from the bids received; also make arrangement for reasonable compensation for the past and present use of the equipment now installed if same is deemed necessary.

The SPEAKER. Will the House give its unanimous consent for the immediate consideration of the resolution? Is there objection?

Mr. ANDREWS. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

ADJOURNMENT IN MEMORY OF DECEASED MEMBERS

In the House of Representatives, May 4, 1936.

Mr. LaRUE. Mr. Speaker, Since this House adjourned sine die on June 21st, 1935, a number of our colleagues, who sat with us during the General Session, have been called into the hereafter. I, therefore, move you, Mr. Speaker, that when this House adjourns this evening, it do so in memory of Honorable Wilson G. Sarig, Honorable Alexander R. Wheeler, Honorable Samuel B. Hart, and Honorable Edwin R. Spangler, the members of this House who have died during the recess of the General Assembly.

The motion was agreed to, and (at 10:54 P. M.) the House adjourned until tomorrow morning at 12:00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., TUESDAY, MAY 5, 1936. No. 2.

SENATE

TUESDAY, MAY 5, 1936.

The Senate met at 12 o'clock noon.

The PRESIDENT PRO TEMPORE (John G. Homsher) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Thou hast promised us, O Lord, that if we abide in Thee and Thy word abides in us we may ask what we will and it will be done unto us. Be Thou, O God, our abiding place. Plant in the garden of our hearts the seed of Thy word. Help us to cultivate the soil by service and consecration to duty. Cause the sunshine of Thy love to beam upon fallow ground, and moisten it with the dew of Divine Grace.

So may Thy kingdom come and Thy will be done in our great Commonwealth by means of the deliberations and enactments of this General Assembly and this Senate. We ask in Thy name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HARVEY, the further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

SALARIES OF THE MEMBERS OF THE GENERAL ASSEMBLY

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, May 4, 1936.

Resolved (if the House of Representatives concur) That the State Treasurer be and is hereby authorized to pay on warrant of the Auditor General to each member of the General Assembly the sum of $250.00 on account of the salary of $500.00, and $50.00 in postage, to which each member is entitled for the Extraordinary Session of the General Assembly approved the second day of June A. D. 1933, P. L. 1422; and the balance of said $500.00, namely, $250.00 on the day of final adjournment of the Extraordinary Session of the General Assembly, convened in session of the Governor May 4, 1936.

POSTAGE FOR LEGISLATIVE JOURNAL

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, May 4, 1936.

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and the House of Rpresentatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed accordingly to the requirements of the Post Office Department, and the Appropriation committee provide for the cost of the same in the bill providing for the expenses of the Extraordinary Session.

The CHAIR cleared his table and laid before the Senate the following communcation:

REQUESTING AN APPROPRIATION FOR THE PHILADELPHIA CELEBRATION OF THE ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE ADOPTION OF THE CONSTITUTION OF THE UNITED STATES

CLERK'S OFFICE, CITY COUNCIL

Philadelphia, May 1, 1936

This is to certify that the following is a true and correct copy of the original Resolution passed by City Council and approved by the Mayor on the 1st day of May, 1936.

RESOLUTION

With respect to the celebration in Philadelphia in 1937 of the One Hundred and Fiftieth Anniversary of the Adoption of the Constitution of the United States; inviting the Governor and the General Assembly of the Commonwealth of Pennsylvania to participate in the historic event, and requesting an apropriation of one hundred thousand (100,000) dollars by the Commonwealth of Pennsylvania to be used as part of a fund to pay the costs of such celebration; and directing the presentation of this resolution to the Mayor for his approval or disapproval.

Whereas, A grateful and appreciative Nation will appropriatcly celebrate during 1937 the One Hundred and Fiftieth Anniversary of the Adoption of the Constitution of the United States, a charter of government under which we have thrived and grown great;

And Whereas, The Constitution of the United States was conceived, debated and adopted by a Constitutional Convention of delegates from the thirteen original States and held in the City of Philadelphia;

And Whereas, The Federal Government is fully cooperating in this celebration by giving it official status and by indicating Philadelphia as the historic focal point where not only the Commonwealth of Pennsylvania should be represented but also the other original States, all of them to participate with the people of Philadelphia in this celebration and with the large number of patriotic, fraternal, professional and business organizations which have accepted the invitation of the Mayor to hold their conventions in this City at that time; now therefore

Resolved, by the Council of the City of Philadelphia, That the Governor and the members of the General Assembly of the Commonwealth of Pennsylvania be invited by the Mayor and the Council of the City of Philadelphia to participate in the celebration held in this City and sponsored by its citizens; and

Resolved, That the General Assembly of the Commonwealth of Pennsylvania, in special session beginning on May fourth next, be and hereby is, requested to make an appropriation of one hundred thousand (100,000) dollars to the City of Philadelphia, so that the One Hundred

and Fiftieth Anniversary of the Constitution of the United States may be properly observed and celebrated.

Resolved That the Clerk of Council be hereby directed to present this resolution to the Mayor for his approval or disapproval.

William W. Felton,
Clerk of City Council.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 5, 1936.

To the Honorable, then Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Jean Marshall Miller, 467 Union Trust Bldg., Pittsburg.

LANCASTER COUNTY

Mrs. Mary E. Shirker, Akron.

PHILADELPHIA COUNTY

Herbert P. Jones, 4th and Chestnut Sts., Philadelphia.

GEORGE H. EARLE.

BILL INTRODUCED

Mr. Buckman (By request of Mr. Woodward) read in his place and presented to the Chair Senate Bill No. 11 entitled:

An act creating a State Commission to cooperate with the United States Constitution Sesquicentennial Commission in the celebration of the 150th Anniversary of the Formation of the Constitution of the United States, and making an appropriation to pay the expenses of the Commission.

Which was committed to the Committee on Appropriations.

TIME OF NEXT MEETING

Mr. BUCKMAN. Mr. President I ask unanimous consent to offer a resolution at this time.

The PRESIDENT, Is there objection? The Chair hears none.

Mr. BUCKMAN, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 5, 1936.

RESOLVED (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May eleventh, at 8 o'clock Eastern Standard Time and when the House of Representatives adjourns this week it reconvene on Monday evening, May eleventh, at 8 o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. ARON. Mr. President, I move that the Senate do now take a recess until 2:00 o'clock P. M.

Mr. PYTKO. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

EMPLOYES OF THE SENATE

Mr. BUCKMAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 5, 1936.

Resolved, That the following persons be elected officers and employes of the Senate, to fill vacancies, as is provided for by Act of Assembly:

SENATE LIBRARIAN

Alex S. Cooper, 2148 Green Street, Harrisburg.

ASSISTANT CLERK

Saul Rubin, Pittsburgh, Allegheny County, vice Dennis J. Mulvihill, resigned.

ASSISTANT SERGEANT-at-ARMS

Alfred Heisler, Sr., 2009 Morris Street, Philadelphia, vice Frank Casper, resigned.

CLERK TO COMMITTEE

John Trout, Tower City, vice Daniel Messner, resigned.

PAGE

Kenneth W. Rodenhafer, 16 North 20th St., Harrisburg, vice Herman V. Yeager, resigned.

APPOINTMENT BY CHIEF CLERK

In the Senate, May 5, 1936.

The PRESIDENT: The Chief Clerk announces the following Appointment:

STENOGRAPHER

Miss Henrietta A. Jenkins, 317 N. Front Street, Harrisburg, vice Miss Olive M. Gensler, resigned.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, May 5, 1936.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday evening, May eleventh, at 8 o'clock Eastern Standard Time and when the House of Representatives adjourns this week it reconvene on Monday, May eleventh, at 8 o'clock Eastern Standard Time.

RESOLUTION RELATIVE TO TRANSFER OF FUNDS

Mr. REED (Dauphin) Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED (Dauphin) offered the following resolution which was twice read.

In the Senate, May 5, 1936.

Whereas, It is urgent that moneys be made available for the purpose of unemployment relief prior to the time that appropriations can be made by the Legislature now convened in Special Session; therefore be it

Resolved, (if the House of Representatives concur), That if the Governor, the Auditor General and the State Treasurer shall, in accordance with existing law, transfer to the General Fund the following sums of money from the following special funds, to wit: From the Liquid Fuels Fund, the sum of three million dollars; from the Motor License Fund the sum of four and one-half million dollars and from the Liquor License Fund the sum of two million dollars; in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board, the General Assembly hereby pledges itself that it will enact appropriate legislation at this session of the General Assembly specifically appropriating the sum of nine million five hundred thousand dollars to the State Emergency Relief Board for unemployment relief, and to provide revenue by taxation or otherwise, to repay said transferred moneys to said special funds.

Mr. Reed (Dauphin). Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended, and that the Senate proceed to the immediate consideration of the resolution just read.

The PRESIDENT. It there objection?

Mr. HUFFMAN. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

Mr. OWLETT. Mr. President, I desire to interrogate the Senator from Monroe, Mr. Huffman.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be interrogated?

Mr. HUFFMAN. Mr. President, I will.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Monroe, Mr. Huffman, if it is not true that the Governor has requested the Legislature to provide for the transfer of funds to the General Fund, to provide for the appropriation of those funds to the State Emergency Relief Board for the continuation of relief beyond May 11th.

Mr. HUFFMAN. Mr. President, I believe so.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Monroe, Mr. Huffman, also, if it is not a fact that this resolution is in proper form to accomplish that purpose,—pledging the Assembly to pass the necessary appropriation bills, in due course, to carry out that request of the Governor's.

Mr. HUFFMAN. Mr. President, I do not think it is that kind of a resolution.

Mr. OWLETT. Mr. President, I did not understand what the Senator said.

Mr. HUFFMAN. Mr. President, I do not understand that it is that kind of a resolution.

Mr. OWLETT. Mr. President, I ask that the resolution be reread, in order that the Senator from Monroe, Mr. Huffman, may understand the exact purpose of the resolution.

The resolution was again read.

QUESTION OF INFORMATION

Mr. HARRIS. Mr. President, I rise to a question of information.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his question of information.

Mr. HARRIS. Mr. President, inasmuch as there is objection raised to the consideration of this resolution, it automatically goes to committee. Am I correct in my statement?

The PRESIDENT. The Senator from Allegheny, Mr. Harris, is correct. Unless the Senator from Monroe, Mr. Huffman, recedes from his objection to the immediate consideration of this resolution, it must, under the rules, be referred to committee.

Does the Senator from Monroe, Mr. Huffman, insist upon his objection to immediate consideration of the resolution?

Mr. HUFFMAN. Mr. President, I do.

The PRESIDENT. The chair hears objection, and the resolution will be referred to the Committee on Appropriations.

MOTION TO ADJOURN

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn.

Mr. REED (Dauphin). Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WOODWARD. Mr. President, I think if the Senator from Bucks, Mr. Buckman, will have a little patience, we shall have the resolution from the House and, I think, the Senate will adjourn in much better odor in the public mind than if we adjourn hastily. I shall vote against the motion.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Shapiro and Mr. Pytko.

The roll was verified and was as follows:

YEAS—17

Batchelor,	Ealy,	Pierson,	Trainer,
Bean,	Graff,	Reed,	Ziesenheim,
Bennett,	Harvey,	(Dauphin)	Homsher,
Buckman,	Mallery,	Scott,	Pres. Pro. Tem.
Chapman,	Owlett,	Thompson,	
		(Westmoreland)	

NAYS—24

Baumer,	Kahle,	Reed,	Ruth,
Cavalcante,	Lanius,	(Washington)	Shapiro,
Frey,	Law,	Rice,	Sones,
Gelder,	McCreesh,	Roberts,	Staudenmeier,
Harris,	McGinnis,	Rodgers,	Thompson,
Howell,	Pytko,	Rupp,	(Centre)
Huffman,			Woodward,

So the question was determined in the negative.

BILLS INTRODUCED

Mr. RODGERS (by request of Senator Rankin). Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RODGERS, read in place and presented to the Chair Senate Bill No. 12, entitled:

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class providing for the collection of such taxes by the local deputy tax collectors appointed by the county treasurer and by the county treasurers and providing for their compensation.

Which was committed to the Committee on County Government.

Mr. HUFFMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUFFMAN, read in place and presented to the Chair Senate Bill No. 13, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes

Which was committed to the Committee on County Government.

RECESS

Mr. WOODWARD. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF RESOLUTION RELATIVE TO PAYMENT OF SALARIES OF MEMBERS OF THE GENERAL ASSEMBLY

May 5, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives authorizing the State Treasurer to pay on warrant of the Auditor General to each member of the General Assembly the sum of $250.00 on account of the salar yof $500.00, and $50.00 in postage, to which each member is entitled for an Extraordinary Session of the General Assembly; the balance to be paid on the day of final adjournment.

GEORGE H EARLE.

APPROVAL OF RESOLUTION ON POSTAGE FOR MAILING THE LEGISLATIVE JOURNAL

May 5, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department, and the Appropriations Committee provide for the cost of the same in the bill providing for the expenses of the Extraordinary Session.

GEORGE H. EARLE

RECESS

Mr. STAUDENMEIER. Mr. President, I move that the Senate do now take a recess until 8:00 o'clock this evening.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

RESOLUTION RELATIVE TO TRANSFER OF FUNDS

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House which was twice read as follows:

In the House of Representatives,
May 5, 1936.

Whereas, House Bill No. 14, authorizing the transfer from the Motor License Fund to the General Fund of amounts aggregating not more than five million five hundred thousand dollars ($5,500,000), for the purpose of providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 15, authorizing the transfer from the Liquid Fuels Tax Fund to the General Fund, ebtween its effective date and June thirtieth, one thousand nine hundred thirty-six, of amounts aggregating not more than three million dollars ($3,000,000), for the purpose of providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 17, apropriating these amounts, among others in the sum of eleven million dollars ($11,000,000) to the State Emergency Relief Board for employment relief purposes, is in the Committee on Appropriations of the House of Representatives, and

Whereas, these bills are not possible for passage until they have been acted upon by the House of Representatives and the Senate on three legislative days, and

Whereas, it is of vital importance to the Commonwealth of Pennsylvania, and to the employment relief situation, that these moneys be made available immediately for unemployment relief purposes, now, therefore, be it

Resolved, (if the Senate concur) that the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund from the Motor License Fund, sums not exceeding five million five hundred thousand dollars ($5,500,000). Fund from the Motor License Fund, sums not exceeding three million dollars ($3,000,000), and the General Assembly hereby pledges that it will pass, without amendment, House Bills Nos. 14 and 15, so providing, validating the action of the Governor and the fiscal officers in making such transfers, and the General Assembly further pledges that it will further pass, without amendment, House Bill No. 17, appropriating said moneys, among others, to the State Emergency Relief Board, for unemployment relief purposes, and the General Assembly further pledges that it will do so without delay.

The PRESIDENT. Unanimous consent has been asked that Rule 39, which requires concurrent resolutions to be referred to an appropriate committee, be suspended, and that the Senate do now proceed to the consideration of the resolution just read. Is there objection?

Mr. THOMPSON (Westmoreland). Mr. President, I object.

The PRESIDENT. The Chair hears objection. The resolution is referred to the Committee on Appropriations.

ADJOURNMENT

Mr. FREY. Mr. President, I move that the Senate do now adjourn.

Mr. ROBERTS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 8:22 P. M. until Monday evening, May 11, 1936, at 8 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 5, 1936

The House met at 12:00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

REV. MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

O God, our Father, we thank Thee for Thy care and keeping through the night watches. We thank Thee that we are permitted to come here to this place. We pray Thy blessings upon us in all that we shall undertake. We pray that Thou wilt supply us abundantly with Thy strength. May the words of our mouths and the meditations of our hearts be acceptable in Thy sight. O God, our Strength and our Redeemer. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday when, on motion of Mr. MENTZER, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. WEISS. HOUSE BILL No. 1

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes.

Referred to the Committee on Municipal Corporations.

By Mr. EROE. HOUSE BILL No. 2

An Act fixing rate of penalty and interest collectible on certain delinquent taxes on real estate, and abating other penalties and interest under existing law, except in cities of the first and second class and school districts of the first class.

Referred to the Committee on Cities.

By Mr. O'KEEFE. HOUSE BILL No. 3

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class; providing for the collection of such taxes by the county treasurer; and providing for their compensation.

Referred to the Committee on Counties.

By Mr. EROE. HOUSE BILL No. 4

An Act for the preservation of the lien of certain taxes levied by political subdivisions of this Commonwealth, except cities of the first and second class and school districts of the first class, and for the filing of claims therefor; providing for the imposition of penalties and interest on such taxes, and abating the penalties and interest imposed by existing law; providing for the payment of certain costs by taxpayers; providing for the collection of such taxes, penalties, interest, and authorizing taxing authorities to abate penalties, interest and costs imposed by this act.

Referred to the Committee on Municipal Corporations.

By Mr. MOOMAW. HOUSE BILL No. 5

A Joint Resolution proposing an amendment to section eighteen, article three of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. MOOMAW. HOUSE BILL No. 6

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. MOOMAW. HOUSE BILL No. 7

An Act to relieve unemployment, and thereby to provide revenue by prohibiting, except in certain cases, the imposition of certain qualification tests for appointment to public position under the Commonwealth and its political subdivisions; and by limiting the scope of examinations of applicants for such positions.

Referred to the Committee on Judiciary Special.

By Mr. BLUMBERG. HOUSE BILL No. 8

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons, and the administration of this act by the Department of Welfare, the County Assistance Boards who administer aid to dependent children; authorizing the appointment of trustees for certain persons; providing for the allocation of Federal and State moneys for such assistance, and for administration purposes; imposing duties on the State Treasury, and for imposing certain costs upon counties; providing for the recovery of amounts expended for assistance in certain cases; and providing penalties.

Referred to the Committee on Pensions and Gratuities.

By Mr. BLUMBERG. HOUSE BILL No. 9

An Act providing for and regulating, subject to certain restrictions and liabilities, aid for dependent children and the administration of this act by the Department of Welfare and County Public Assistance Boards of the several counties; requiring counties to appropriate moneys; providing for the allocation of Federal and State moneys for such assistance and for administration purposes; imposing duties on the State Treasurer; providing for the payment of certain support orders made by juvenile courts; providing for the recovery of amounts expended in certain cases; making appropriations; providing penalties and repealing existing laws.

Referred to the Committee on Pensions and Gratuities.

By Mr. JOHN E. BROWN. HOUSE BILL No. 10

An Act to provide revenue by imposing a State excise tax upon sales of cosmetics, as herein defined, used or useful in beautifying, cleansing, preserving and improving the appearance of the skin, hair or teeth, and including perfumes and shaving preparations, by dealers as herein defined; requiring persons engaged in the sale of cosmetics at wholesale or retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue and persons, as herein defined, engaged in the sale of cosmetics at retail or wholesale; providing penalties; and making an appropriation.

Referred to the Committee on Ways and Means.

By Mr. JOHN E. BROWN. HOUSE BILL No. 11

An Act providing for the levy and collection of a State excise tax upon sales of luxuries at retail; requiring vendors to be licensed and imposing duties on vendors; and prescribing penalties.

Referred to the Committee on Ways and Means.

By Mr. SOWERS. HOUSE BILL No. 12

An Act to amend sections four hundred two, four hundred three, four hundred seven, and four hundred eleven of the act approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled "An Act to regulate and restrain the sale, importation, and use of certain alcoholic beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board, the Department of Public Instruction, other officers of the State government, courts and district attorneys; authorizing the establishment and operation of State Stores for the sale of such beverages not for consumption on the premises; and the granting of licenses, subject to local option, to sell such beverages for consumption on the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connections with, and transactions in such beverages by licensees and others; making disposition of the receipts from State Stores and of license fees; and imposing penalties," as reenacted and amended; providing a license in certain cases which authorizes the licensee to sell liquor for consumption off the premises.

Referred to the Committee on Law and Order.

By Mr. BURKE. HOUSE BILL No. 13

An Act to further amend sections four and ten of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, one hundred forty-nine), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an apropriation," by imposing an additional tax on liquid fuels for a limited period of time and providing for the distribution thereof.

Referred to the Committee on Ways and Means.

By Mr. EBERHARTER. HOUSE BILL No. 14

An Act transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

Referred to the Committee on Appropriations.

By Mr. EBERHARTER. HOUSE BILL No. 15

An Act transferring money from the Liquid Fuels Tax Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

Referred to the Committee on Appropriations.

By Mr. EBERHARTER. HOUSE BILL No. 16

An Act transferring money from the Fire Insurance Tax Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

Referred to the Committee on Appropriations.

By Mr. EBERHARTER. HOUSE BILL No. 17.

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such monies may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

Referred to the Committee on Appropriations.

By Mr. EBERHARTER. HOUSE BILL No. 18.

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief and expenses; defining the purposes for which such monies may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

Referred to the Committee on Appropriations.

By Mr. OMINSKY. HOUSE BILL No. 19.

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net income of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment and collection of the tax, and appeals to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation, and providing penalties," by increasing the rate of tax for a limited period of time.

Referred to the Committee on Ways and Means.

By Mr. MOOMAW. HOUSE BILL No. 20.

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," as amended, by revising certain registration fees and revising existing regulations for weight of certain vehicles.

Referred to the Committee on Highways.

By Mr. JAMES W. PATTERSON. HOUSE BILL No. 21.

An Act imposing a temporary license tax for the privilege of operating, maintaining or controlling within this Commonwealth a store or stores as herein defined; prescribing the method and manner of collecting such tax and its disposition, and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. FLINCHBAUGH. HOUSE BILL No. 22.

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board.

Referred to the Committee on Ways and Means.

By Mr. HOMER S. BROWN. HOUSE BILL No. 23.

An Act transferring money from the Motor License Fund to the General Fund.

Referred to the Committee on Appropriations.

By Mr. MOOMAW. HOUSE BILL No. 24.

An Act to further amend sections five hundred two and six hundred eight of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand five), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," by revising certain registration fees and existing regulations for weight of certain vehicles.

Referred to the Committee on Highways.

By Mr. EROE. HOUSE BILL No. 25.

An Act imposing a temporary State excise tax on electric power and current generated, manufactured and sold within this Commonwealth; providing for the collection of the tax and the disposition of the revenue derived therefrom; imposing certain powers and imposing duties on certain persons, associations, partnerships, corporations, and State departments; and imposing penalties.

Referred to the Committee on Ways and Means.

By Mr. HARKINS. HOUSE BILL No. 26.

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (Pamphlet Laws, six hundred forty), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies, the powers and privileges of companies incorporated under the provision of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-ninth, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by increasing the rate of tax for a limited period of time, and by further modifying the method of computing the tax.

Referred to the Committee on Ways and Means.

By Mr. HARKINS. HOUSE BILL No. 27.

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (Pamphlet Laws, four hundred fourteen), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof, imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships, conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by increasing the rate of tax; removing certain exemptions; changing the listing date, the date of filing reports, and the date and manner of payment of the tax; and making further provision with regard to penalties.

Referred to the Committee on Ways and Means.

By Mr. HARKINS. HOUSE BILL No. 28.

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred and ninety-seven (Pamphlet Laws, two hundred ninety-two), entitled "An act to provide revenue by taxation," by increasing the rate of tax.

Referred to the Committee on Ways and Means.

By Mr. COHEN. HOUSE BILL No. 29.

An Act to provide for the expenses of the extraordinary session of the Legislature assembled May fourth, Anno Domini one thousand nine hundred thirty-six, in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh, Anno Domini one thousand nine hundred thirty-six.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr WEISS. (Concurrent). RESOLUTION No. 1.

In the House of Representatives, May 4, 1936.

Whereas, The recent floods in this Commonwealth and elsewhere brought loss of life and resulted in damage to public and private property, running into millions of dollars; and

Whereas, The adequate flood control measures are urgently needed, and cannot be wholly financed by the states and their local subdivisions; and

Whereas, Such problems are in many cases not local, but of an interstate character; therefore be it

Resolved, (if the Senate concur), That a joint legislative committee be created, composed of two Members of the Senate appointed by the President Pro Tempore of the Senate, and three Members of the House of Representatives appointed by the Speaker of the House, whose duty it shall be to personally urge upon the President and Congress of the United States the necessity of the immediate adoption of adequate Federal flood control measures, designed to eliminate future floods in this Commonwealth and elsewhere;

Resolved, That said committee shall make report to the General Assembly during its session convening May fourth, one thousand nine hundred and thirty-six.

Referred to the Committee on Forestry.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

HIGHWAYS

A petition from residents of Maxatawny Township, Berks County for improvement of road.

Referred to the Committee on Appropriations.

OLD AGE PENSION

A petition praying for appropriations for payment of old age pensions.

Referred to the Committee on Pensions and Gratuities.

FLOOD RELIEF

A telegram from Western Pennsylvania Conference for Relief requesting hearing before Joint Assembly on flood relief.

Referred to the Committee on Forestry.

DAIRY PRODUCTS

A resolution from Pennsylvania Dairymen's Association, State College requiring the licensing of handlers of Oleomargarine.

Referred to the Committee on Agriculture.

TAXES

A communication from L. Z. Wieden, Philadelphia, requesting information concerning collection of existing state taxes.

Referred to the Committee on Appropriations.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 5, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May eleventh, at 8 o'clock Eastern Standard Time and when the House of Representatives adjourns this week it reconvene on Monday evening, May eleventh, at 8 o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVES OF ABSENCE

Mr. Welliver asked and obtained leave of absence for Mr. WALKER who is seriously ill.

Mr. KANE asked and obtained leave of absence for himself for the balance of the week.

Mr. MUIR asked and obtained leave of absence of himself for the balance of the week.

Mr. ALEXANDER asked and obtained leave of absence for himself for the balance of the week.

COMMITTEE MEETING

The SPEAKER. There will be a meeting of the Democratic members in the House Caucus Room immediately.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 3.00 o'clock P. M. Are there objections? The Chair hears none and declares a recess until 3.00 o'clock P. M.

AFTER RECESS

The House reconvened at 3.00 o'clock P. M.

The SPEAKER (Roy E. Furman) in the Chair.

BILLS INTRODUCED AND REFERRED

The SPEAKER. If there are no objections the Chair will refer the following bills. The Chair hears none.

By Mr. HOOPES HOUSE BILL No. 30

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. HOOPES. HOUSE BILL No. 31

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. WELSH. HOUSE BILL No. 32

An Act making an appropriation to the Trustees of the Connellsville State Hospital at Connellsville, Pennsylvania, for the erection and equipment of a laundry and the erection of an ambulance garage.

Referred to the Committee on Appropriations.

By Mr. SURFACE. HOUSE BILL No. 33

An Act reducing the salaries of all officers and employes of the Commonwealth and of counties therein.

Referred to the Committee on State Government.

By Mr. PARKS. HOUSE BILL No. 34

An Act abating accrued penalties and interest on certain delinquent taxes levied by the political subdivisions of this Commonwealth if paid within a certain time, and authorizing the taxing authorities to fix future dates for the payment of the face amount of such taxes with interest.

Referred to the Committee on Municipal Corporations.

By Mr. SOWERS. HOUSE BILL No. 35

An Act to provide funds in the present emergency providing for and legalizing lotteries to raise approximately eighty-five million dollars ($85,000,000) for such purpose creating a committee to conduct such lotteries conferring powers and imposing duties on certain State officers departments and agencies and prescribing the powers and duties of the board with reference thereto.

Referred to the Committee on Ways and Means.

REPORT OF LEGISLATIVE COMMITTEE, RESOLUTION No. 42 SESSION 1935.

The Chair laid before the House the report of the Legislative Committee appointed pursuant to Resolution No. 42 of the House of Representatives, Session 1935, which was read by the Clerk.

For report see Appendix to the Legislative Journal.

RESOLUTION

AUTHORIZING FISCAL OFFICERS TO TRANSFER MOTOR LICENSE FUND.

Mr. COHEN asked unanimous consent to offer a resolution which was read by the Clerk as follows:

In the House of Representatives, May 5, 1936.

Whereas, House Bill No. 14, authorizing the transfer from the Motor License Fund to the General Fund of hundred thousand dollars ($5,500,000), for the purpose of amounts aggregating not more than five million five providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 15, authorizing the transfer from the Liquid Fuels Tax Fund to the General Fund, between its effective date and June thirtieth, one thousand nine hundred thirty-six, of amounts aggregating not more than three million dollars ($3,000,000), for the purpose of providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 17, appropriating these amounts, among others, in the sum of eleven million dollars (11,000,000), to the State Emergency Relief Board for unemployment relief purposes, is in the Committee on Appropriations of the House of Representatives, and

Whereas, these bills are not possible of passage until they have been acted upon both by the House of Representatives and the Senate on three legislative days, and

Whereas, it is of vital importance to the Commonwealth of Pennsylvania, and to the unemployment relief situation, that these moneys be made available immediately for unemployment relief purposes, now, therefore, be it

Resolved (if the Senate concur) that the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund from the Motor License Fund, sums not exceeding five million five hundred thousand dollars ($5,500,000), and from Liquid Fuels Tax Fund, sums not exceeding three million dollars $3,000,000), and the General Assembly hereby pledges that it will pass, without amendment, House Bills Nos. 14 and 15, so providing, validating the action of the Governor and the fiscal officers in making such transfers, and the General Assembly further pledges No. 17, appropriating said moneys, among others, to the that it will further pass, without amendment, House Bill State Emergency Relief Board, for unemployment relief purposes, and the General Assembly further pledges that it will do so without delay.

The SPEAKER. Will the House give its unanimous consent to the immediate consideration of the resolution? Is there objection?

Mr. TURNER. Mr. Speaker, do I understand that the resolution was merely read for information?

The SPEAKER. The gentleman is correct.

The Chairs hears no objection and unanimous consent is granted.

On the question,

Will the House adopt the resolution?

Mr. TURNER. Mr. Speaker, I desire to offer the following amendments to the resolution.

The amendment were read by the Clerk as follows:

Amend House Concurrent Resolution dated May 5, 1936 as follows:

Sixth Paragraph, second typewritten page, line 13, by striking out the word "five" after the word "exceeding" and before the word "million" and inserting in lieu thereof the word "four"

Amend line 14, same paragraph, by striking out the figures "$5,500,000" and insert in lieu thereof the figures "$4,000,000"

Amend line 16, same paragraph, by striking out the words "and the General Assembly pledges that"

Amend same paragraph by striking out remainder of same by striking out lines, 17 to 24 inclusive and insert after line 16 the following paragraph in lieu thereof: "and further be is Resolved, that the General Assembly hereby pledges that it will pass subject to the necessary amndments to conform to the foregoing provisions of this Resolution, House Bills No. 14 and 15, validating the action of the Governor and the Fiscal Officers in making such transfers, and the General Assembly further pledges that it will pass, subject to such amendment as may be necessary House Bill No. 17 appropriating the aforementioned sums, among others, to the State Emergency Relief Board, for unemployments relief purposes, and the General Assembly further pledges that it will do so without delay."

On the question,

Will the House agree to the amendments?

Mr. WITKIN. Mr. Speaker and members of the House, the Governor of the State of Pennsylvania last night asked for a non-political legislative special session. With that thought the Republican minority of this House is thoroughly in accord. At some future time, during this session, I hope to argue to this House that the Republican minority desires to go one step farther. We want a political holiday dealing with the question of unemployment relief during this session, but we are going to argue to you that we want a permanent political holiday dealing with the administration of relief. We want a permanent political holiday from the interference by the Democratic state leaders in Pennsylvania with the administration of WPA funds. We welcome a political holiday from now until we pass on in the administration of relief and in the passage of legislation dealing with relief, but the best example of how that political holiday is being carried out is what has just occurred a short time ago in the Senate of Pennsylvania. There was introduced by the Senator from Dauphin, Mr. Reed, a resolution providing for the allocation of $9,500,000 for unemployment relief from now until the first day of July, 1936, but unlike the Republican minority in this House, the Democratic minority in that House stopped immediate consideration on that most important resolution. So we start out with the Republican minority in the House refusing to play politics, and declaring a holiday that we hope will be permanent, and we follow that through with the opposite tactics on the part of the Democratic minority in the Senate. I want it understood—and no possible argument or no endeavor on the part of the Democrats can possibly blind or mislead the people of Pennsylvania with respect to this issue—the Republican party of Pennsylvania, the Republican minority of this House are for unemployment relief for the needy, and we will back every piece of legislation dealing with help for the unemployed and the needy of Pennsylvania. I want to say, further, that we are opposed to waste; we are opposed to extravagance; we are opposed to debauchery; we are opposed to the use of political tactics in the administration of relief, and that is why we offer this amendment, because we do not believe that the figure of eleven million dollars is the right figure up until the first of July, 1936. We believe that our figure that I shall give you in a moment is the correct figure.

I can not help but pause to tell the people of the Commonwealth of Pennsylvania that the cost of administering relief in Pennsylvania today is eight hundred to nine

hundred thousand dollars a month for a great horde of political workers, when that eight hundred or nine hundred thousand dollars, or at least a great portion thereof, ought to go to the unemployed and it ought to go to the needy. Figures don't lie, and my Democratic friends can not argue that their own figures lie. I read from the report of your Democratic Emergency Relief Board, the Executive Director, to tell you how efficient you are, how interested you are in the needy when it comes to handing out jobs and expending money in the cost of the administration of relief. In January of 1933, on page 58 of your report, the cost of administration of relief in Pennsylvania for a month was $143,664.56. Then we move on to January of 1934, and from one hundred forty-three thousand and some odd dollars we jumped to $406,884.98, but then the Democratic administration in Pennsylvania became entrenched, and look at what happened to the unemployed, to the needy. Your cost of administration jumped so that in January of 1935, from your figures, to $1,473,578.89. Where are we going; from one hundred and forty-three thousand in two years under your Democratic administration you jumped to one million and a half per month—mind you, for the administration of relief. Oh, I know politics, and I know that a lot of you men sit there and you marvel at the revelation of your own figures, and I know that I am not going to change a vote, but down deep in your hearts and down deep in your minds, can you possibly conjure up an excuse to your own conscience for not saying to the Democratic administration of Pennsylvania, "Even we can't stomach all of that. For Heaven's sake be a little reasonable."

Oh, I know there is an answer. The answer you are going to give or at least I am assuming you may, is that you cut it down a little. Yes, you did, but after you cut it down, it is still almost a million dollars a month, and I believe you cut it down because this Legislature is now in session, so that we say to you, when we are knocking off a million and a half from now until the first of July, we are not taking it away from the needy, we are not taking it away from the unemployed; we are taking it away from the political hangers-on who are feeding at the public crib under the guise of relief.

Now, I am opposed and the Republican party is opposed to this business of transient relief. We do not think that the taxpayers of Pennsylvania ought to pay relief to those people who migrate from other states into our state, stay here but a week or two and then get relief. We tell you that Pennsylvania relief ought to be for Pennsylvanians. I read from your report, page 47, and what did you spend for transient relief during the year 1935? Your report, not mine, says that during that year you spent $2,328,161.35 for transients. I say transients come second to Pennsylvanians, and the Federal Government ought to take care of transient relief, not the taxpayers of Pennsylvania. So that we say again, we are not taking anything from the needy until the first of July. We say cut out the transients, cut out the non-residents, reduce your exorbitant pay roll and you will have plenty of money.

But let us see what we advocate. Our amendment says, cut down the amount to be transferred from the Motor License fund from five and a half million to four million. Are you really cutting it down and taking it away from the needy? No, because that million and a half remains in your Highway funds to take care of the men working on the roads, so that we are not even taking that away from relief, but we are leaving it for road work, so that there won't be more people on relief. Why all this hullabaloo? If you are not playing politics, if the State administration and his Excellency are not playing politics, why don't you take the nine and a half millions that the Senate will pass, that we will pass, and if you are short, we will still be here? You know that, I know it, but what you are doing is this, you want to fool the people of Pennsylvania, you want to make them believe that the Republican party is opposing a resolution for eleven million dollars. Why, you can't fool them; the people of Pennsylvania are intelligent, and we have the courage not to let you fool us into voting for a resolution that we know ought to be cut down, and we are reasonable in our cut.

There is just one other thought and that is this, WPA and relief agencies in Pennsylvania seem to be in a contest who can get the most clients. We claim that if the Democratic politicians in Pennsylvania will let the WPA jobs go to the needy instead of distributing them before elections so that the needy can't get them, the relief rolls in Pennsylvania will be reduced by the number of political hangers-on that are knocked off, so that the needy can get those WPA jobs. You all know I speak the truth. You all know how easy it is to get a WPA job. You don't have to be on relief; but you don't dare be a Republican; you have got to be a Democrat. You have to go to the political leader of your particular county; he calls up on the telephone the WPA distributor of jobs, and you're on. You're on that ten per cent item. That ten per cent item is a fake. It is more than ten per cent, but they wont give us the figures, but they are going to give us the figures or refuse to give us the figures before we are through this session. This little bunch of some eighty odd men that are here have that right, and we are going to get them. Now, members of the House, I have spoken long enough. I want you to go along with us. We want to provide nine and a half million dollars and you say you need more. Who says no? Governor Earle, on March 27, 1936, and you have the written report, said to a conference in the Governor's office that Mr. de Schweinitz said that the minimum amount that we need, the minimum amount of relief for May, was nine million dollars, and then a bold Republican had the effrontery to say to Mr. de Schweinitz "You the wrong. Give relief out; have your administrator spend as much as he wants. You don't need that much." Governor Earle said, "Mr. de Schweinitz says" We do; we can't get along without nine million dollars." But when this bold Republican, our State Treasurer, Charles Waters, got down to brass tacks, Mr. de Schweinitz agreed that for the month of May he only needed $6,971,620, and when he was asked how he could be out of line two million dollars, you ask him what answer he gave. So that if they could be wrong two million dollars for one month, for a month and a half they can be wrong more, excluding the costs of the transients. So we say if you are sincere, if you are not playing politics, we are in session and we are going to be in session; we won't let them starve. Appropriate the nine and a half million dollars. The Senate will pass it tomorrow morning. The unemployable will know and the needy will know that we won't play politics, and if they starve it is

at the door of the Democrats, and of the Democrat who occupies the Governor's chair.

Mr. COHEN. Mr. Speaker and members of the House, apparently all our good intentions have gone for naught. In a deliberative group such as this where we should call upon our highest ideals of citizenship there is no need to indulge in political recrimination and incrimination.

We have a very simple problem before us. We have the very simple problem of providing relief for the unemployed, and immediate relief. Now our deliberations apparently up to this point have been directed in the wrong channel, because in conference after conference, at which both parties were represented, Republicans and Democrats alike, the facts were laid before them in an attempt to ascertain what is required for unemployment relief in the Commonwealth.

I do not set myself up as an authority as to the relief requirements of the Commonwealth and there is no man in this House who has the time, the ability or the energy so to do. All we can do is to rely upon the best knowledge, information and statistics that we have available, and in relying upon that best information, knowledge and statistics we come to the unbiased, unpolitical, honest conclusion that the resolution as presented must be passed.

The gentleman from Philadelphia places a tremendous amount of force upon the fact that our own State Treasurer Mr. Waters, arrived at the conclusion that the relief requirements for the month of May amount to $6,971,620. That is the figure that we took, that is the figure that the Democrats took, and that figure was arrived at in conference between the Auditor General of this Commonwealth, a Republican, the Treasurer of this Commonwealth, a Republican, and our Democratic Governor. Those are your figures. Those are the figures that the non-political Republicans submitted, and those are the figures that we have submitted to what we thought was an honest and non-political group.

It is very easy to multiply the relief requirements for the month of May of seven million dollars by two and get fourteen million dollars, the relief requirements for the month of May and June. I am sure that the mathematical computation is not susceptible to any political influence. Those are the figures that were submitted to us after consultation with the individuals whom I have mentioned and those are the figures upon which we base our relief requirements for the Commonwealth of Pennsylvania. Those are the figures that are based on honest deliberations. Those are the figures that were based and extended to the Republican minority for cooperation. Any attempt to indicate that those figures are the result of chicanery or politics is an attempt to becloud the issue and you members of the House may judge for what means or purpose. All through the process of relief administration in this Commonwealth since 1935, the present Democratic administration has attempted by every method and every means to keep politics out of relief. Just as you men on the other side have had the experience, as has been indicated by the gentleman from Philadelphia.

You remember in 1933 the Chief Executive of this Commonwealth was none other than Gifford Pinchot. In January of 1933, the cost of administration, as the gentleman from Philadelphia has indicated, was one hundred and forty three thousand plus. Mr. Pinchot was the Governor and Mr. Eric Biddle was his Director of Relief, and the increment that the gentleman from Philadelphia has indicated from January 1933, to January 1935 occurred entirely, solely, under the supervision of the Republican Governor and the Republican Relief administration.

Apparently the gentleman from Philadelphia finds difficulty in remembering when the Democratic Governor and the Democratic administration took office. Apparently this year and a half has seemed four years to him. But that is not the problem; our only concern, our only immediate duty is today to place this House on record that it will do three things: No. 1, that we will authorize the transfer of sums of money from the Motor License Fund. No. 2, that we will authorize the transfer of moneys from the Liquid Fuel Fund, and No. 3, that with those moneys and other moneys in the General Fund we will make an appropriation to the State Emergency Relief Board to take care of the starving and the needy; not on our figures, not on our basis, but on the basis that has been arrived at by two Republican members of that Board and our Governor of Pennsylvania.

Mr. TURNER. Mr. Speaker and members of the House, we seem to have been wasting a great amount of time in determining, or in trying to place the blame for the increasing cost of relief in Pennsylvania. I am not so much concerned as to where the blame shall be placed as I am concerned for the taxpayers of Pennsylvania who have to foot the bill.

In 1931 when we passed the first Talbot Act we carried ten million dollars for relief, and from that time up until 1933 we saw the demand steadily increasing until I remember an occasion when Governor Pinchot called us into his office to tell us that he needed seven million dollars for the month.

I remember also that subsequently with Federal funds the amount being expended in Pennsylvania was up to twenty million dollars a month. We are now asked at this time to appropriate eleven million dollars or approximately on a seven million dollar a month basis. In the 1935 session we were told, and I think all of the member of this House recall the debates on this floor, by the Federal administration that if we would supply five million dollars a month, the Federal administration would take care of the balance, and yet it was only a couple of months after the adjournment of the 1935 session when we were advised that all of the unemployables would be turned back to the State and the Federal government would take care of the employables. If your unemployable list was supposed to take five million dollars a month, the Federal government has not been taking care of the employables since that time, and I have seen figures which compute that the Federal government owes to the State of Pennsylvania to keep its bargain and its promise, between twenty-seven and forty million dollars, which the Commonwealth of Pennsylvania has had to spend for relief beyond the amount it was told was its share of the bargain.

Now, I would not perhaps today have offered this resolution had I been convinced that the gentleman who has charge of the distribution of relief in Pennsylvania has any exact knowledge as to what will take to carry on relief at the present time. When the call for this session was first discussed, you will recall that the Governor submitted certain figures and that those figures were based on a statement given to him by the relief administrator, Dr. de Schweinitz of $70,500,000 for an eight months' period,—it was almost an eight months' period.

At that rate we would spend approximately nine million dollars a month. The committee, the bi-partisan committee, to discuss the problems of this session met here in Harrisburg, and the problems were then discussed with the Relief Board. We found that the Relief Board itself had no definite figures upon which to base a computation as to the amount of money that was needed for relief beyond the general figures given by Mr. de Schweinitz.

Now, after the first figure of nine million dollars a month we found that there was a new figure at the time that non-partisan committee met of $7,400,00 a month, which they thought would do for relief, and I might add that in that meeting that we had in the Governor's office with the Relief Board, the bi-partisan committee was told by the Relief Board that they would expend whatever sum of money the Legislature appropriated, and we were told by Mr. de Schweinitz that if we gave him less money, he would get along with that amount.

Now we have come down from the figure of nine million dollars a month to a figure of seven million four hundred thousand a month and then a figure of approximately seven million dollars a month. W are told by the State Treasurer, who is a member of that Board, that he thinks that nine million five hundred thousand dollars will see us through to the first of July, and they can get along on that. Therefore, I would agree with the gentleman from York if we had in this State one who could present facts and figures to us to warrant the expenditure of seven million dollars a month when we have nothing but estimates. Those estimates, as we know, have varied from time to time, from 1931 on, always on an increasing ratio of the amount of money that was needed. In 1932, I think the figures show that the per case amount of contribution was on the basis of $17 per month, and the figure of $9,000,000 a month was on the basis of $36 a month per case as an average grant by the State for unemployment relief. But in the meantime also the overhead has been increasing, and we know we have departed from the early idea of the Talbot act and the constitutional restriction that is placed upon us, that we could only appropriate and hand money over to the indigent. We have gotten away from the idea of food, shelter and clothing and contributions for many other things that we might call "frills" in a situation like this.

If we were to follow that $9,000,000 a month, do you realize that in a biennium the appropriation for unemployment relief would be $216,000,000, which is $14,000,000 greater than the General Fund appropriation of the 1935 session; a 100 percent plus increase in the amount of money that we would have to pay in the State of Pennsylvania were we to follow the $9,000,000 a month.

If you take it on the basis of $7,000,000 a month you will cut that down below that $200,000,000 mark, but still it would be almost a 100 per cent. increase in the amount of money it would take for relief in Pennsylvania.

Now, I would like in my own personal affairs, as you would, many times to do many things. There are many things that we may consider a necessity, but on the other hand, as I said in the beginning, you have to consider the source from which this money comes. At the present time it seems a very simple proposition to take it out of the Highway fund. I see no other recourse at the moment, but I wonder if you have stopped to consider that of the moneys we have taken out of the Highway fund since 1934. we now owe the Highway fund, the Motor fund, $12,340,000 which has been not repaid. There is at the present time a balance of $22,876,000 in the Motor fund. If we add to that the $12,240,000 that we owe, it will give us somewhat over $35,000,000 for our highways in Pennsylvania. We need for the seven months balance of this year to carry on the ordinary operation of the Highway Department $35,000,000. We are taking out of it for this purpose under the amendment which I have introduced about $7,000,000, which means that the Highway fund would therefore be short in the balance of this fiscal year, the balance of this calendar year, the sum of $7,000,000. We all know the deplorable condition of the roads of the State; at least I know them in our country; I don't know whether that is because it is a Republican county, but anyway they are full of holes and the Highway Department is not filling them up. We know that one of the strongest agencies for the relief of the unemployed is the Highway Department and its work upon our roads. We have to consider how much we are going to cripple our Highway Department as well as how much money we are going to contribute for relief in this situation.

I think under the circumstances that the guess or that the figure that has been given to us by the Relief Board and by the Relief Administrator has varied, that they say that they could get along with a less amount if we give them a less amount. In view of the fact that the State Treasurer who has had many years of experience on Capitol Hill and has been a member of the Relief Board since its beginning, has said that he can get along with $9,500,000 a month for the balance of this fiscal year, until July first, and in view of the fact that the reduction of $1,500,000 can easily be made upon economies, in cutting out the frills, in the elimination of all those that do not deserve to be there, that we can on that basis continue the present contributions at least.

I want to say for myself, however, that I am not content with this relief situation, and that I do not want to be construed in the future or to be held in the future to have agreed that this is the figure upon which relief should be based. I am confident from the attitude of the people in my county that they are sick and tired of this whole relief proposition, that they believe that there is a tremendous amount of abuse in this whole relief proposition. They believe that if this relief proposition were returned to the local communities it could be cut down considerably, and there could be a great saving. I believe there are a great many deserving people on relief. I believe that there are thousands of families in Pennsylvania who deserve every bit of sympathy and everybit of help we can give them, but I know from actual cases that have come to my knowledge, I know from actual conditions that other men, in whom I have the greatest confidence, have told me of, I know there is tremendous abuse in this relief situation. Last week I was in Pike County, and one of the local men up there who visits among the farmers, and does business with them, told me that the farmers up there couldn't get anyone up there to work because the people were on relief. I know there are people in that community and throughout that section of the state, men whom we usually know in our jocular way and call "wood burners" are today receiving more money than they ever had in their history. Some place, sometime, we have got to get our feet on the ground. The taxpayers of Pennsylvania and of the Nation cannot continue on the basis we are now going, and I think it is high time now,

today to serve notice upon the relief administrator and upon the people of Pennsylvania that the turning point has come that the high water mark has passed, and that we intend from hence forward to scan this relief question most carefully, that we intend to cut it down, that we intend to reduce the amount and on that basis I ask you to support this resolution.

Mr. WITKIN. Mr. Speaker, I just want to add one word in answer to my friend from York wherein he stated that I do not know when Governor Earle took office. I want to direct his attention and the attention of the people of Pennsylvania to a rather significant set of figures. I presume it is known that there was a Primary Election in September of 1935. I think the people of Pennsylvania ought to know that the cost of administration in July of 1935, and we must admit from the calendar that July precedes September and precedes the primary—that the cost of administration of relief in that month was $1,686,761.69. And then in August we reached almost the all time high even in 1935, the month immediately preceding the primary election, $1,703,416.29. And then the very next month—the Primary came in the middle of the month—it was reduced very easily almost $400,000.00 to $1,378,051.95, so that I say to the membership of this House and to the people of Pennsylvania that these figures speak for themselves, because we have had $1,700,000.00 in one month, and if it were to continue, in one year it would provide $21,000,000.00. If that figure were to continue for the administration of relief, not one dollar of which goes to the needy or the unemployed, and I say that in January of 1936 it was $996,153.68. Those figures speak for themselves.

Mr. BURKE. Mr. Speaker and members of the House, after listening to my two friends on the other side I am surprised that they did not blame some disgruntled Democrat for having loosed the waters that poured down the western part of Pennsylvania, and bringing destruction and making people there who were self sustaining subjects for relief today.

It is very amusing to hear the minority floor leader in his subtle way blame this tax program or rather this calling of the session on the tax program. I wonder how many of you members recall the gentleman from Delaware, Mr. Turner, last year, who took the initial step in suggesting that we should just appropriate for one year, because at the end of the year we would have a new constitution and we would have to reconvene and pass laws in conformity with that new Constitution.

I wonder if it ever occurred to you that we might be here today because we did not get that extra $60,000,000 that the Governor asked for at the regular session.

There is just one thing that I want to correct the gentleman from Philadelphia, Mr. Witkin on—this may add a little force to his argument,—he stated the maximum figure as $1,700,000.00. You missed $300,000. It is $300,000 higher than that, so if it is any good to you you may use it.

The basis of Mr. Witkin's argument in trying to amend this resolution is the fact that relief has increased or, rather, that the administration of relief has increased in cost from January, 1933 up until the present time. I think he has brought it down as far as the Primary Election of 1935, but he didn't bring it down to December, in which month the figures was about the lowest for the year. I have spent a lot of time in studying this relief problem; I have worked on the joint committee, and there is no member of this House who is capable of taking these figures that are thrown on his lap and properly digesting them and attaching the proper importance to those figures. All of you may not know that at the present time all of the counties but two are receiving their relief in kind. By that we mean they get shoes, they get bread, they get fuel. Every item of relief is distributed in kind. In the two counties, Philadelphia and Allegheny the distribution is in cash. Now you can readily see as the distribution becomes more protracted, as it continues, there are naturally new needs that arise that must be given to the people. If the depression had only lasted six months we would never have had an item such as shoes. As it has last more than six months, gradually the reserves are depleted, and there are some new categories that arise that must be met out of the relief appropriations. Now gentlemen it comes down to one question; if you want to give relief, if you want to give the people sufficient to support themselves you cannot break down this resolution, this transfer, on the ground that there is a fellow in Pike County that I know, or that there is some fellow in Delaware County that I know. That is an instance of hearing one complaint repeated ten times. All those rural counties put together constitute not more than ten per cent of the relief load. The big relief load is in the urban section. The people in those communities are crippled because industry is at a stand still. There is no opportunity to supplement the relief that they receive. There is no employment they can get. So it is merely a question of your philosophy not a question of administration. In Mr. Witkin's argument there is only one suggestion that he advances which might justify the position he has taken: that this transfer should be diminished by $2,000,000.00. He made complaints about extravagance, he made complaints about items which should not be provided for by Pennsylvania. He cited one instance, the transient. I would like to ask the gentleman, why do you bring the transient item in here when today Pennsylvania is not paying one cent for transients. If the minority members of this House can show a plan, a specific plan, can show items which are now being provided, which should not be provided, if they can submit any specific recommendation as to where this could be cut, I am certain the Governor of this Commonwealth who has very reluctantly asked this House to pass a tax program that he know is necessary, would very gladly welcome such recommendation.

Mr. WITKIN. Mr. Speaker and members of the House, I merely want to answer the indirect question that was placed before me. Mr. Burke stated that he would like to ask me a question, then he did not ask the question, and therefore, I do not have the opportunity of answering it, but assuming that he were asking the question I say he is right. They don't call them transients any more; they give them a new name; they call them the local homeless, but they are still transients and they are still people that do not belong in Pennsylvania. They come through Pennsylvania and locally become homeless until they go to some other state, but they are here, they are still transients, so call hem by any name you want. I answer Mr. Burke by saying that the local homeless, alias transients, are still being cared for by the relief board.

Mr. Van SICKLE. Mr. Speaker in analyzing this discussion there are only three points involved. The first

point is the point of guess work. If we are to take the word of the minority leader they want us to substitute their guess for relief for our guess for relief. I say to you, gentlemen, that with the advantage of the administration in dealing with this relief problem, they are in a better position to guess what the amount of relief should be than are the minority leaders. If we must make a guess, then I say to you, gentlemen, we should take the guess of people who are in a position to know.

One other point, two suggestions have been made for cutting down the expenditures in connection with relief. One was the question of cost. Mr. Burke has answered is reducing the cost. But the minority leader didn't tell you that prior to December of 1935, three-fourths of all that question. He has shown you that the administration funds expended for direct unemployment relief were funds from the federal works. He did not tell you that the federal government bore this expense, now did he tell you that the load has been increased. As an example, in twelve cities in 1933, in round figures, $44,000,000 was given in relief. Of this amount $1,000,000 came from private sources, and $74,000,000 from public funds. In 1935 $121,000,000 was the total relief expenditure. On that amount only $881,000.00 came from private sources, leaving $120,000,000 in round figures for public relief from public funds. In other words, the expenditures have increased and of necessity the administration costs have increased, but despite this necessity of increasing the administration costs, they have actually been decreased as Mr. Burke has called to your attention.

The only other suggestion made was in the matter of transients or whatever you want to call them. My friends, I don't care whether a baby was born in California, Ohio, or in Pennsylvania, whether it has lived in this state one hour, one month or one year, if that child needs food to keep it alive it is our duty to supply it.

On the question recurring,

Will the House agree to amendments?

The yeas and nays were required by Mr. WITKIN and Mr. BLUMBERG and were as follows:

YEAS— 73

Altenburg,	Gates,	Nothnagle,	Sproul,
Atkins,	Gillette,	Panton,	Stewart,
Baker, F. T.,	Hamilton, R. S.,	Parks,	Stockham,
Barnhardt,	Hermansen,	Peters,	Stott,
Beadman,	Horst,	Phillips,	Surface,
Bernhard,	Jackson,	Reynolds,	Sweeney,
Blumberg,	Kane,	Rhys,	Trout,
Boose,	Kelder,	Roan,	Turner,
Boyd, R.,	Kenney,	Royer,	VanAllsburg,
Boyer,	Linderman,	Schrock,	Wall,
Brennan,	Mallen,	Serrill,	Wasserman,
Carr,	Mason,	Shortz,	Weidemann,
Castor,	McCreary,	Shreiner,	Wickersham,
Condon,	McDevitt,	Simpson,	Winner,
Cooper	McKinney,	Sloan,	Witkin,
Cordier,	Merrell,	Snyder, F. E.,	Wood,
Davies,	Moore,	Snyder, J. L.,	Woodside,
Duffort,	Mulr,	Sowers,	Yeakel,
Forrest,			

NAYS—113

Achterman,	Downey, G. E.,	Kobelak,	Rinn,
Allen,	Downey, J. J.,	LaRue,	Robinson,
Andrews,	Eberharter,	Long,	Ruffennach,
Anthony,	Eroe,	Lovett,	Sarraf,
Arnold,	Falkenstein,	Lynch,	Scanlon,
Aukerman,	Ferko,	Male,	Schaeffer,
Baine,	Finnerty,	McDermott,	Schrope,
Baker, J. J.,	Fitch,	McElroy,	Schwab,
Barber,	Flanagan,	McHenry,	Shaw,
Bradley,	Flinchbaugh,	Melchiorre,	Shepard,
Brancato,	Furman,	Mentzer,	Shugarts,
Brown, H. S.,	Gerard,	Moomaw,	Siegel,
Brown, J. E.,	Haberlen,	Mooney,	Simon,
Brownfield,	Hagerty,	Moran,	Sinwell,
Brumbaugh,	Haluska,	Moul,	Smith, J. A.,
Burke,	Hamilton, F. P.,	Munley,	Smith, W. G.,
Cannon,	Harkins,	Murrin,	Stank,
Caputo,	Harmuth,	Nagel,	Stevens,
Carson,	Hetrick,	O'Keefe,	Stone,
Chervenak,	Hindman,	Ominsky,	Sumney,
Coakley,	Hirsch,	O'Neill,	Tronzo,
Cochran,	Holland,	Patterson, C.,	Tumelty,
Cohen,	Holstrom,	Patterson, J. W.,	VanSickle,
Coleman,	Hoopes,	Pearson,	Weiss,
Coolahan,	Kelso,	Pfaff,	Welliver,
Decker,	Kilroy,	Piole,	Welsh,
Dent,	Kinney,	Powers,	Westrick,
Diehl,	Klingler,	Reising,	Zappala,
Dilley,			

So the question was determined in the negative and the amendments were not agreed.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE MEETING

Mr. COHEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

REPORT FROM COMMITTEE ON COMMITTEES

The Chair laid before the House a report from the Committee on Committees which was read by the Clerk as follows:

APPROPRATIONS COMMITTEE

Mahlon F. LaRue
Clinton Sowers
Robert Hamilton
Alfred Wasserman

BANKING COMMITTEE

Harry W. Anthony
Robert Hamilton

BOROUGHS AND TOWNSHIPS

Lloyd M. Schaefer

BUILDING AND LOAN ASSOCIATIONS

William J. Beadman

CONSTITUTIONAL AMENDMENTS

J. Raymond Kenney
Charles W. Sweeney

CORPORATIONS

Charles W. Sweeney

COUNTIES

Lloyd M. Schaeffer
Richard A. Cooper
J. Raymond Kenney

EDUCATION

Lloyd M. Schaeffer
Harry W. Anthony

FEDERAL RELATIONS

Charles W. Sweeney

FISHERIES

Richard A. Cooper
William W. Serrill

GEOLOGICAL SURVEY

Baker Royer

HIGHWAYS

John H. Dent, Chairman
Lloyd M. Schaeffer
Harry W. Anthony
Harry E. Trout

INSURANCE

Harry P. O'Neill, Chairman
Robert Hamilton

JUDICIARY LOCAL

William W Serrill

JUDICIARY SPECIAL

William J. Beadman
Charles W. Sweeney

LAW AND ORDER

Charles Baldi
Arnold M. Blumberg

LEGISLATIVE APPORTIONMENT

J. Raymond Kenney
William W. Serrill

MANUFACTURERS

Harry W. Anthony
J. Raymond Kenney
Charles W. Sweeney

MILITARY AFFAIRS

Richard A. Cooper
J. Raymond Kenney
William W. Serrill
Baker Royer

PENSIONS AND GRATUITIES

William J. Beadman
Baker Royer

PRINTING

Baker Royer

PUBLIC HEALTH AND SANITATION

William J. Beadman
Baker Royer

PUBLIC UTILITIES

Lloyd M. Schaeffer

RAILROADS AND RAILWAYS

William J. Beadman
Richard A. Cooper

REPEAL BILLS

William W. Serrill

STATE GOVERNMENT

Richard A. Cooper

WAYS AND MEANS

J. M. Flinchbaugh, Chairman

(John J. O'Keefe) Chairman
(Charles Melchiorre)
(Arnold M. Blumberg)
(Ellwood J. Turner)

On the question,
Will the House adopt the report?
It was adopted.

RESOLUTION

SOUND AMPLIFYNG SYSTEM

Mr. MOOMAW asked and obtained unanimous consent to offer a resolution which was read by the Clerk as follows:

In the House of Representatives, May 5, 1936.

Whereas, The present sound and amplifying equipment being used in this House is that installed during the last session on thirty days trial to demonstrate improved sound amplification possible, and

Whereas, Bids have been received by the Secretary of Property and Supplies for the purchase of equipment for use during the remainder of this Session and for future use. therefore be it

Resloved, That the Speaker of the House appoint a committee of five Members of the House, who, together with the Secretary of Property and Supplies, will analyze the bids recently received on this type of equipment, and report their recommendations back to the Members of the House for their consideration; also recommend to the House some satisfactory arrangement for reasonable compensation for the past and present use of equipment now installed if same is deemed necessary.

On the question,
Will the House adopt the resolution?
It was adopted.

APPOINTMENT OF COMMITTEE

The SPEAKER. The Chair appoints the following committee pursuant to the resolution just adopted: Messrs. Moomaw, John E. Brown, Cohen, Sowers and Condon.

COMMITTEE MEETING

Mr. FLINCHBAUGH asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

RESIGNATIONS FROM COMMITTEES

The SPEAKER. The Chair wishes to announce the following resignations from Committees which the Clerk will read.

The resignations were read by the Clerk as follows:

To: Committee on Committees
From: Robert S. Hamilton
Subject: Resignation as member of Committees.

I herewith submit my resignation as a member of the following commitees:

Manufacturers
Counties
Military Affairs

Respectfully yours,

May 5, 1936 (Signed) Robert S. Hamilton

I hereby resign as Chairman from the Insurance Committee.

(Signed) J. M. Flinchbaugh

Chairman—Comittee on Committees:

Kindly accept my resignation from the Committee on Aeronautics.

May 5, 1936. (Signed) Mahlon F. LaRue

House of Representatives,
Harrisburg, May 5, 1936.

I hereby resign as a member of the Committee on Railroads & Railways.

(Signed) A. Alfred Waserman

May 5, 1936.

The the Speaker of the House of Representatives:

I hereby resign from the Committee on Legislative Apportionment to take effect at once.

Yours truly,

Clinton A. Sowers.
Seat 122

REPORTS FROM COMMITTEES

Mr. MELCHIORRE, from the Committee on Appropriations, reported as committed, House Bill No. 15, entitled:

An Act transferring money from the Liquid Fuels Tax Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

Mr. O'NEILL, from the Committee on Ways and Means, reported as committed, House Bill No. 25, entitled:

An Act imposing a temporary State excise tax on electric power and current generated, manufactured and sold within this Commonwealth; providing for the collection of the tax and the disposition of the revenue derived therefrom; imposing certain costs on counties; conferring powers and imposing duties on certain persons, associations, partnerships, corporations, and State departments; and imposing penalties.

Mr. PEARSON, from the Committee on Ways and Means, reported as committed, House Bill No. 28, entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred and ninety-seven (Pamphlet Laws, two hundred ninety-two), entitled "An act to provide revenue by taxation," by increasing the rate of tax.

Mr. SHAW, from the Committee on Counties, reported as committed, House Bill No. 3, entitled:

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class; providing for the collection of such taxes by the county treasurers; and providing for their compensation.

Mr. STANK, from the Committee on Ways and Means, reported as committed, House Bill No. 21, entitled:

An Act imposing a temporary license tax for the privilege of operating, maintaining or controlling within this Commonwealth a store or stores as herein defined; prescribing the method and manner of collecting such tax and its disposition, and providing penalties.

Mr. KINNEY, from the Committee on Ways and Means, reported as committed, House Bill No. 27, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (Pamphlet Laws, four hundred fourteen), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by increasing the rate of tax; removing certain exemptions; changing the listing date, the date of filing reports, and the date and manner of payment of the tax; and making further provision with regard to penalties.

Mr. SCHWAB, from the Committee on Ways and Means, reported as committed, House Bill No. 22, entitled:

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board.

Mr. BAINE, from the Committee on Ways and Means, reported as committed, House Bill No. 19, entitled:

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment and collection of the tax, and appeals to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation, and providing penalties," by increasing the rate of tax for a limited period of time.

Mr. SHUGARTS, from the Committee on Ways and Means, reported as committed, House Bill No. 13, entitled:

An Act to further amend sections four and ten of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, one hundred forty-nine), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by imposing an additional tax on liquid fuels for a limited period of time and providing for the distrbution thereof.

Mr. BROWNFIELD, from the Committee on Ways and Means, reported as committed, House Bill No. 26, entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (Pamphlet Laws, six hundred forty), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and incumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April

the twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by increasing the rate of tax for a limited period of time, and further modifying the method of computing the tax.

Mr. ZAPPALA, from the Committee on Appropriations, reported as committed, House Bill No. 14, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

Mr. SARRAF, from the Committee on Appropriations, reported as committed, House Bill No. 14, entitled:

An Act transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

APPOINTMENTS TO COMMITTEE ON RULES

The SPEAKER. The Chair announces the appointment of Messrs. Simon and Eberharter as members of the Committee on Rules.

ANNOUNCEMENTS BY THE SPEAKER

The SPEAKER. The Chair wishes to ask the Chairmen of the various committees to go to the Speaker's office and lift the bills that are there for the committees.

The Chief Clerk asks that the members stop at his office to receive their checks which are now ready for them.

The Chair also wishes to state that this was a very trying day as far as time was concerned but in the future we hope to be able to start promptly at the time fixed. When we take a recess we will also reconvene the session at the time fixed when taking the recess.

COMMITTEE MEETING

The Committee on Counties will meet immediately after this session in the Conference Room in the rear of the Hall.

ADJOURNMENT

Mr. KINNEY. Mr. Speaker, I move that this House do now adjourn until tomorrow at 10:00 A. M.

The motion was agreed to, and (at 6:53 P. M.) the House adjourned until Wednesday, May 6, 1936, at 10:00 A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., WEDNESDAY, MAY 6, 1936. No. 3.

HOUSE OF REPRESENTATIVES

WEDNESDAY, May 6, 1936.

The House met at 10:00 o'clock A. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

REV. IVAN H. BENEDICT, pastor of Blue Hill Baptist Church, Hartford, Conn., offered the following prayer:

Let us pray. Almighty God, to whom we owe our being, we pause to give thanks to You for the beauty of the day; for another opportunity of delight. May we indeed have wisdom; may we have the courage of exercising that wisdom on behalf of the affairs of our fellows. We thank Thee for that which has come into our own lives, health and strength. We thank Thee for the courage that has enabled us to carry on to this day. May we indeed, as we shall face these problems that are before us seek that higher righteousness and realize that there is a power in ourselves which in this world is making for truth and for righteousness, hinder it though we may in our ignorance or thoughtlessness.

Therefore, Oh God, grant to us a portion of wisdom and may we walk in the way of the great Friend of man who came that might, might have right. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday when, on motion of Mr. CHERVENAK, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. HALUSKA and Mr. ANDREWS.

HOUSE BILL No. 36

An Act imposing a State emergency tax, payable by those herein defined as distributors, on fuel oil used or sold and delivered within the Commonwealth; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to give security, to file reports, and to retain certain records; imposing duties on retail dealers, common carriers, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation.

Referred to the Committee on Ways and Means.

By Mr. JOHN A. SMITH. HOUSE BILL No. 37

An Act providing for the administration of unemployment relief and work relief by political subdivisions charged by law with the care of the poor; abolishing existing agencies; providing for and regulating the allocation and use of funds appropriated and received for such purposes; imposing the cost of administration upon such political subdivisions; conferring powers and imposing duties on the Governor and certain State officers and departments, upon courts and certain county officers and city officers in certain cities, and upon boards of trustees of mothers' assistance; and providing penalties.

Referred to the Committee on Counties.

By Mr. DENT and Mr. WEISS. HOUSE BILL No. 38

An Act abating certain tax penalties and interest on county, city, (except city of the first class), borough, town, township, school district, (except school districts of the first class) and poor district taxes.

Referred to the Committee on Municipal Corporations.

RESOLUTION INTRODUCED AND REFERRED

By Mr. JOHN E. BROWN.

(Concurrent) RESOLUTION No. 2

In the House of Representatives, May 5, 1936.

Whereas, Information is given to the public emanating from Washington that at least one million aliens are illegally within the borders of the United States; and

Whereas, If this information is correct, an appreciable percentage of these will be found within this Commonwealth; and

Whereas, It is believed that much of the money spent for unemployment relief is expended for th maintenance of aliens, illegally within the Commonwealth of Pennsylvania; therefore be it

Resolved, (if the Senate concur), That the State Emergency Relief Board, and those in charge of the administration of unemployment relief in this Commonwealth, be instructed to refuse to grant any unemployment, direct or work relief to any alien who is known to be illegally within this Commonwealth;

Resolved, That a copy of this resolution be transmitted to the S. .te Emergency Relief Board by the Chief Clerk of this ˇouse.

Referred to the Committee on Judiciary Local.

LEAVES OF ABSENCE

Mr. Francis T. Baker asked and obtained leave of absence for Mr. JAMES L. SNYDER.

Mr. Harmuth asked and obtained leave of absence for Mr. RUFFENNACH.

Mr. Mentzer asked and obtained leave of absence for Mr. HARRY N. BOYD for the balance of the session.

Mr. Trout asked and obtained leave of absence for Mr. WOOD.

Mr. Hoopes asked and obtained leave of absence for Mrs. WILSON on account of illness.

Mr. Shugarts asked and obtained leave of absence for Mr. YOURISHIN.

Mr. Sproul asked and obtained leave of absence for Mr. LONGAKER.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 15, entitled:

An Act transferring money from the Liquid Fuels Tax Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 25, entitled:

An Act imposing a temporary State excise tax on electric power and current generated, manufactured and sold within this Commonwealth providing for the collection of the tax and the disposition of the revenue derived therefrom imposing certain costs on counties conferring powers and imposing duties on certain persons associations partnerships corporations and State departments and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 28, entitled:

An Act to further amend section one of the act, approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 3, entitled:

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class providing for the collection of such taxes by the county treasurers and providing for their compensation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 21, entitled:

An Act imposing a temporary license tax for the privilege of operating maintaining or controlling within this Commonwealth a store or stores as herein defined prescribing the method and manner of collecting such tax and its disposition and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 27, entitled:

An Act to amend the act, approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax removing certain exemptions changing the listing date the date of filing reports and the date and manner of payment of the tax and making further provision with regard to penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 22, entitled:

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 19, entitled:

An Act to amend section three of the act, approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations, joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax for a limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 13, entitled:

An Act to further amend sections four and ten of the act, approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing funds imposing penalties and making an appropriation" by imposing an additional tax on liquid fuels for a limited period of time and providing for the distribution thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 26, entitled:

An Act to further amend section one of the act, approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock the companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provision of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved the April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and further modifying the method of computing the tax.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 17, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board of certain State Departments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 14, entitled:

An Act transferring money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

By Mr. SHUGARTS. HOUSE BILL No. 39.

An act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing, the Signing, the Ratification by Pennsylvania, and the Final Adoption and Promulgation, of the Constitution of the United States, to be held at Philadelphia, and elsewhere, on the fifteenth, sixteenth, and seventeenth days of September, one thousand nine hundred thirty-seven, and subsequent anniversary dates, in connection therewith; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. CLIFF PATTERSON. HOUSE BILL No. 40.

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement, the First Courts of Law, and the First Capital within what is now Pennsylvania, and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. HOMER S. BROWN. HOUSE BILL No. 41.

An Act to amend section five of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled "an act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations and limited partnerships; providing for the assessment and collection of the tax, and appeals to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation, and providing penalties", by making further provisions relative to the filing of consolidated reports.

Referred to the Committee on Ways and Means.

By Mr. COHEN. HOUSE BILL No. 42

An Act to amend the act, approved the twenty-second day of June, one thousand eight hundred ninety-seven (Pamphlet Laws, one hundred seventy-eight), entitled "An act taxing certain stocks of building and loan associations for State purposes," by adding a new section providing for the filing of reports and imposing penalties; by increasing the rate of tax on full paid, prepaid, and fully matured or partly matured stock of building and loan associations; and by modifying the procedure for the settlement, collection, and payment of such tax.

Referred to the Committee on Ways and Means.

By Mr. LONG. HOUSE BILL No. 43

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (Pamphlet Laws, four hundred twenty), entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine", by increasing the rate of tax.

Referred to the Committee on Ways and Means.

REPORT OF COMMITTEE ON UNEMPLOYMENT RELIEF

Mr. HORST. Mr. Speaker and Members of the House: During the Legislative Session of 1935, by authority of the Joint Resolution No. 110, there was appointed a Joint Committee consisting of three members of the Senate and three members of the House for the purpose in brief of investigating unemployment relief in Pennsylvania.

As Chairman of this Joint Committee I am herewith presenting a report of findings, supplemented by recommendations, signed by two members of the Senate and myself, as Chairman.

On repeated occasions, in view of the importance of presenting information gathered by our authorized agents to the Special Session, requiring haste that otherwise would not have been necessary I attempted to have meetings of the entire Committee for the purpose of laying all the facts before all of the members before incorporating them in a formal report. For one reason or another some of the members found it inconvenient to attend these sessions. In view of the fact that I was being constantly importuned for facts concerning the Committee's

findings I found it necessary, in order that the report might be of real value to the Legislature at this time, to get the information all together and submit it as a whole to those members who had not regularly attended recent meetings. After full discussion with those committeemen I was able to contact, the recommendations which accompany the factual evidence in the body of the report were finally formulated, approved and signed by Senator Theodore Lane Bean, Senator Charles H. Ealy and myself as Chairman. The other members have not signed.

May I say that we have endeavored to eliminate from our findings any suspicion of political bias and have approached our problem in full sympathy with the purposes of unemployment relief and the joint interests of the unemployed and the tax-payers of Pennsylvania.

May I also say to the members that copies of this report will be available shortly in your post office boxes outside of this House.

The SPEAKER. The report of the Committee to investigate unemployment relief will be read by the Clerk.

The report was read by the Clerk.

The SPEAKER. The report will be noted in the Journal and printed in the Appendix to the Legislative Journal.

COMMITTEE MEETINGS

The committee to investigate the sound amplification system of the House will meet immediately after this session at the rear of the House.

The SPEAKER. The Rules Committee will meet on Monday afternoon, May 8, at 4.00 o'clock, Eastern Standard Time, in the Speaker's Office.

REPORTS FROM COMMITTEES

Mr. SCHWAB, from the Committee on Highways, reported as committed, House Bill No. 20, entitled:

An Act to amend the act, approved the first day of May, one thousand, nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses. magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts," as amended, by revising certain registration fees and revising existing regulations for weight of certain vehicles.

Mr. COAKLEY, from the Committee on Highways, reported as committed, House Bill No. 24, entitled:

An Act to further amend sections five hundred two and six hundred eight of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand five) entitled "An Act relating to and regulating tractors and trailers and their operation; providing for the registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, borough, incorporated towns, and townships, with the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," by revising certain registration fees and existing regulatons for weight of certain vehicles.

QUESTION OF PERSONAL PRIVILEGE

Mr. JOHN A. SMITH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. JOHN A. SMITH. Mr. Speaker, I desire to file the following statement:

October 18, 1935.

W. P. Gallagher, Chief Clerk,
House of Representatives,
Harrisburg, Pa.

Dear Mr. Gallagher:

I have just opened the last copies of the Legislative Journal mailed to me recently and have discovered that I was recorded as voting for House Bill 2711. I believe if you will examine your roll call sheet you will find that my vote was cast negatively.

My recollection is vivid in the matter because some constituents from Lemoyne came to my desk to ask me to recall House Bill 2653 from the desk of the Governor for the purpose of amendment. This motion to recall passed at about 11:30 and while I was at the desk of the compiling clerk and the parliamentarian arranging for the introduction of the amendments requested by the Lemoyne constituents House Bill 2711 was reached on the calendar. I then asked the clerk to record my vote "No".

I was not in my seat it is true and should probably be recorded as not voting, but since we were so close to the end of the session with only sufficient time to secure reconsideration of the Senate and House to the amendments to House Bill 2653 it was imperative that I secure the necessary action before the hour of adjournment of the legislative day of June 17. I hope you will consult your roll call and make the necessary correction in your journal records at the opening of the next session.

Very sincerely yours,
JOHN A. SMITH.

The SPEAKER. The statement with reference to the question of personal privilege will be printed in the Journal.

USE OF HALL OF HOUSE GRANTED

Mr. DENT. Mr. Speaker, the committee on Highways desires the use of the Hall of the House next Tuesday afternoon, May 12th, between the hours of two and four for the purpose of holding a public hearing on House Bills Nos. 20 and 24.

The SPEAKER. If there is no objection the request will be granted. The Chair hears none.

ADJOURNMENT

Mr. GEORGE E. DOWNEY. Mr. Speaker, I move that this House do now adjourn until Monday, May 11th, 1936, at 8.00 P. M.

The motion was agreed to, and (at 11.07 A. M.), the House adjourned until Monday, May 11, 1936, at 8.00 P. M., E. S. T.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., MONDAY, MAY 11, 1936. No. 4.

SENATE

MONDAY, MAY 11, 1936.

The Senate met at 8 o'clock P. M.

The PRESIDENT (Lietuenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

We thank Thee, our heavenly Father, for the benign memory of yesterday, when in our churches and homes we were privileged to observe Mothers' Day. How eloquent a word is mother! How potent an influence do the mothers of our land and the world exert upon the race! We would continue the observance of this sacred day in our brief devotions tonight. We would lay a tribute at the feet of mother, if she be living; and breathe a prayer that our lives may be worthy of her if she has left us to be with Thee.

Grant that the legislators here assembled may be and do that which will meet with the approval of their mothers and of Thee, the Father of all mankind. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on, motion of Mr. WOODWARD, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. HARVEY asked and obtained leave of absence for the Senator from Luzerne, Mr. Sordoni.

OFFICERS AND EMPLOYES

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 11, 1936.

Resolved, That the following persons be elected officers and employes of the Senate, to fill vacancies, as is provided for by Act of Assembly:

TRANSCRIBING CLERK

Leo P. Dee, 121 East Eighth Avenue, Homestead, vice William F. Dee, resigned.

CLERK TO COMMITTEE

William J. Heiser, 1037 Chartiers Avenue, McKees Rocks, vice George E. Chilcott, resigned.

TIME OF NEXT MEETING

Mr. GELDER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 11, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May 18th, at eight o'clock, Eastern Standard Time, and that when the House of Representatives adjourns this week it reconvene on Monday evening, May 18th, at eight o'clock, Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for twenty minutes.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for one hour, for the purpose of attending an informal hearing in the Hall of the House of Representatives to listen to a Committee of the Unemployed of Pennsylvania.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for one-half hour.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Margaret M. Gallagher, 720 Grant Bldg., Pittsburgh.
Leroy E. Uhrich, 1001 Muriel St., Pittsburgh.
Mrs. Ann H. Walker, 1225 Brighton Rd., Pittsburgh.

BEAVER COUNTY

Mrs. Gladys A. Fitch, Aliquippa.

BERKS COUNTY

Miss M. Mildred Matthew, Reading.
Mrs. Esther R. Yeager, Birdsboro.

CLARION COUNTY

Mrs. Mildred J. Stahlman, New Bethlehem.

LEHIGH COUNTY

Alois E. Hettinger, Allentown.

MERCER COUNTY

Mrs. Nellie W. Mitchell, Grove City.

MONTGOMERY COUNTY

Mrs. Rose V. Valero, Norristown.

PHILADELPHIA COUNTY

G. B. Rementer, 709 Finance Bldg., Philadelphia.

SOMERSET COUNTY

Mrs. Vera Paul, Paint.

WESTMORELAND COUNTY

Joseph M. Cribbs, Derry.
Louis W. Remaley, Export.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Blanche E. Dils, Oliver Bldg., Pittsburgh.
Miss D. Virginia Lewis, Law and Finance Bldg., Pittsburgh.

DELAWARE COUNTY

Miss Frances E. Carlisle, Darby.
Miss Rena B. Van Zandt, Chester.

LACKAWANNA COUNTY

Miss Jane E. Clark, Scranton.

PHILADELPHIA COUNTY

John W. Armstrong, Jr., 4233 Germantown Ave., Philadelphia.

WESTMORELAND COUNTY

Miss Elizabeth H. Miller, Greensburg.

GEORGE H. EARLE.

COMMISSIONERS OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Commissioners of Deeds, for the term of five years to compute from the dates set opposite their names, respectively:

Hamilton, Robert Willoughby, Dowra, Irish Free State, October 2, 1935.

Fazl, Abul, Kapurthala, India, from March 16, 1936.

Campbell, Miss Elizabeth B., Cape May, New Jersey, from March 27, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

JUSTICES OF THE PEACE

Mrs. Mary E. Bowen, of Ransom, Lackawanna County, as Justice of the Peace in the Township of Ransom, Lackawanna County, until the first Monday in January, 1938.

Thomas D. Barclay, R. D., North Wales, Montgomery County, as Justice of the Peace in the Township of Montgomery, Montgomery County, vice Jacob H. Sigafoos, deceased, until the first Monday in January, 1938.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Russell Wilhide, of Wall, Allegheny County, as Justice of the Peace in the Borough of Wall, Allegheny County, until the first Monday in January, 1938.

Grant L Campbell, of Oakdale, Allegheny County, as Justice of the Peace in the Borough of Oakdale, Allegheny County, until the first Monday in January, 1938.

ALDERMAN

George S Seymour, 74 Oak Street, Wilkes-Barre, Luzerne County, as Alderman in the Fifteenth Ward of the City of Wilkes-Barre, Luzerne County, until the first Monday in January, 1938.

GEORGE H. EARLE.

MEMBERS OF THE BOARD OF TRUSTEES OF THE MOTHERS' ASSISTANCE FUND

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Mrs. Bertha M. Binder, of East Mauch Chunk, Carbon County, as a member of the Board of Trustees of the

Mothers' Assistance Fund of Carbon County, vice Mrs Elizabeth W. Hatwick, of East Mauch Chunk, resigned, until June 1, 1939, and until her successor is duly appointed and qualified.

Mrs. Susan Straup, 573 Franklin Av., Palmerton, Carbon County, as a member of the Board of Trustees of the Mothers' Assistance Fund of Carbon County, vice Mrs. Florence E. Bingaman, of Palmerton, resigned, until June 1, 1939, and until her successor is duly appointed and qualified.

Mrs. Ethel S. Truver, Maple Ridge Farm, R. D. No. 2, Weatherly, Carbon County, as a member of the Board of Trustees of the Mothers' Assistance Fund of Carbon County, vice Mrs. Ida Carling, of Weatherly, resigned, until June 1, 1937, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate Miss Frances E. McGee, 2116 Pittston Av., Scranton, Lackawanna County, for appointment as a member of the Board of Trustees of the Pennsylvania State Oral School for the Deaf, vice Mrs. Rose Anna Sweeney, for a term of four years to compute from the date of confirmation, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

MEMBER OF THE ARMORY BOARD OF THE STATE OF PENNSYLVANIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate Col. William B. Reilly, 206 South 13th Street, Philadelphia, Philadelphia County, for appointment as a member of the Armory Board of the State of Pennsylvania, vice Maj. Gen. William G. Price, Jr., of Chester, resigned, until the third Tuesday of January, 1939, and until his successor is duly appointed and qualified.

GEORGE H. EARLE.

BILLS INTRODUCED

Mr. FREY read in his place and presented to the Chair Senate Bill No. 14, entitled:

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons; providing for the recovery of moneys expended for assistance in certain cases; providing penalties; and repealing inconsistent acts.

Which was committed to the Committee on State Government.

Mr. RICE read in his place and presented to the Chair Senate Bill No. 15, entitled:

An Act to amend section one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen, and to repeal section two of the act approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants, defining the powers and duties of boards and trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties, "by providing for the appointment of a board of trustees for each county; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers assistance, except under certain circumstances; providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board; and authorizing the Department of Welfare, to cooperate with, and to accept and disburse moneys received from, the United State government for aid to dependent children.

Which was committed to the Committee on State Government.

REPORTS FROM COMMITTEES

Mr. GELDER, from the Committee on Appropriations, reported as amended the following resolution:

RESOLUTION RELATIVE TO TRANSFER OF FUNDS FOR UNEMPLOYMENT RELIEF

In the House of Representatives, May 5, 1936.

Whereas, House Bill No. 14, authorizing the transfer from the Motor License Fund to the General Fund of amounts aggregating not more than five million five hundred thousand dollars ($5,500,000), for the purpose of providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 15, authorizing the transfer from the Liquid Fuels Tax Fund to the General Fund, between its effective date and June thirtieth, one thousand nine hundred thirty-six, of amounts aggregrating not more than three million dollars ($3,000,000), for the purpose of providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 17, appropriating these amounts, among others, in the sum of eleven million dollars ($11,000,000) to the State Emergency Relief Board for unemployment relief purposes, is in the Committee on Appropriations of the House of Representatives, and

Whereas, these bills are not possible of passage until they have been acted upon both by the House of Representatives and the Sente on three legislative days, and there is not yet available sufficient data upon which to intelligently act upon saiid legislation, and

Whereas, There is a deficit of three million six hundred thirty thousand dollars of cash to meet the allocations of the State Emergency Relief Board for the remainder of the month of May, 1936; and

Whereas, the cost of administration of unemployment relief has enormously increased since the passage of the law providing for the creation of the State Emergency relief Board, out of all proportion to the additional numbers of unemployed upon the relief rolls, and likewise the cost of administering unemployment relief has increased from the sum of 55 cents per case in the month of May, 1933, to the sum of $4.04 per case in the month of February, 1936; and

Whereas, It is the sense of the General Assembly that the system of administering relief be changed so that relief shall be granted on the basis of need only and that the cost of administering relief shall be materilly reduced to the end that the overwhelming burden of taxation may be lifted from our citizens; and

Whereas, the number of administrative employes has increased from 2761 during the month of June, 1932, to 7734 during the month of February, 1936; and

Whereas, By the Act of May 26, 1933, Pamphlet Laws one thousand eighty-eight, the State Treasurer is authorized and directed from time to time, whenever the Governor ascertains the necessity therefor, to transfer, upon warrant by the Auditor General upon requisition of the Governor, funds from the Motor License Fund to the General Fund; and

Whereas, It is of vital importance to the Commonwealth of Pennsylvania, and to the unemployment relief situation, that this sum of three million six hundred thirty thousand dollars be made avaliable immedately for unemployment relief purposes; now, therefore be it

Resolved (if the Senate concur), that if the Governor, the Auditor General and the State Treasurer shall in accordance with said act of May 26, 1933, Pamphlet Laws ten hundred eighty-eigth, transfer to the General Fund such sum of money from the Motor License Fund in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board, for the balance of the month of May, 1936, the General Assembly hereby pledges itself that it will enact appropriate legislation at this session of the General Assembly specifically appropriating the sum of three million six hundred thirty thousand dollars to the State Emergency Relief Board for unemployment relief, and to provide revenue by taxation or otherwise, to repay said transferred moneys to said special fund.

Resolved, That it is the sense of the General Assembly that appropriate legislation be enacted providing that the Senate shall elect a financial agent who shall not be a member of the Senate, and the House of Representatives shall elect a financial agent who shall not be a member of the House of Representatives, whose duty it shall be, individually or collectively, to demand and receive, from time to time, from the Executive Director of the State Emergency Relief Board, for the use of the Senate and House of Representatives, an itemized account of all moneys expended from the sum authorized to be made available for expenditure in accordance with this resolution, the law enacted to carry the same into effect and any other law heretofore or hereafter appropriating moneys to the State Emergency Relief Board and expended subsequent to May 1, 1936; the agents so elected to be paid, from appropriations made to the State Emergency Relief Board, five hundred dollars ($500.00).

Mr. SHAPIRO. Mr. President, I call for the reading of the original resolution.

The original resolution was read, as follows:

In the House of Representatives, May 5, 1936.

Whereas, House Bill No. 14, authorizing the transfer from the Motor License Fund to the General Fund of amounts aggregating not more than five million five hundred thousand dollars ($5,500,000), for the purpose of providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 15, authorizing the transfer from the Liquid Fuels Tax Fund to the General Fund, between its effective date and June thirtieth, one thousand nine hundred thirty-six, of amounts aggregating not more than three million dollars ($3,000,000), for the purpose of providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 17, appropriating these amounts, among others in the sum of eleven million dollars ($11,000,000) to the State Emergency Relief Board for employment relief purposes, is in the Committee on Appropriations of the House of Representatives, and

Whereas, these bills are not possible for passage until they have been acted upon by the House of Representatives and the Senate on three legislative days, and

Whereas, it is of vital importance to the Commonwealth of Pennsylvania, and to the unemployment relief situation, that these moneys be made available immediately for unemployment relief purposes, now, therefore, be it

Resolved (if the Senate concur), that the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund from the Motor License Fund, sums not exceeding five million five hundred thousand dollars ($5,500,000) and from the Liquid Fuels Tax Fund, sums not exceeding three million dollars ($3,000,000), and the General Assembly hereby pledges that it will pass, without amendment, House Bills Nos. 14 and 15, so providing, validating the action of the Governor and the fiscal officers in making such transfers, and the General Assembly further pledges that it will further pass, without amendment, House Bill No. 17, appropriating said moneys, among others, to the State Emergency Relief Board, for unemployment relief purposes, and the General Assembly further pledges that it will do so without delay.

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro will state his point of order.

Mr. SHAPIRO. Mr. President, the amendment offered is inconsistent with the original resolution. Under Rule 18 the President has no right to receive it. I object to the reception of this amendment to the resolution.

Mr. BUCKMAN. Mr. President, there is nothing before the Senate. This is a resolution reported from Committee, which, under the rules, must lie over for a day unless by unanimous consent or a suspension of the rules by a two-thirds vote of those present it is taken up for immediate consideration. Therefore, there is nothing before the Senate.

Mr. SHAPIRO. Mr. President, the resolution has been reported as amended. I object to the receipt of the resolution as amended. There is something before the Senate, and what is before the Senate at this time is an amendment which has been offered to the original resolution. Under Rule 18 the President has no right to receive it.

The PRESIDENT. The Chair is of the opinion that the point of order raised by the Senator from Philadelphia, Mr. Shapiro, under Rule 18 is well taken; and that the amendment destroys the intent of the original resolution. The Chair therefore sustains the point of order.

Mr. BUCKMAN. Mr. President, I appeal from the decision of the Chair.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will reduce his appeal to writing, and present it to the Chair.

APPEAL FROM DECISION OF THE CHAIR

The appeal was read as follows:

May 11th, 1936.

Mr. PRESIDENT. I appeal from the decision of the Chair sustaining the point of order raised by Senator Shapiro with reference to concurrent resolution Serial No.

3 just reported by Senator Gelder from the Committee on Appropriations.

C. J. BUCKMAN
F. T. GELDER
JOHN J. McCLURE
JOHN W. HOWELL
G. WOODWARD

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the Chair.

The PRESIDENT. The roll will be called on the appeal from decision of the Chair.

QUESTION OF INQUIRY

Mr. OWLETT. Mr. President, I rise to a question of inquiry.

The PRESIDENT. The Senator from Tioga, Mr. Owlett, will state his question of inquiry.

Mr. OWLETT. Mr. President, is a vote "No" a vote against the decision of the Chair, and a vote "Aye" a vote in favor of the decision of the Chair?

The PRESIDENT. The question is, "Will the Senate sustain the decision of the Chair?" Those who vote "Aye" will vote to sustain the decision; those who vote "No" will vote not to sustain the decision.

The yeas and nays were taken and were as follows, viz:

YEAS—19

Baumer,	Law,	Rankin,	Rupp,
Cavalcante,	McCreesh,	Reed,	Ruth,
Frey,	McGinnis,	(Washington)	Shapiro,
Huffman,	Miller,	Rice,	Sones,
Kahle,	Pytko,	Roberts,	Thompson,
			(Centre)

NAYS—27

Aron,	Gelder,	Owlett,	Staudenmeier,
Batchelor,	Graff,	Pierson,	Thompson,
Bean,	Harris,	Prince,	(Westmoreland)
Bennett,	Harvey,	Reed,	Trainer,
Buckman,	Howell,	(Dauphin)	Woodward,
Chapman,	Mallery,	Salus,	Ziesenheim,
Coyne,	McClure,	Scott,	Homsher,
Ealy,			Pres. Pro. Tem.

So the question was determined in the negative.

The PRESIDENT. The decision of the Chair is therefore not sustained.

The PRESIDENT. (Lieutenant-Governor Thomas Kennedy) in the Chair.

The PRESIDENT. Is there any objection to the unanimous consideration of the resolution?

Mr. CAVALCANTE. Mr. President, I object.

The PRESIDENT. The Chair hears objection. Under the rules the resolution will lie over for a day.

MOTION TO PRINT RESOLUTION

Mr. BUCKMAN. Mr. President, I move that the resolution as amended be printed for the use of the Senate.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations, reported with favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth:

COMMISSONERS OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments for a term of five years to compute from the date of confirmation:

Louis V. Smith 160 Front Street, New York City, New York, as Commissioner of Deeds for Pennsylvania with residence in Merrick, Long Island, New York.

G. William Welsch, 120 Wall Street, New York City, New York as Commissioner of Deeds for Pennsylvania with residence in New York City, New York.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Elizabeth Gatsy, 3530 Forbes St., Pittsburgh.
P. Y. McAllister, Sewickley.
Miss Margaret Mehalko, Braddock.

BEDFORD COUNTY

Philip H. Sponsler, Bedford.

CAMBRIA COUNTY

Thomas W. Hewitt, Johnstown.

DAUPHIN COUNTY

Miss E. Elizabeth Harro, Harrisburg.

DELAWARE COUNTY

Miss Mary Agnes Aull, Wayne.

LANCASTER COUNTY

H. E. Musser, Ephrata.

LAWRENCE COUNTY

Michael S. Cirelli, Ellwood City.

McKEAN COUNTY

Mrs. Mildred Brandes, Bradford.

NORTHUMBERLAND COUNTY

John J. Barni, Shamokin.

PHILADELPHIA COUNTY

Miss Grace F. Blanch, Broad St. Station Bldg., Philadelphia.
Mrs. Marjorie R. Hobbs, 1620 W. Thompson St., Philadelphia.
Mark Simon, 1719 N. 53rd St., Philadelphia.
Edward W. Sliker, 8043 Frankford Ave., Philadelphia.

SOMERSET COUNTY

Emil L. Anderson, Somerset.
Mrs. Melva Stull, Shanksville.

WAYNE COUNTY

Carl E. Greiner, Honesdale.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent fo the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss E. G. Burgdorf, 1005 Liberty Ave., Pittsburgh.
Thomas D. Durkin, 3212 Liberty Ave., Pittsburgh.
Miss Twane Griffith, 437 Penn Ave., Pittsburgh.
M. V. G. Huston, 5625 Baum Blvd., Pittsburgh.
Mrs. Loda Irwin Kunz, 304 S. Braddock Ave., Pittsburgh.
Edward G. Lang, Mayview.
W. A. Maybury, 2600 Grant Bldg., Pittsburgh.
Miss Anne T. McMeel, 519 Smithfield St., Pittsburgh.
Miss Dolores J. Morgan, 2600 Library Road, Pittsburgh.
Sr. Francis Regis, 3339 McClure Ave., Pittsburgh.
Mrs. Mary B. Sterling, 2734 Zephyr Ave., Pittsburgh.
William G. Sutter, 1011 Jones Law Bldg., Pittsburgh.

ARMSTRONG COUNTY

James H. Reitler, Kelly.

BERKS COUNTY

H. Gordon Bolden, Reading.
Oliver J. Hettinger, Reading.

BLAIR COUNTY

John J. Clark, Tyrone.
Miss Verna E. Gildea, Hollidaysburg.
Robert C. Haberstroh, Altoona.

CAMBRIA COUNTY

Miss Ann M. Conway, State.
Mrs. Dorothy H. Hoyt, Johnstown.

CENTRE COUNTY

Richard T. Baney, Bellefonte.

CHESTER COUNTY

Mrs. Velma D. McNutt, Oxford.

CLEARFIELD COUNTY

Miss Mary A. McCallister, DuBois.
LeRoy M. Miller, DuBois.
J. Howard Smith, Houtzdale.

DAUPHIN COUNTY

Miss Helen G. Merrick, Harrisburg.
W. E. Woodall, Harrisburg.

DELAWARE COUNTY

Mrs. Frances M. Evans, Upper Darby.
Mrs. Evelyn S. Taylor, Chester.
Miss Helen E. Watts, Upper Darby.
Curtis G. Wiegand, Chester.

ERIE COUNTY

Mrs. Thelma M. Beach, Union City.
Miss Helen McCaskey, Erie.
Miss Marjorie E. Stitt, Erie.

FAYETTE COUNTY

William M. Slogenhop, Uniontown.
Richard B. Weightman, Fayette City.

FRANKLIN COUNTY

Wilbur Nelson Kauffman, Mercersburg.

GREENE COUNTY

Scott E. Freeman, Jr., Waynesburg.

LACKAWANNA COUNTY

Cary Carey, Scranton.
Miss F. Faye Dommermuth, Scranton.
Robert A. Moore, Old Forge.
Stanley E. Thomas, Scranton.

LANCASTER COUNTY

Chas. F. Bowman, Lancaster.
James P. Dellet, Lancaster.

LAWRENCE COUNTY

Earle M. Brookover, New Castle.
Miss Claribelle Flynn, New Castle.
Mrs. Lena Kenney, New Castle.
George E. Thompson, New Castle.

LEBANON COUNTY

George E. Yiengst, Lebanon.

LUZERNE COUNTY

Peter Sedor, Glenlyon.
Stanley J. Znaniecki, Nanticoke.

LYCOMING COUNTY

Daniel H. Bower, Williamsport.
Ambrose D. Delseit, Williamsport.
Irvin M. Mitstifer, Williamsport.

McKEAN COUNTY

Miss Ruth A. McCready, Bradford.

MONTGOMERY COUNTY

Jacob R. Clemens, Lansdale.
Cornelius J. McGroaty, Melrose Park.
Miss Helen L. Perry, Pottstown.

NORTHAMPTON COUNTY

William J. Gingles, Easton.
Paul Trumbower, Hellertown.

PERRY COUNTY

Mrs. Velva E. Keller, Marysville.

PHILADELPHIA COUNTY

Elmer F. Buri, 3835 Aspen St., Philadelphia.
Robert F. Byrnes, 119 S. 4th St., Philadelphia.
Miss Elizabeth M. Darcey, 4320 Lancaster Ave., Philadelphia.
Leonardo Di Berardino, 6328 Vine St., Philadelphia.
Herman H. Dunn, 725 Arch St., Philadelphia.
Miss Margaret M. Gilger, 8th & Market Sts., Philadelphia.
Mrs. Elsie Gross, 807 Fidelity-Phila., Philadelphia.
James M. Hart, 807 Fidelity-Phila. Trust Bldg., Philadelphia.
James L. Hawley, 1203 Pennsylvania Bldg., Philadelphia.
Samuel F. Herst, 2215 Washington Ave., Philadelphia.
Arthur L. Homer, 1518 Walnut St., Philadelphia.
Robert F. Huntzinger, 412-20 N. 18th St., Philadelphia.
Harry J. Knipple, 1623 Walnut St., Philadelphia.
Miss Mary L. Linton, 1504 Fox Bldg., Philadelphia.
Bernard F. Macatee, 150 N. 52nd St., Philadelphia.
Mrs. Ethel P. Rees, 821 Public Ledger Bldg., Philadelphia.
George Staskel, 4547 Mercer St., Philadelphia.
Lewis J. Stark, 2700 N. Broad St., Philadelphia.
Lester Lewis Swope, 3026 Wayne Ave., Philadelphia.
Richard K. Wagner, 1600 Arch St., Philadelphia.
Miss Bertha Weber, 817 Packard Bldg., Philadelphia.
Miss Mildred K. Weikel, 922 Commercial Trust Bldg., Philadelphia.
Miss Maryon Weinberger, 817 E. Allegheny Ave., Philadelphia.
James E. Wood, 1014-16 Walnut St., Philadelphia.

SCHUYLKILL COUNTY

Miss Susan A. Fanniberg, Pottsville.

TIOGA COUNTY

Albert B. Armstrong, Rutland.

VENANGO COUNTY

T. M. Rose, Franklin.

WARREN COUNTY

Mrs. Eva M. Reardon, Warren.

WASHINGTON COUNTY

Lloyd M. Shafer, Canonsburg.
Miss Mabyl N. Taylor, Charleroi.
W. J. Wilson, Bentleyville.
Robert J. Wood, California.

WESTMORELAND COUNTY

J. Aber McGeary, Vandergrift.
Samuel R. Ratner, Greensburg.
W. M. Russell, New Kensington.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years, to compute from the date of their confirmation:

ADAMS COUNTY

Schwartz, Clarence L., Littlestown.
Myers, William D., New Oxford.
Black, Miss Mary S., Gettysburg.

ALLEGHENY COUNTY

Latimer, C. D., Oakdale.
Wildman, Medred R., Pittsburgh.
Bain, Miss Theola B., Pittsburgh.
Rosenberger, Mrs. Dolores T., Dormont.
Covert, Miss Ruth E., Pittsburgh.
Hall, Richard H., Pittsburgh.
Seger, Charles A., Pittsburgh.
Atkinson, L. L., Sewickley.
Dean, Miss Hazel G., McKeesport.
Hoffmann, John M., Dormont.
Lineman, George C., Robinson Twp.
Mesonka, Miss Helen, Pittsburgh.
Passafiume, Thos. A., Homestead.
Price, William J., Munhall.
McCreary, E. Lawrence, Pittsburgh.
Wegner, A. H., Swissvale.
Blunkosky, Joseph, J., Bridgeville.
Goldberg, I. Harry, McKeesport.
Goldblum, Miss Zella, Millvale.
Herrington, Fred J., Pittsburgh.
Kaufman, David M., Pittsburgh.
Taylor, Mrs. Norine W., Pittsburgh.
Wood, J. Paul, Versailles Twp.
Carroll, Wilber S., Pittsburgh.
Freund, Miss Mildred C., Pittsburgh.
Lankford, Paul H., Pittsburgh.
Leinenweber, Miss Caroline M., Pittsburgh.
McCartan, Miss Rose Mary, Pittsburgh.
Nydes, Miss Anna, Pittsburgh.
Renshaw, J. P., Pittsburgh.
Riley, Mrs. Lela M., Pittsburgh.
Ulrich, M. K., Pittsburgh.
Westerman, R. C., McKeesport.
White, Wilbur J., Pittsburgh.
Zeppenfeld, Miss Catherine, Sharpsburg.
Brassell, T. M., Pittsburgh.
Campbell, Miss Ione E., Pittsburgh.
Koch, John A., Pittsburgh.
Lebovitz, Herbert B., Rankin.
Martsolf, Miss Gladys V., Pittsburgh.
Murray, Miss Monica C., Pittsburgh.
Ritenbaugh, Raymond L., Pittsburgh.
Brogan, Miss Helene, Pittsburgh.
Eger, Miss Rose F., Pittsburgh.
Harrison, G. Harry, Pittsburgh.
Lignowski, Miss Marie, McKees Rocks.
Gard, Mrs. Helen R., Pittsburgh.
Welsh, John G., Pittsburgh.
Ludwig, W. F., Pittsburgh.
Whitehouse, John F., Pittsburgh.
Bundy, Mrs. Ruth L., Pittsburgh.
Nikischer, Miss Agnes M., Coraopolis.
Solomon, Miss Lillian, Pittsburgh.
Bohn, Mrs. Hilda E., Pittsburgh.
Mauro, Miss Emma, Sewickley.
Winovick, Miss Mary C., Pittsburgh.
Bernabei, Ubi C., Bridgeville.
Kepler, Miss Adelaide H., Pittsburgh.
Coll, John Colgate, Pittsburgh.
Kelly, Miss Minnie E., Duquesne.
Sharpnack, B. B., Pittsburgh.
Smith, John F., Upper St. Clair Twp.
Anthony, Charles E., Pittsburgh.
Burton, Miss Eleanor, Pittsburgh.
Goldstein, Mrs. Ella, Bellevue.
Durschinger, Leonard J., Neville Twp.
Eitel, P. O., Pittsburgh.
Frankenfield, Jacob, Pittsburgh.
Fuerst, Miss Irene K., Pittsburgh.
Haley, Charles R., Pittsburgh.
Homer, Edgar B., Munhall.
Lang, Miss Mary G., West View.
Luther, K. E., Wilkinsburg.
Lynch, Miss Margaret M., Pittsburgh.
Deer, Mrs. Sara McC., Pittsburgh.
Myers, Mrs. Violet E., Pittsburgh.
Rusk, M. A., Coraopolis.
Schaub, Gerard W., Pittsburgh.
Tymann, Samuel M., Pittsburgh.
Dickson David F., Pittsburgh.
Kamin, S. Irwin, Pittsburgh.
Shaw, John A., McKeesport.
Hoffman, M. D., Pittsburgh.
Rau, Harry E., Pittsburgh.
Shaw, George, West Deer Twp.
Shapiro, Charles B., Pittsburgh.
Zoglmann, A. W., Pittsburgh.
Rafael, Ralph, Pittsburgh.
Keith, Mrs. Jane H., Pittsburgh.
Totten, Charles L., Pittsburgh.
Zirkle, H. A., Pittsburgh.
Heil, H. C., Pittsburgh.
Snodgrass, W. R., Pittsburgh.
Windstein, Miss Margaret M., Pittsburgh.
Culp, William J., Pittsburgh.
Cline, Miss Consuelo, Pittsburgh.
Carroll, Daniel A., Etna.
Means, Wm. A., Pittsburgh.
Miller, M. E., Swissvale.
Dillow, Miss Mildred E., McKeesport.
Fineberg, Miss Cecil, Pittsburgh.
Spangenberg, Frank, Pittsburgh.
Tulsiak, Miss Helen M., Pittsburgh.
Belo, Miss Mary, Pittsburgh.
Bennett, Bernard, Pittsburgh.
Vargo, George, Jr., Duquesne.
Bittner, Miss Maud M., Pittsburgh.
McCann, Miss Louise, Pittsburgh.
Seder, Martin, Pittsburgh.
Wood, Miss May, Pittsburgh.
England, Mrs. Ruth, Pittsburgh.
Hazlett, Miss Mabel A., Springdale.
Peterson, J. C., Pittsburgh.
Zesky, William R., Verona.

Carroll, J. R., Coraopolis.
Clay, H. R., Sewickley.
Malchano, Miss Rose, Pittsburgh.
Arbaugh, Mrs. S. R., Pittsburgh.
Beall, J. Thos, Jr., Pittsburgh.
Kolander, Francis X., Pittsburgh.
Blair, George C., Wilkinsburg.
Curtis, Miss F. Elizabeth, Pittsburgh.
Fried, Morris, Pittsburgh.
Reinehr, Paul C., Brackenridge.
Popp, Mrs. Beatrice K., Castle Shannon.
Uffelman, Miss Helen M., Pittsburgh.
Denes, Andrew, Pittsburgh.
Madine, Carnice J., Pittsburgh.
Napier, Miss Agnes D., Pittsburgh.
Fiorucci, Miss Emily, Stowe Twp.
Macalka, Miss Emily, Stowe Twp.
Cohen, Miss Leah, Pittsburgh.
Cashdollar, Howard L. Avalon.
Danahey, Miss Rose, Pittsburgh.
Montgomery, John H., Kennedy Twp.
Seelhorst, H. Charles, Emsworth.
Benson, George H., Brentwood.
Leaf, C. Stuart, Pittsburgh.
Stewart, Wallace D., Pittsburgh.
Warthen, Charles A., North Braddock.
Garrett, William L., Pittsburgh.
Harris, Herman, Pittsburgh.
O'Donnell, Miss Helen, Pittsburgh.
Seneff, Mrs. Ida M., Turtle Creek.
Johnson, William, Pittsburgh.
Wray, William, Pittsburgh.
Fink, Miss Betty, Pittsburgh.
Poznanski, Carl L., Stowe Twp.
Toberg, Fred F., Crafton.
Jaegle, Miss Sarah, Pittsburgh.
Schramm, K. O. F., Pittsburgh.
Bonoma, Miss Clara E., Pittsburgh.
Emmel, Paul, Pittsburgh.
Gormley, Miss Annetta, Pittsburgh.
Pivirotto, A. M., Pittsburgh.
Nathan, Miss Florence, Pittsburgh.
Crago, Albert W., Coraopolis.
Mowry, C. E., Jr., West Homestead.

ARMSTRONG COUNTY

Henry, Ira M., Ford City.
Maher, James A., Leechburg.
Campbell, William Clark, Apollo.
Dawson, Albert W., Ford City.

BEAVER COUNTY

Boss, Ben H., New Brighton.
Porter, John K., Midland.
Zeigler, Miss Gertrude, Ambridge.
Tosh, Joseph N., Freedom.
Harsch, Albert, Ambridge.
Heller, Paul W., Beaver.
McDowell, O. E., Harmony Twp.
Keyser, Raymond N., Aliquippa.
Laughner, Mrs. Irene E., South Heights.
Stewart, Miss Ruth, Beaver Falls.

BERKS COUNTY

Scheck, P. A. Reading.
Lenhart, Wayne P. J., Hamburg.
Courtney, Bernard J., Reading.
Genner, Miss Beatrice L., Reading.
Sassaman, Miss Lillian R., Reading.
Seitzinger, Miss Emma C., Reading.
Quigley, Mrs. Elizabeth R., Bally.
Brown, John I., Reading.
Bricker, P. H., Upper Bern Twp.
Calnan, Mrs. Jennie M., Reading.
Flemming, T. Clair, Reading.
Moll, Miss Miriam M., Reading.

BLAIR COUNTY

McAleer, Mrs. Mame, Altoona.
Fasnacht, Lynn K., Altoona.
Wertz, Miss R. Winifred, Altoona.
Fickes, Mrs. A. Irene, Altoona.
Nagle, Miss M. Elizabeth, Altoona.
Gioiosa, Leonardo A., Altoona.
Noll, Miss J. Elizabeth, Altoona.
Canole, John H., Altoona.
Fleck, Miss Naoma, Altoona.
Clarke, Harry E., Altoona.

BRADFORD COUNTY

McNeal, D. A., Towanda.
Bailey, Richmond W., Troy.
Northrup, Miss Mabel L., Athens.

BUCKS COUNTY

Stockham, Frank W., Morrisville.
Johnson, Miss Rachel W., Morrisville.
Grupp, Mrs. Lillian, Bristol Twp.
Gruber, H. S., Sellersville.
Groff, Miss Mildred D., Quakertown.
Czarnecki, Stanley, Bensalem Twp.
Hartzell, Irwin N., Telford.
James, John W., Bristol Twp.
Rigby, J. Alfred, Bensalem Twp.
Hetrick, Howard C., Telford.
Roberts, Miss Gertrude A., Bristol.
Kendall, Harold J., Morrisville.

BUTLER COUNTY

Williamson, Charles A., Butler.
Cramer, W. J., Butler.
Jewell, J. W., East Butler.
Bryant, J. Wm., Butler Twp.
Nicholson, C. E., Butler Twp.
Pfister, J. E., Butler.
Thomas, John F., Zelienople.

CAMBRIA COUNTY

Buckwalter, J. W., Portage.
Meighen, Mrs. Nancy, Johnstown.
Goetzl, Miss Theresa, Johnstown.
Haley, Miss Nora C., West Carroll Twp.
Knable, Miss Blanche, Johnstown.
Wehn, Miss Norma K., Johnstown.
Fronheiser, Karl J., Johnstown.
Krise, Warren S., Johnstown.
Tedjeske, Mrs. Lillian H., Johnstown.
Humbert, Miss Emma I., Johnstown.
Long, Mrs. Mary Lou, Johnstown.
LaMantia, Miss Augusta M., Nanty Glo.
Thomas, Miss Mildred E., Johnstown.
Schettig, Lester, Cresson.
Connell, O. J., Lilly.
Hetzlein, Jose, Johnstown.

CARBON COUNTY

McGinley, Miss Kathryn E., Mauch Chunk.
Diehl, Frank R., Lehighton.
Baross, Frank A. Palmerton.
Heimbach, Mrs. Evelyn T., Palmerton.
Gallagher, Miss Catharine E., Lansford.

CENTRE COUNTY

Flynn, Miss Margaret A., Philipsburg.
Elder, H. S., State College.
Rothrock, M. J., Spring Twp.

CHESTER COUNTY

Darlington, E. M., West Whiteland Twp.
Detterline, Miss Evelma L., West Chester.
Sheperd, T. L., West Chester.
Anglemoyer, William M., Phoenixville.
Morris, Miss Alice M., Phoenixville.

Crosley, Miss Ruth A., West Chester.
Zipse, Mrs. Ruth H., West Chester.
Hall, Evard B., West Chester.
Humpton, Miss Sara Sue, West Chester.
Higgins, Miss Mary V., West Chester.
Stubblebine, Everett, Spring City.
Henry, John W., Jr., Easttown Twp.
Miller, Miss Anna M., West Chester.

CLARION COUNTY

Panton, Howard R., Foxburg.
Graybill, Miss Lucille, Clarion.

CLEARFIELD COUNTY

Garrison, Elbert A., DuBois.
Rowles, Ashley R., Clearfield.
Moss, Cloyd J., Curwensville.
Goldsmith, L. S., DuBois.
Saupp, Chas. E., Jr., Houtzdale.

COLUMBIA COUNTY

Krum, B. Reber, Bloomsburg.
Berninger, Arthur, Locust Twp.
Mittleman, William, Berwick.
Miller, J. Don, Bloomsburg.

CRAWFORD COUNTY

Shiels, Robert, Meadville.
Micks, Miss Katherine L., Saegerstown.
Putman, Clarence H., Meadville.
Fisher, Mrs. Clara M., Titusville.
Brown, Miss Helen I., Meadville.
Wentworth, Gaylord O., Randolph Twp.
Bowen, Mrs. Ina King, Spartansburg.
Shepard, Miss Verna, Titusville.
Clyde, Charles F., Meadville.
Gapp, Donald W., Meadville.

CUMBERLAND COUNTY

Dowd, Bernard V., East Pennsboro Twp.
Henderson, Robert M., Carlisle.
Wert, Miss Mary R., Carlisle.

DAUPHIN COUNTY

Lechleitner, Miss Margaret, Harrisburg.
Cassell, Ezra C., Harrisburg.
Gasswint, Norman L., Harrisburg.
Borke, Mrs. Winifred E., Harrisburg.
Reindel, William H., J., Harrisburg.
Schultz, Arthur E., Lower Swatara Twp.
Eby, Miss Annie M., Harrisburg.
Nelson, William H., Harrisburg.
Krieg, Albert M., Harrisburg.
Filippelli, C. J., Harrisburg.
Swartz, Lester E., Harrisburg.
Zimmerman, L. W., Penbrook.
Weaver, Warren O., Harrisburg.
Dowhower, Harvey J., Derry Twp.
Noel, Mrs. Marie E., Harrisburg.
Gerber, H. J., Harrisburg.
Derr, A. Boyd, Harrisburg.
Spangler, W. Luther, Harrisburg.
Fisher, Henry S., Harrisburg.
Shreiner, Miss Marie, Harrisburg.

DELAWARE COUNTY

Orton, Lewis D., Upper Darby Twp.
McCoy, John M., Upper Darby Twp.
Smithers, Theodore, Chester.
Bushong, Mrs. Daisy M., Upper Darby Twp.
Behrle, Miss Eleanor, Upper Darby Twp.
Suplee, Charles J. Jr., Upper Darby Twp.
Mintzer, Howard W., Upper Darby Twp.
Beauchamp, E. A., Lansdowne.
Hubbell, Miss Madalyn E., Chester.
Gault, Edwin S., Upper Darby Twp.
Hatch, Martin F., Upper Darby Twp.
Hoopes, Charles F., Upper Darby Twp.
Scott, Mrs. Mildred A., Swarthmore.
Greenwood, Walter, Lower Chicester Twp.
Gallagher, Miss Mary R., Chester.
Noves, Edward L., Swarthmore.
Rogan, Miss Phyllis W., Radnor Twp.
Fenimore, Miss Atalie, Radnor Twp.
Ahern, Joseph P., Media.
Overbeck, Miss Lucille M., Upper Darby Twp.
Kiley, Miss Mabel R., Upper Darby Twp.
Hale, Harvey M., Haverford Twp.
Clark, Miss Mary R., Radnor Twp.
Heckert, Miss C. Louise, Darby.
Stevenson, Miss Dorothy M., Haverford Twp.

ELK COUNTY

Smith, Mrs. Louise M., Johnsonburg.
Gladden, F. R., Ridgway.
Pontzer, Robt. F., Ridgway.
Fagley, G. A., St. Marys.
Park, C. L., Ridgway.
Garritt, Miss M. Josephine, Ridgway.

ERIE COUNTY

Sisson, Spencer A., Erie.
Fay, Albert D., Corry.
Olsen, Mrs. Bess E., Erie.
Lang, Miss Dorothy M., Erie.
Scherscching, Miss Emma, Erie.
Firman, Robt. J., Erie.
Hubbell, Randolph H., Jr., Erie.
Krill, Mrs. Ruth M., Erie.
Morrison, Bruce M., Erie.
Wesley, Miss Mildred E., Erie.
Oesterlin, Milo J., Erie.
Tefft, Miss Frances E., Erie.
Depinet, Miss Mary M., Erie.
Pease, Miss Alice G., North East.
Snell, Earl C., Erie.
Horth, Floyd M., Erie.
Plate, Howard N., Erie.
Heyl, Mrs. Amelia K., Erie.
Brunner, Miss Victoria M., Erie.
Neyland, Miss Ruth A., Erie.
Rogers, Harrison J., Albion.

FAYETTE COUNTY

Baker, J. T. Dunbar.
Boyd, Mrs. Mary Jane, Connellsville Twp.
Gleason, G. M., Uniontown.
Fleisher, Meyer G., Brownsville.
McMullen, Mrs. Katharine, Connellsville.
Wright, John A., Brownsville.
Foster, Frank R., Uniontown.
Wilson, Miss Ruth E., Uniontown.
Phalin, Mrs. Bessie H., South Connellsville.
Blosser, Mrs. Florence M., Uniontown.
Neill, Jas., Uniontown.
Merryman, Warren, Brownsville.
Simpson, Mrs. Edith P., Uniontown.
Finn, William E., Connellsville.
Wise, John E., Smithfield.

FOREST COUNTY

Crider, Mrs. Beulah M., Hickory Twp.

FRANKLIN COUNTY

Blessing, Mrs. Virginia B., Waynesboro.
Swenson, David A., Quincy Twp.
Poe, Mrs. Dorothy H., Chambersburg.
Yingling, S. W., Greencastle.
Statler, Arthur G., Guilford Twp.
Culp, W. E., Chambersburg.

GREENE COUNTY

Williamson, Mrs. Phoebe, Waynesburg.
Stephenson, Mrs. Elizabeth L., Waynesburg.

HUNTINGDON COUNTY

Grove, Paul R., Huntingdon.
Henry, Miss Katharine, Mount Union.
Bagshaw, J. W., Huntingdon.

INDIANA COUNTY

Robertson, Robert G., Indiana.
Wassam, Charles E., Green Twp.
Johnston, L. D., Burrell Twp.
Brown, Ralph C., Blairsville.
McAfoose, Miss Anna V., Indiana.

JEFFERSON COUNTY

Carnes, Miss Cora M., Brookville.
Woods, Miss Roberta M., Brookville.
Sweeney, Mrs. Josephine D., Punxsutawney.
Scott, Clinton H., Jr., Brookville.
Donnor, Robert E., Brookville.
Madden, Miss Marie A., Punxsutawney.
Treinis, Mrs. Florence A., Punxsutawney.

LACKAWANNA COUNTY

Rader, Charles J., Scranton.
Francis, Fred M., Dalton.
Harris, Miss Alice, Scranton.
Syron, Miss Mary A., Carbondale.
Leek, Miss Elva L., Scranton.
Price, Miss Ruth, Scranton.
Cross, H. Milton, Scranton.
Furiosi, Robert A., Scranton.
Davis, Ralph E., Scranton.
Gromlich, Mrs. Sadye E., Scranton.
Munchak, Miss Helen, Scranton.
Jordan, Miss Loretta C., Scranton.
Leber, Charles, Scranton.
Coulthard, Thos. J., Olyphant.
James, John W., Blakely.
Young, Mrs. Ethel B., Scranton.
Moskovitz, Morris, Dickson City.
Mruk, Leon N., Dickson City.
Dockerty, Edward D., Carbondale.
Ross, Miss Thelma R., Scranton.
Proper, Miss Elsie M., Scranton.
Fuller, Mortimer B., Jr., Scranton.
Brennan, Miss Eleanor, Carbondale.
Cawley, Miss Margaret B., Scranton.
Chally, Mrs. Grace, Dickinson City.
Corby, Mrs. Anna E., Jermyn.
Duffy, Miss Sara F., Scranton.
Borthwick, Mrs. Edna D., Scranton.
Dunbar, Mrs. Emyle, Scranton.
Poller, Mrs. Bertha E., Scranton.
Klein, Mrs. Jeanette, Scranton.
O'Malley, Miss Anne, Scranton.

LANCASTER COUNTY

Horning, John G., Brecknock Twp.
Kiehl, Miss Marguerite C., Lancaster.
Sheetz, Miss M. Anna, Lancaster.
Engle, F. E., Ephrata.
Geib, C. Raymond, Manheim.
Mellinger, A. Z., Terre Hill.
Schuberth, Eugene E., Lancaster.
Bare, K. C., Manheim Twp.
Resh, Miss Bertha E., Lancaster.
Ruley, Harry F., Litiz.
Appel, Roberts R., Lancaster.
Sharp, Russell S., Lancaster.
Bomberger, Walter L., Manheim.
Slack, H. B., Leacock Twp.
Trout, W. Lloyd, Lancaster.
Martin, Harold Earl, Lancaster.

LAWRENCE COUNTY

Wagner, George E., New Castle.
Uber, W. J., New Castle.
Gilfillan, Miss Mary Elizabeth, New Castle.
Shields, Lysle M., New Castle.
Tomb, Hugh W., Ellwood City.
Davies, Miss Melvina J., New Castle.
Smith, Frank G., Ellwood City.
Dickey, Thomas W., New Castle.
Matheny, Marshall G., New Castle.
Wallace, Miss Viola, New Castle.
Lewis, Richard R., New Castle.
McDevitt, Miss Elizabeth, New Castle.
Wilson, Geo. B., Ellwood City.

LEBANON COUNTY

Preis, Miss Clara R., Lebanon.
Reilly, Miss Mary, Lebanon.
Wagner, Miss Elizabeth E., Palmyra.

LEHIGH COUNTY

Taylor, Albert J., Fountain Hill.
Thesli, Miss Elizabeth M., Allentown.
Huber, Wilbur C., Allentown.
Dankel, Jack C., Allentown.
Gaugler, Miss Viola M., Allentown.
Weidner, William G., Allentown.
Roth, Chas. E., Allentown.
Dixon, Miss Ruth E., Allentown.
Scheirer, Russel H., Allentown.
Wallitsch, Alfred L., Allentown.
Newhard, Alfred H., Allentown.
Lucas, Mrs. Blanche, Allentown.
Kistler, Elmer C., Lynn Twp.
Goldman, David, Allentown.
Brady, Harry D., Allentown.
Kline, Edwin K., Jr., Allentown.
Fritz, Mrs. Miriam C., Weisenburg Twp.
Bennethum, Miss Florence E., Allentown.
Hoffman, Carl, Allentown.
Saeger, Miss Vivian M., Allentown.
Walp, Miss Grace E., Catasauqua.
Hertz, Miss Isabelle S., Allentown.
Lyman, Edwin S., Jr., Allentown.
Sobers, Edgar C., Bethlehem.
Wagner, Miss Gertrude, Allentown.

LUZERNE COUNTY

Elliott, R. H., Wilkes-Barre.
Bonney, J. R., Forty Fort.
Pittman, Harold R., Wilkes-Barre.
Durkin, Mrs. Elizabeth, Hazleton.
Casterline, Mrs. Thomasina T., Wyoming.
Jenkins, T. B., Wyoming.
Shoemaker, John, Jr., Exeter.
Denkmann, Reginald C., Wilkes-Barre.
Canfield, James A., Kingston.
Horne, L. Brinton, Hazleton.
Knebels, Francis X., White Haven.
Lester, Jos. F., Kingston.
Lupco, Jos. A., Nanticoke.
Shivy, Frank, Luzerne.
Singley, Miss Edith M., Hazleton.
Wildoner, Miss Alice M., Wilkes-Barre.
McCaffrey, Miss Florence, Wilkes-Barre.
Jones, Miss Lucille E., Pittston.
Feldman, Miss Lena, Plains Twp.
Shemanski, Edmund R., Nanticoke.
Carroll, Miss Margaret A., Kingston.
Morgan, Miss Bessie K., Pittston.
Fallon, Miss Catherine, Hazleton.
Jones, John G., Nanticoke.
Tyburski, Stanley J., Wilkes-Barre.
Overpeck, A. C., Forty Fort.
Burkhardt, Mrs. Florence, Wilkes-Barre.
Price, Miss Margaret, Wilkes-Barre.
Knyrim, Calvin H., Jr., Hazleton.
Wolcott, S. Dutt, Wilkes-Barre.
Flaherty, Miss Rose A., Pittston.
Stenach, Mrs. Teresa, Plymouth.
Turner, Ray W., Nanticoke.
Hammill, Miss Rose A., Wilkes-Barre.
Chopeck, Miss Ann M., Wilkes-Barre.
Evans, James D., Wilkes-Barre.
Brady, Miss Mary A., Hazleton.
Muir, Miss Ruth C., Wilkes-Barre.
Mailander, Miss Marion F., Wilkes-Barre.

LYCOMING COUNTY

Clust, Frank R., Williamsport.
Kehler, Miss Esther A., Williamsport.
Mabee, Raymond M., Williamsport.
Pfeiffer, A. D., Williamsport.
Seibert, Mrs. Lena Pearl, Hughesville.
Walters, E. M., South Williamsport.
Bubb, Hugh J., Williamsport.
Mabee, I. S., Williamsport.
Lloyd, C. Gelbert, Williamsport.
Shollenberger, Edmund K., Montgomery.
Moon, Mrs. M. Elizabeth, Williamsport.
Nast, W. Leon, Williamsport.

McKEAN COUNTY

Irons, Stanley M., Kane.
Russell, John A., Jr., Bradford.
Bird, W. H., Bradford.
Griffin, A. A., Bradford.
Husted, Mrs. Harriette M., Bradford.
Graff, Henry, Bradford.
Richmond, Victor J., Bradford.
Bovaird, John K., Bradford.
Abrams, Miss Eleanor M., Bradford.
Teater, M. A., Port Allegany.
Ryan, Mrs. Margaret, Bradford.
Heffner, Mrs. Christine, Bradford.

MERCER COUNTY

Evans, Miss Margaret, Sharon.
Wherry, John C., Grove City .
Downs, Miss Myra L., Sharpsville.
Junk, Miss Rita, Greenville.
Shaw, William P., West Middlesex.
Franek, Jos. A., Farrell.
Dilley, L. N., Greenville.

MIFFLIN COUNTY

Gassert, Mrs. Irene B., Lewistown.

MONROE COUNTY

Keenan, Wesler T., Pocono Twp.
Walters, Horace G., East Stroudsburg.

MONTGOMERY COUNTY

Kellner, Eugene J., Springfield Twp.
Kentner, W. L., Upper Moreland Twp.
Hackman, Newton H., Hatfield Twp.
Webster, Elwood A., West Norriton Twp.
Bean, Christian T., Skippack Twp.
Claire, Guy S., Souderton.
Mathias, Russell L., Lower Merion Twp.
Thomas, Harry K., Norristown.
Knowles, Frederick J., Rockledge.
Fernandez, Jaime H., Jenkintown.
Jacobs, Clifton N., West Norriton Twp.
Britt, Therman P., Jenkintown.
Dooley, James J., Lower Merion Twp.
Maust, Paul S., Springfield Twp.
White W. Ellsworth, Cheltenham Twp.
Dames, Walter E., Pottstown.
Maloney, Mrs. Adele M., Norristown.
Brunner, Max M., East Greenville.
Clayton, Robert L., Lansdale.
Burk, Miss Claire E., Pottstown.
Harrity, F. J., Lower Merion Twp.
Murray, Edward S., Jr., Lower Merion Twp.
Hoffman, Mrs. Clara E., Norristown.
Banmiller, William J., Skippack Twp.
Smith, Miss Anna M., Ambler.
Brusch, Miss Marie, Norristown.
Wolf, J. Harold, Telford.
Mahan, Francis A., Lower Merion Twp.
Fellmeth, Adolph F., Lower Merion Twp.

MONTOUR COUNTY

Maiers, Mrs. Elsie S., Danville.

NORTHAMPTON COUNTY

Silfies, Mrs. Helen E., Bethlehem.
Vooz, Miss Marcella A., Bethlehem.
Ace, R. Kenneth, Bangor.
Fenol, Michael D., Bethlehem.
Schmickly, Carl B., Bethlehem.
Greenzweig, Charles S., Walnutport.
Meixsell, Mrs. Myrtle, Easton.
Teel, George L. R., Easton.
Mammana, Mrs. Julia, Easton.
Bealer, Charles A., Easton.

NORTHUMBERLAND COUNTY

Lantz, Wm. Marsh, Watsontown.
Ohl, Miss Dorothy H., Milton.
Pittelli, Stephen, Kulpmont.
Umstead, Mrs. Marian, Shamokin.
Phillips, Mrs. Ruth M., Milton.
Ryon, William W., Jr., Shamokin.
Savidge, John K., Sunbury.
Heffelfinger, Miss Pearl A., Milton.
Luczkowec, Leon, Shamokin.
Avellino, James, Kulpmont.
Calhoun, Miss Margaret K., Northumberland.
Murdza, Miss Magdalene, Mount Carmel.
Stroup, J. Ralph, Kulpmont.

PERRY COUNTY

Kell, H. Russell, Newport.
Reed, Miss Mabel E., Bloomfield.

PHILADELPHIA COUNTY

Casey, J. H.
Bendiner, Sabato M.
DeMauriac, Mrs. Myrtle B.
Gruber, Frederick C.
Moetsch, Chas. F., Jr.
Brenner, Norman A.
Kulchycky, Emil.
Myers, Miss Frances K.
Naddy, Vincent M.
Patterson, C. Raycroft.
Sagan, Samuel.
Schultzbach, Jos. F.
Moore, Mrs. Margaret H.
Myers, Miss Anna J.
Schnabel, George, Jr.
Burgmann, Jos. G.
Irvin, Henry B.
Koltes, John A.
Pepper, William.
Schroeder, Mrs. Sadie.
Worthington, Vernon.
Losch, William Henry.
Munzer, Miss Florence M.
Carrigan, Mrs. E. E.
Levine, Miss Pauline.
Littlewood, A. R., Jr.
Cotney, Francis A.
Levit, Miss Selma.
Slick, Albert R.
Ellis, C. R.
Green, Samuel.
Kravitz, Isadore W.
Roberts, Arthur Savery.
Rudman, Michael E.
Brown, George S.
Daubert, Miss Viola M.
Mudd, Miss Mabel.
Brehm, Jos. H., Jr.
Dowling, Miss Anna.
McNally, Edward E.
Abbott, John Barnes.
Bunting, Josiah, 2d.
McGovern, Miss Martha T.
Luecke, John H.
Munger, George C.
Ritter, Henry S.

Schaefer, Miss Lillian A.
Spencer, Harold L.
Atchison, Claude E.
DeHaas, Geo. M.
Ernst, Raymond M.
Looby, Mrs. Catherine R.
Mattern, Wm. L.
Starsinic, Mrs. Helen.
Hubbs, Harry L.
McCuff, Mrs. Ethel L.
Wolfson, Charles M.
Bennett, Miss Maysie A.
Blondin, Weaver C.
Zentmyer, Paul D.
Coulson, Miss Catherine E.
Goldstein, Harry H.
Hoffman, Miss Sylvia
Lalli, Miss Jeanne.
Myers, Miss Dorothy.
Platt, Vernon D.
Tees, Walter.
Buxton, Mrs. Blanche Demers.
Olmi, Mrs. Margaret M.
Banister, Edw. Scott.
Berger, Meyer H.
Bobbing, Ernest J.
Brown, Morris.
Bruner, J. Norman.
Buono, Frank J.
Clark, W. Thos.
Clements, Mrs. Rose W.
Conner, Miss Frances M.
Connor, Homer G.
Crossland, Wm. B.
Descano, Thomas.
Draeger, Miss Anna L.
Graf, Herbert E.
Gruninger, John H.
Holland, Mrs. Maude O.
Hutt, Miss Madeline.
Lepore, Charles R.
MacCausland, Paul R.
McFadden, Mrs. Dorothea G.
Magan, Miss Mary.
Mittler, S. E.
Neeld, J. Noble.
Persichetti, Mrs. Martha.
Reilly, John.
Reissman, Nathan P.
Ringe, Waldorf R.
Rubin, Mrs. Miriam M.
Ryan, Mrs. Teresa S.
Tauder, J. B.
Twersky, Sigmund.
VanLear, F. R.
Wightman, John B.
Wright, Roy A.
Eichele, George E.
Gallagher, Patrick J.
Maiden, Orlando C.
Moore, C. Earl.
Lightfoot, Albert M.
Scola, Miss Mollie L.
Moore, Miss Kathryn D.
Kauffmann, Julius, Jr.
Starrett, Miss Elizabeth.
Bickert, Frederick H.
Weissinger, Charles, Jr.
Astor, Leon C.
Farnan, Mrs. Anna M.
Roth, Matthew A.
Sherman, Henry.
Rosenberg, Charles K.
Folkman, Milton.
Neiman, Miss Alberta A.
Schaller, Frank C.
Schulze, Arthur A.
Belsito, Floyd L.
O'Hora, Miss Marie A.
Forrester, Mason W.
Reid, Miss Ruth A.
Armstrong, Miss Violet.
Helmich, Miss Elsie A.
Batoff, Herman.
Feder, Milton H.
McGovern, Mrs. Frances W.
Rubenstein, Meyer R.
Smith, Rowland C.
Hamilton, Joseph W.
Hornsby, G. W.
Lorch, Miss Rose T.
Samet, Miss Marie.
Levy, Dolf L.
Cohen, Arthur.
Greene, S. Robt.
Werner, Mrs. Gene.
Connor, Thomas P.
Drizin, Henry.
Schofield, Mrs. Edith S.
Dennis, J. W.
Hankin, Louis S.
Montagno, Joseph A.
Thaleg, Miss Katherine I.
Andrews, Miss Helen.
Whyte, Miss Elizabeth.
Coulston, Miss Alice.
Farran, William N., Jr.
McClosky, J. V.
Carr, Miss Margaret S.
Morehead, Miss Mildred A.
Stup, Nathan.
Wolkof, Morris.
Buob, Edwin L.
Carr, Miss Eliabeth L.
Geissel, Conrad W.
Horwald, H. Norman.
Liebert, Howard C.
Bordley, Edgar.
Freeman, David L.
Harris, Philip.
Schall, Elmer J.
Dolan, John J.
Kuhn, Harry G.
Killian, Miss Dorothy M.
Levin, Miss Anna.
O'Hanlan, Edward V.
Trumper, Julius J.
Tabak, Albert.
Paige, Miss Ruth M.
Connors, Miss Mary A.
Carlin, Miss Margaret E.
Dickinson, Mrs. Mary C.
Griffith, Miss Isabelle H.
Hoffman, I. Leo.
Kline, Miss Dorothy.
Weeks, Miss Helen C.
Mattis, J. H.
Skillman, Louis A.
Lynch, James J.
Fox, Miss Elizabeth R.
Hamaty, Miss Fay.
Lewis, Miss Ernestine G.
Wetzork, Otto W.
Ansill, Joseph G.
Armstrong, Miss Mary.
Clokey, Samuel.
Delaney, Francis J.
Gagliano, Miss Lucy M.
Wilson, Miss Margaret S.
Adams, Mrs. Jane E.
Schryer, Walter H.
Foulkes, Miss Mary T.
Landis, Walter L.
Rosen, Morton Robert.
Schmidt, Edward S.
Smolszynski, Joseph E.
Taylor, Mrs. Irma L.
Hagen, Charles J.
Carley, Mrs. Marie F.
Cohen, Leonard M.

Lipman, Morris S.
Evans, Miss Winona M.
Gidley, Mrs. Edna.
Hodgson, Miss Regina J.
Kaelin, Raymond C.
Moss, C. D.
Quaid, Miss Anne.
Rowan, William V.
Casper Milton.
Ennis, Walter F.
Houlihan, Miss Elizabeth.
Linn, Miss Millicent.
Nocella, Stephen.
Smith, Charles.
Whalen, Mrs. Jane M.
Clark, John J.
Lipschutz, Miss A. Grace.
Silver, Kalman.
Zuecca, Harold T.

PIKE COUNTY

Foster, Charles A., Milford.

POTTER COUNTY

Vogdes, Theodore R., Coudersport.
Fisk, Mrs. Myra A., Austin.

SCHUYLKILL COUNTY

Heiken, Miss Margaret K., Pottsville.
Wills, Miss Odessa I., Butler Twp.
Boreese, Joseph J., Shenandoah.
Flail, William F., Pottsville.
Derr, James M., Foster Twp.
Schwalm, Allen Q., Pine Grove.
LeVan, Miss Mary E., Pottsville.
McCord, Miss Eleaner M., Pottsville.
McCarthy, W. J., Saint Clair.
Dinger, Robert C., Schuylkill Haven.
Hahner, Miss Laura H., Pottsville.
Canfield, Mrs. Dorothy, Ashland.
O'Brien, Mrs. Gertrude K., Pottsville.
Ignatovig, A. T., Minersville.

SNYDER COUNTY

Sommer, Mrs. Margaret M., Selinsgrove.

SOMERSET COUNTY

Dougan, William R., Somerset.
Phillips, Mrs. Margaret K., Meyersdale.
Kidner, R. A., Salisbury.
Lesko, John G., Somerset.

SUSQUEHANNA COUNTY

Leonard, Miss Margaret T., Montrose.
Kimble, Miss Marion J., Susquehanna.
Dillon, A. J., Susquehanna.
Allen, Miss Margaret C., Montrose.

TIOGA COUNTY

Tingley, Mark L., Blossburg.
Collins, Mrs. Annis K., Wellsboro.

UNION COUNTY

Dershem, Frank L., Lewisburg.

VENANGO COUNTY

MacArthur, John F., Oil City.
Mellers, Miss Josephine D., Franklin.
Moyar, W. F., Oil City.
Gates, Miss Claire E., Oil City.

WARREN COUNTY

Edin, Miss Louise C., Sugar Grove.
Stoddard, Leroy J., Warren.
Hohman, Miss Julia M., Warren.
West, J. Harry, Warren.
Kelley, Miss Alice R., Warren.
Morrison, Wayne J., Kinzua Twp.
Miller, Miss Evelyn K., Warren.
Wollaston, Miss M. J., Warren.
Barrett, Kenneth R., Warren.
Anton, Miss Marian E., Monongahela.

WASHINGTON COUNTY

Marino, Mrs. Santina S., Washington.
Sumney, Miss Garnett, Washington.
Poudevigne, Edmond J., Cecil Twp.
Gallo, John A., Charleroi.
Merrin, George H., Washington.
Valentour, Louis F., McDonald.
Hoehl, Mrs. Mary A., Charleroi.
Lytle, Mrs. Dorothy B., Washington.
Pellegrine, Mrs. Minnie M., East Bethlehem Twp.
Hormell, Miss Irena M., Washington.
Swartz, H. L., Centerville.
Brozier, Phil, Independence Twp.
Ballentyne, Miss Margaret, Washington.
McGraw, Miss Betty, Washington.
Sicchitano, B. A., Bentleyville.
Jenkins, Andrew N., Monongahela.
Smith, John B., Charleroi.
Pettit, W. G., McDonald.

WAYNE COUNTY

Boyd, T. Y., Honesdale.

WESTMORELAND COUNTY

White, James B., Monessen.
Ames, George B., New Kensington.
Loughner, Miss Alice B., Monessen.
Baldwin, C. E., Greensburg.
Semko, F. E., South Huntingdon Twp.
Hostetler, H. R., Scottdale.
Kuhns, Miss Eleanor, Greensburg.
Goldman, Miss Sara, Latrobe.
Herron, Thos. P., Irwin.
Cubbage, Miss Marian B., Monessen.
Fitzgerald, Mrs. Gladys V., Vandergrift.
Reinfried, J. E., Southwest Greensburg.
Fox, Robert V., North Huntingdon Twp.
Hirsch, Miss Rhoda R., Greensburg.
Adams, A. B., West Newton.
Belli, Miss Mary, New Kensington.
Schriber, G. L., Vandergrift.
Cohen, Mss Margaret, Greensburg.
Hankey, Wm. R., New Kensington.
Kolling, J. L., Unity Twp.
Giesey, G. A., Derry.
Carson, J. Herbert, Greensburg.
Gibson, Miss Jeanne, Monessen.
Ratner, Alfred W., Greensburg.

WYOMING COUNTY

Fowles, Robert S., Tunkhannock.

YORK COUNTY

Hagarman, Miss Dorathy A., York.
Williams, A. F., Wrightsville.
Kistler, Mrs. Dorothy B., York.
Baughman, N. M., Dover.
Pugliese, Mrs. Portia, York.
Apple, Harvey B., Wellsville.
Markle, Mrs. Lida, Hanover.
Neiman, Miss Bertha M., York.
Hake, H. Milton, Hallam.
Bollinger, Joseph B., Hanover.
Garner, Ernest G., Windsor.
Miller, Miss Evelyn M., North Codorus Twp.
Moul, Richard O., York.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 5, 1936.

To the Honorable, then Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Jean Marshall Miller, 467 Union Trust Bldg., Pittsburg.

LANCASTER COUNTY

Mrs. Mary E. Shirker, Akron.

PHILADELPHIA COUNTY

Herbert P. Jones, 4th and Chestnut Sts., Philadelphia.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. Sones,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. Sones,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harris,	Pierson,	Salus,
Batchelor,	Harvey,	Prince,	Scott,
Baumer,	Homsher,	Pytko,	Shapiro,
Bean,	Howell,	Rankin,	Sones,
Bennett,	Huffman,	Reed,	Staudenmeier,
Buckman,	Kahle,	(Dauphin)	Thompson,
Cavalcante,	Law,	Reed,	(Centre)
Chapman,	Mallery,	(Washington)	Thompson,
Coyne,	McClure,	Rice,	(Westmoreland)
Ealy,	McGreesh,	Roberts,	Trainer,
Frey,	McGinnis,	Rupp,	Woodward,
Gelder,	Miller,	Ruth,	Ziesenheim,
Graff,	Owlett,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. ARON. Mr. President, I move that the Senate do now adjourn until tomorrow at 12 o'clock noon.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 P. M. until tomorrow, May 12th, at 12 o'clock noon.

HOUSE OF REPRESENTATIVES

MONDAY, May 11, 1936

The House met at 8:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Rev. W. J. CONRAD, Pastor of the Covenant Presbyterian Church of Harrisburg, offered the following prayer:

Almighty God, our everlasting Father, we invoke Thy guidance in this hour. May we cherish the memories of those who layed the foundations of our Commonwealth, and also may we cherish the ideals which guided them in making here for the generations who have followed by that which they regarded as obedience to the will of God. We ask that these Representatives of the Government of Pennsylvania, of our people throughout our State, may sense their responsibility not only to the constituencies which they represent but, above all, to Almighty God, the Ruler of men, the King of Kings and the Lord of Lords, and may we be guided in our deliberations and in the decisions which we make in this Chamber, in which we make the laws to guide our Commonwealth, by that which is the fear of the Lord, the beginning of wisdom, and may we have a real sense by which we ask Thee to inspire us, a sense of integrity, and righteousness and justice, and those virtues and ideals that shall enable us to be instruments in Thy hands, Oh, God, for that which shall mean the prosperity of Thy people throughout our State. In the name of Christ our Redeemer. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, May 6, 1936.

The Clerk proceeded to read the Journal of Wednesday, May 6, 1936, when, on motion of Mr. POWERS the further reading was dispensed with and the Journal approved.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

SESQUICENTENNIAL CELEBRATION

A resolution from the City Council of Philadelphia requesting appropriation for celebrating Sesquicentennial of the adoption of the Constitution of the United States.

Referred to the Committee on Appropriations.

FASCISM IN THE UNITED STATES

A resolution directing attention to the growth of Fascism.

Referred to the Committee on Judiciary General.

AMENDMENT OF BEER DISTRIBUTORS LAW

A communication from Ideal Beverage Company, Philadelphia, urging amendment of small beer distributors law.

Referred to the Committee on Law and Order.

LEAVES OF ABSENCE

Mr. Hoopes asked and obtained leave of absence for Mrs. WILSON for the balance of the session.

Mr. Carson asked and obtained leave of absence for Mr. STONE for the balance of the week.

Mr. Flanagan asked and obtained leave of absence for Mr. HAGERTY.

Mr. Finnerty asked and obtained leave of absence for Messrs. OMINSKY and SHEPHARD until tomorrow morning's session.

RESOLUTION

JOINT SESSION—UNEMPLOYED RELIEF APPEAL

Mr. HOOPES offered a resolution and asked unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 11,.1936.

Resolved (If the Senate concur), That the Senate and House of Representatives meet in joint Session Monday Evening, May 11, 1936, at 9:30 o'clock, for one-half hour in the hall of the house, for the purpose of listening to an appeal on behalf of the unemployed by their spokesman, David Lasser, President of the Workers' Alliance of America.

The SPEAKER. For the information of the gentleman from Berks the Chair wishes to advise him that arrangements have already been made to hear these speakers.

Mr. HOOPES. Do I understand, Mr. Speaker, that the Senate has been invited to the session.

The SPEAKER. The Senate has been invited.

Mr. HOOPES. Mr. Speaker, that will be satisfactory.

RESOLUTION

TRANSPORTATION OF PUPILS

Mr. HOLLAND offered a resolution and asked unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 11, 1936.

The cost of transportation of pupils to the school districts in Allegheny County is a matter of grave concern to its citizens; and it is believed that it is far greater than the circumstances require; therefore be it

Resolved (if the Senate concur), That the Public Service Commission of Pennsylvania is hereby requested to make an investigation, through its existing facilities, with the view of ascertaining whether, on the basis of valuation and income, or on any other basis, the street railway companies operating in Allegheny County may be required to issue tickets for school pupils only, at a rate not to exceed twenty-five cents (25c) per week.

The SPEAKER. This is not a privileged resolution and will be filled with the Clerk under the rules.

RESOLUTION

INFORMATION REQUESTED FROM FEDERAL RELIEF ADMINISTRATION

Mr. TURNER offered a resolution and asked that it be read for the information of the members of the House.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 11, 1936.

Whereas, the preliminary report of Joint Legislative Committee to Investigate Public Relief in Pennsylvania, as filed by the Republican members thereof, set forth that employables transferred from direct relief to WPA projects received relief orders concurrent with the time they worked on WPA, because WPA were unable to issue pay checks, and at the request of WPA to the SERB the relief service was continued; and

Whereas, the said report further states that this duplication cost the Commonwealth an estimated sum of Ten Million ($10,000,000) Dollars; and

Whereas, it is reported that large numbers of WPA workers in the State are being dismissed and are being reinstated on relief rolls; and

Whereas, the President and Federal Relief Administrator advised the States during the year 1935 that the Federal Government would, through its various programs, give employment to all employables and that the States would have to take care of the unemployables;

Therefore be it resolved that the SERB be requested to communicate without delay with the Federal Relief Administration and request

(1) that the said Federal Relief Administration immediately pay to the SERB the sum of Ten Million ($10,000.000) Dollars representing the amount paid by the SERB to WPA workers as set forth above, said sum to be applied to the immediate relief requirements; and

(2) that the said Federal Relief Administration agree to pay to the SERBS the amount necessary to reimburse the State for any moneys which are paid for the relief of said discharged WPA workers; and

(3) that the SERB cause to be kept an accurate account of all moneys paid for relief to employables, and that statements thereof be submitted from time to time to the Federal Emergency Relief Administration.

And further be it resolved that the SERB forward a report showing the action taken to present aforesaid matters to the Federal Emergency Relief Administration, and their replies and agreements in reference thereto.

UNANIMOUS CONSENT REQUESTED TO MAKE STATEMENT

Mr. TURNER. Mr. Speaker, I ask unanimous consent to make a statement at this time, to be followed by a request for immediate consideration of the resolution

The SPEAKER. Will the House give its unanimous consent to the gentleman from Delaware, Mr. Turner to make a statement?

Is there objection?

Mr. COHEN. Mr. Speaker, if the statement of the gentleman from Delaware is to be followed by a request for immediate consideration, and since I will have to object to the immediate consideration of the resolution, I object to the statement at this time as being unnecessary. The statement can be made when the resolution comes out on the floor of the House for action.

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, is the gentleman from York unfamiliar with the fact that a request has been made for an appropriation of eleven million dollars to take care of unemployment relief for the balance of May and June?

Mr. COHEN. Mr. Speaker, I am familiar with the fact that a resolution has been introduced and passed by this House calling for the transfer of funds to the State Emergency Relief Board, in the sum of eleven million dollars.

Mr. TURNER. Mr. Speaker, is the gentleman from York familiar with the fact that the transfer of such funds, which are mainly Motor funds or gasoline tax funds, will seriously hamper the State Highway Department?

Mr. COHEN. Mr. Speaker, I am not, and my recent conversations with Mr. Warren Van Dyke indicate that the transfer of these funds will in no way hinder the funds of the Highway Department and more particularly so since provisions for the return of those funds will be made by the passage of tax legislation and new monies will be created immediately by the issuance of tax anticipation certificates.

Mr. TURNER. Mr. Speaker, I again renew my request for unanimous consent to make a statement, the statement being in explanation of my reason why I think this resolution ought to have immediate consideration.

The SPEAKER. Will the House give its unanimous consent to make a statement. Are there objections?

Mr. COHEN. Mr. Speaker, in view of the fact that the statement will be followed by a request for immediate consideration of the resolution and since I shall object to immediate consideration of the resolution, I renew my objection to the statement.

The SPEAKER. The Chair hears objection.

MOTION TO SUSPEND RULE

Mr. WITKIN. Mr. Speaker, I move that the House rule be suspended for the purpose of permitting the gentleman from Delaware to make a statement. If the gentleman from York subsequently desires to object to the immediate consideration of this resolution, in my judgment, that is another matter. I now move the suspension of the rule in order to give the gentleman from Delaware the opportunity of making a statement in connection with the resolution that has just been introduced.

On the question,

Will the House agree to the motion?

Mr. COHEN. Mr. Speaker, I might say that if the gentleman from Delaware will withdraw his request for immediate consideration—

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, the point of order is that there has been a motion made to suspend a particular rule for the purpose of permitting the gentleman from Delaware to make a statement and the request of the gentleman from York that it carry a provision with it is not a part of the motion.

Therefore, the gentleman from York is out of order and I ask for a roll call upon my motion and a vote.

The SPEAKER. The point of order of the gentleman from Philadelphia is well taken, but the Chair wished to give the gentleman from York, Mr. Cohen, an opportunity to explain his position to the gentleman from Delaware, Mr. Turner. The question before the House is the suspension of rule 14 for the purpose of permitting the gentleman from Delaware to make a statement.

Mr. COHEN. Mr. Speaker, I might say that this side of the House has no objection to the gentleman from Delaware making the statement. We do object to the request on his part for immediate consideration of the resolution.

OBJECTION TO UNANIMOUS CONSENT WITHDRAWN

The SPEAKER. The objection of the gentleman from York, Mr. Cohen, to the gentleman from Delaware making a statement is now withdrawn. Therefore, the suspension of Rule 14 is not now necessary.

STATEMENT BY MR. TURNER

Mr. TURNER. Mr. Speaker, and members of the House, I desire to thank the gentleman from York for withdrawing his objection. The Chairman of the Republican Steering Committee has asked that I thank him also for his maneuvering. He knows that he has my thanks at all times.

Seriously speaking, however, I do feel that this House should give immediate consideration to this resolution, as I can see no reason for any delay in sending it to committee, which can only be based upon the reason that it was felt that in sending to committee, it needed some study.

In the report that was filed by the Republican members of the Joint Legislative Committee investigating relief, the statement was made that when the WPA last year started its active program a great number of men were taken off the relief rolls to secure employment under the WPA, that because of the time period that elapsed between the starting of their work and the time when they could receive their checks, it was necessary for the SERB, or the Relief Board in Pennsylvania, to carry these people on relief and they did so at the request of the WPA. It has been estimated by the Committee—and I have heard figures that are higher than this, but I thought I would be conservative—it has been estimated by the Committee that the cost to the Commonwealth of Pennsylvania was ten million dollars for the money that was payed out in relief to those men on WPA between the time that they went on WPA and the time they got their checks.

Naturally, any business organization would have repaid to the State Emergency Relief Board the amount of money, that had been given them for relief during the time they were on WPA, because otherwise they would have been receiving double relief. It seems to me that in the emergency that is facing us in this State, where we do not have the funds at the present time to meet the balance of May and June, where even if we borrow them from the Motor Fund and other Funds we will have to repay them by taxation—it seems to me only fair that the Federal Emergency Relief should step in and repay to the State of Pennsylvania this sum estimated at ten million dollars, or if they thing that is too high, it seems to me it would be a very simple proproition to take a list of those men who had gone on WPA and yet received emergency relief from the State at the same time and compute the exact amount of money which the State had to put up. I have heard it said that the answer to that is that these go off the WPA, and if they do go off the WPA there will be a waiting period for them before they can go on relief, and yet I want to say to this House that when I raised that question a few weeks ago in committee, in consultation with the Relief authorities of Pennsylvania, that a great many people were afraid to take jobs for fear they would get off relief and wouldn't be able to get back on relief promptly, I was told that that whole condition had been eliminated and that it didn't exist anymore.

I undersand that in some instances it was three weeks between the time these people went on WPA and they got their relief checks, they got their WPA checks, and

so the Commonwealth was carrying them over that period. I think that it could be easily and accurately computed and that it is only a fair proposition. I am amazed at my friends on the other side of the House that they should arise in this manner and put themselves in the position of having to defend it. It is not a partisan matter as I see it, it is not a matter that is subject to partisan politics, it is a plain business proposition from the standpoint of the State, and I have too much fondness and too much respect for some of my friends on the other side to want to see them get themselves in a position where they would have to attempt to defend something which in my opinion is indefensible.

The second thing I am asking the SERB to do is this: I have been advised by some of the members of this House from some of the other counties, and the records of the Emergency Relief Board Administration show that there have been added in the last week I think it was, about eleven hundred cases in Pennsylvanina, showing that the WPA is discharging men and that these men are coming back on the relief rolls of Pennsylvania. Now, in 1935, I think every member of this House recalls that the President of the United States and the Federal Relief Administrator said to the people of the United States, the Federal Government is going to take care of all the employables but that the states will have to take care of the unemployables. If a man has been employed on WPA and then is fired from WPA and comes back to the state seeking relief, the Federal Government has no right to expect Pennsylvania to bear that burden. I, therefore, feel that the SERB and our Emergency Relief Administration should see to it that an accurate check is made of the employables who are coming back on our emergency relief rolls or employables that exist on our relief rolls, and that if any of them are taken back and are given relief by the Commonwealth of Pennsylvania that the Federal Government should step forward and reimburse the State. I am merely asking that this matter be called to the attention of the Federal authorities and that the State authorities keep an accurate account, so that we will know how much the Federal government owes us.

It seems to me that it is a simple business proposition, that it is not a subject for any partisan politics here on the floor of this House, and that it does not need to go to a committee for consideration. Anybody can understand what we are asking. We are merely asking the Federal government to come to Pennsylvania, keep its bargain, do what it said it would do and not burden Pennsylvania when it hasn't the money and is trying to raise what it can. What it does raise will have to be raised by taxation.

Mr. BURKE. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. Mr. Speaker, I will.

Mr. BURKE. Mr. Speaker, I desire to ask the gentleman how much he estimates the Federal government should pay back to the SERB for the payments made to people who had WPA jobs and who had not received their checks.

Mr. TURNER. Mr. Speaker, I think, if I understand that question right, that the SERB should reimburse the State of Pennsylvania for the amount of money that the State of Pennsylvania had to pay to those people on relief during the time they were waiting for their WPA checks. I do realize, and I presume this is what the skillful gentleman from Philadelphia is leading up to, that under the budget plan there is a difference at times between the amount that a man might receive on WPA and the amount that the State was paying under its budget plan and, therefore, there might be an adjustment necessary in that respect—I can not tell.

Mr. BURKE. Mr. Speaker, is the gentleman apprised of the practice of the SERB to go after the people who have received duplicate payments from relief and from the WPA, and that they are now collecting fifty cents and a dollar from many of these people?

Mr. TURNER. Mr. Speaker, I have read in the report of what is termed the "Horst Committee" that there have been restitutions of some two hundred and forty thousand dollars of money improperly collected.

Mr. EROE. Mr. Speaker, I object to the statement that it was the report of the "Horst Committee." It was not the report of the "Horst Committee."

The SPEAKER. The gentleman will proceed. Does the gentleman from Philadelphia, Mr. Burke, desire to further interrogate the gentleman from Delaware, Mr. Turner?

Mr. BURKE. I do, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. BURKE. Mr. Speaker, I would like to ask the gentleman if the sole source of his information is gotten from the so-called report of the "Horst Committee."

Mr. TURNER. Mr. Speaker, I would answer that by saying "No", that my sole source of information is not what I read in that report.

Mr. BURKE. Mr. Speaker, I ask the gentleman what is his source of information, that there is a great sum due to the SERB from the Federal Government.

Mr. TURNER. Mr. Speaker, part of that information, I can say, came from the State Treasurer, Charles A. Waters, a member of the Emergency Relief Board.

Mr. BURKE. And, Mr. Speaker, where did the rest of it come from?

Mr. TURNER. Mr. Speaker, I think that is a matter which I do not care to divulge at the moment.

Mr. BURKE. Mr. Speaker, what information does the gentleman have which has come from the so-called "Horst Report"?

Mr. TURNER. Mr. Speaker, I have already stated, I think twice, that the information which I received,—and I will avoid that apparently prescribed word "Horst Committee," by saying that the information that I personally received is on page 97 of a report which was signed, as I said in my opening remarks, by the three Republican members of the joint Legislative Committee to investigate emergency relief.

Mr. BURKE. Mr. Speaker, may I ask if the gentleman is familiar with the manner in which that committee functioned, and the procedure which was followed in making this report?

Mr. TURNER. Mr. Speaker, of course, that is a broad statement to ask me whether I am familiar with the procedure. I know that the meetings ran over a long period. I do find in the report a great number of affidavits showing great wrongs in the handling of relief and in obtaining relief, and I saw statements of specific records. Just where the Horst Committee gathered together this particular information, I have no knowledge.

Mr. BURKE. Mr. Speaker, did the gentleman notice in

that report a statement that the budget deficiency is a grant just sufficient to maintain a person?

Mr. TURNER. Mr. Speaker, I do not recall reading that in that report. I read both the Horst Committee report and the Goodrich report, and it is a little difficult for me sometimes to remember which is which.

Mr. BURKE. Mr. Speaker, I ask the gentleman again if in reading the so-called "Horst report" he came across a statement that the amount of the budget deficiency is just sufficient to sustain the people who are on relief.

Mr. TURNER. Mr. Speaker, I do not recall that I read that in the "Horst report."

Mr. BURKE. Mr. Speaker, but the gentleman did hear things which he believes are very derogatory to the members of the committee who did not sign this report.

Mr. TURNER. I did not get that, Mr. Speaker.

Mr. BURKE. Mr. Speaker, I did not hear the gentleman's answer.

Mr. TURNER. I say, Mr. Speaker, I did not get the question.

Mr. MORAN. Mr. Speaker, I think if the two gentlemen would take the microphone, everybody here would know what is going on. At the present time it seems like a conversation between two individuals.

The SPEAKER. Will the two gentlemen please take the microphones so that they can be clearly understood by all the members of the House?

Mr. WITKIN. Mr. Speaker, may I ask that the resolution be again read for the information of the House, feeling assured that when my Democratic friends do hear the resolution read, they will stop their interrogation and withdraw their objection.

Mr. SPEAKER. Will the House give its unanimous consent to have the resolution read again? Are there objections?

Mr. EBERHARTER. Mr. Speaker, I object to a second reading of the resolution because I think it will be useless at this time.

The SPEAKER. The Chair hears objection.

QUESTION OF INFORMATION

Mr. WITKIN. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. WITKIN. Mr. Speaker, my question of information is that I am not thoroughly familiar with the contents of the resolution. I am now hearing interrogations upon that resolution, and in order that I may be fully apprised, as a member of this House, as to what the resolution contains, and that I may be fully informed as to the purport of the interrogations and the replies thereto, I ask the Speaker to direct the Clerk to read the resolution in order that I, as a member of the House, may have the necessary information upon which to form a proper judgment upon any subsequent vote which may take place upon the resolution.

The SPEAKER. For the information of the gentleman from Philadelphia, Mr. Witkin, the Chair wishes to state that the resolution is not a matter of business before the House. The gentleman from Delaware, Mr. Turner, asked unanimous consent to make a statement and this interrogation is following up that particular statement.

Mr. WITKIN. Mr. Speaker, there was a resolution introduced, and it is patent that the interrogation is upon that resolution. I take it, Mr. Speaker, that a member of the House has the inalienable right to know the subject matter both of the interrogation and of the statement. I very respectfully submit and very frankly admit that I do not know the full contents of that resolution, and all I am now requesting the Speaker of this House to do is to have it read, so that I may know the resolution that has been presented before this House. The interrogation is patently upon a resolution. The questions of the gentleman from Philadelphia, Mr. Burke, and the answers thereto of the gentleman from Delaware, Mr. Turner, are based upon a controversy that comes forth from a resolution that has been introduced.

I cannot see how any member of the House can possibly object to my asking that the resolution be read in order that I may know that concerning which there seems to be a great deal of time consumed, and I respectfully ask the Speaker to permit the House to rehear the resolution. I may say that in the ten years that I have been a member of this House I have never known of an objection being made to having anything read the second time for the information of the members. I am merely asking that the resolution be read for myself and the other members of the House who I do not believe have any knowledge as to the purport or importance of this resolution, and I renew my request to the Speaker of the House to permit the members of the House, as well as the visitors in the gallery, to know what is in that resolution upon which we are spending so much time.

Mr. BURKE. Mr. Speaker, I ask that a copy of the resolution be given to the gentleman from Philadelphia, Mr. Witkins, for his perusal.

The SPEAKER. Is there still objection to the reading of the resolution?

Mr. EBERHARTER. Mr. Speaker, it seems to me that the clerk read the resolution in the first place in a loud and clear voice. He had the benefit of the microphone, so that any member of this House who was interested in the business of the House could hear the resolution. I believe that the request for the reading of the resolution is merely an attempt to spar for time, and at the same time an attempt to impress upon both the visitors and members of the House that this a a partisan matter, a political matter, and therefore I renew my objection to the reading of this resolution a second time.

MOTION TO SUSPEND RULE

Mr. WITKIN. Mr. Speaker, the gentleman from Philadelphia, Mr. Burke, has suggested that a copy of the resolution be furnished me for my perusal. However, I take it that inasmuch as there are two hundred and eight members of the House, and that I don't constitute more than one member, that the entire membership should hear that resolution.

In view of the captious and technical objection raised by the gentleman from Allegheny, Mr. Eberharter, I now move to have Rule No. 84 suspended for the mere purpose of having the resolution read, not for its immediate consideration, but for the mere purpose of having it read so that the membership of this House may know just what is contained in this resolution, and concerning which the gentleman from Philadelphia, Mr. Burke, and my friend, the gentleman from Delaware, Mr. Turner, are respectively interrogating and replying to the interrogation.

I ask for a roll call upon the question of the suspension

of the rule, so that the resolution may be read for the information of myself, my Republican colleagues, and those on the Democratic side who would like to know what is contained in the resolution.

On the question,

Will the House agree to the motion?

The SPEAKER. The question before the House is the suspension of Rule No. 84 for the specific purpose of having this resolution read. It requires one hundred and five votes to pass this motion. A roll call having been asked for by the gentleman from Philadelphia, Mr. Witkin, and by the gentleman from Philadelphia, Mr. Blumberg, the roll will be called.

Mr. WITKIN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Eberharter.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. Eberharter. I will, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, will the gentleman from Allegheny, Mr. Eberharter, tell me why he objects to the resolution being read. Prefacing my question with the remark to the gentleman from Allegheny, Mr. Eberharter, that although the resolution was read, I did not hear it, and I do not know its contents, nor have I seen the resolution, nor had I any knowledge concerning the resolution prior to its introduction.

Mr. EBERHARTER. Mr. Speaker, in answer to the question of the gentleman from Philadelphia, Mr. Witkin, as I said when I renewed my objection, I do not believe that the gentleman from Philadelphia, Mr. Witkin, had for his purpose the obtaining of knowledge as what was in this particular resolution. I believe that his purpose in having this resolution read was merely to bring before the House a matter that had been already read, merely to waste the time of the members of the House. We have a good deal of important business to attend to this evening, and I do not believe that we will be serving the citizens of this State if we debate this resolution for a long period of time, and thus put off taking care of the relief question which is before us tonight.

Mr. WITKIN. Mr. Speaker, will the gentleman from Allegheny, Mr. Eberharter, take my word that the motive attributed to me in asking that this resolution be read a second time is incorrect, and that I give the gentleman from Allegheny my word that I didn't hear the resolution and that I haven't the vaguest idea other than that it refers to ten million dollars, and I merely want it read for my own information, sincerely and honestly.

Mr. EBERHARTER. Mr. Speaker, in answer to the question of the gentleman from Philadelphia, Mr. Witkin, I have no intention whatsoever of disputing his statement to the effect that he didn't have any knowledge of what was in the resolution. I believe he is honest in stating that he didn't know what was in the resolution, but, nevertheless, I do think that it is a waste of time to again read this resolution, especially in view of the fact that we have very important business to transact. We have to listen to the spokesmen of the unemployed, the hour is growing late now, and if it is just a matter of delay in listening to these speakers, I say we should not read this resolution over again, because under the rules, it should lie over in committee for one day to be printed.

Mr. ANDREWS. Mr. Speaker, the gentleman from Philadelphia, Mr. Witkin, has asked to have the resolution read for his information. I do not know of anyone in this House who needs information more than he upon this particular subject. I think we ought to read it.

Mr. WITKIN. Mr. Speaker, I want to reply to the gentleman from Allegheny, Mr. Eberharter, by saying that we on this side of the House have no particular place to go, we are not in a hurry, we will stay here until dawn if necessary, and we demand that the unemployed be given the right to speak before us, we are willing to have them speak before us, we are anxious to learn their problems, so that the endeavor upon the part of the gentleman from Allegheny to indicate that we are delaying the representatives of the unemployed to speak before us is an endeavor to cast muddy waters upon the scene. We will stay here, we are paid by the taxpayers to stay here, it is our duty and our obligation to listen to the unemployed, and I say to the gentleman from Allegheny———

POINT OF ORDER

Mr. TUMELTY. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. TUMELTY. Is there a motion before the House?

The SPEAKER. The question before the House is the suspension of Rule 84 to permit the reading of this resolution.

Mr. TUMELTY. Mr. Speaker, does that have anything to do with listening to the unemployed? Why is this being brought into the question? Why not stick to the question, dispose of it, and then we can listen to the unemployed.

Mr. WITKIN. Mr. Speaker, I merely want to call the attention of the gentleman from Philadelphia, Mr. Tumelty, and the gentleman from Allegheny, Mr. Eberharter, to the fact that by this time we could have heard the resolution read a hundred time and would have been ready to hear the unemployed.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. WITKIN and Mr. BLUMBERG.

Mr. WITKIN. Mr. Speaker I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—89

Altenburg,	Gates,	Nothnagle,	Sproul,
Andrews,	Gillette,	Panton,	Stewart,
Atkins,	Greenstein,	Parks,	Stockham,
Baker, F. T.,	Habbyshaw,	Perry,	Stott,
Baldi,	Hamilton, R. S.,	Peters,	Surface,
Barnhardt,	Hermansen,	Phillips,	Sweeney,
Beadman,	Hoffner,	Reynolds,	Tahl,
Bernhard,	Horst,	Rhys,	Terry,
Blumberg,	Jones,	Rinn,	Trout,
Boose,	Kane,	Roan,	Turner,
Boyd, R.,	Kelder,	Rooney,	VanAllsburg,
Boyer,	Kenney,	Root,	Wall,
Brennan,	Linderman,	Royer,	Wasserman,
Caputo,	Longaker,	Schrock,	Weidemann,
Carr,	Male,	Serrill,	Weiss,
Chervenak,	Mallen,	Shortz,	White,
Condon,	McCreary,	Shreiner,	Wickersham,
Cooper	McDevitt,	Simpson,	Wilner,
Davies,	McKinney,	Sloan,	Witkin,
Diehl,	Merrell,	Snyder, F. E.,	Wood,
Duffort,	Moore,	Snyder, J. L.,	Woodside,
Flynn,	Muir,	Sowers,	Yeakel,
Forrest,			

NAYS—94

Achterman,	Downey, G. E.,	LaRue,	Ruffennach,
Alexander,	Downey, J. J.,	Lovett,	Sarraf,
Allen,	Eberharter,	Lynch,	Schaeffer,
Anthony,	Eroe,	McDermott,	Schrope,
Arnold,	Finnerty,	McElroy,	Schwab,
Aukerman,	Fitch,	McHenry,	Shaw,
Baine,	Flanagan,	Mentzer,	Shugarts,
Baker, J. J.,	Flinchbaugh,	Moomaw,	Siegel,
Barber,	Gerard,	Mooney,	Simon,
Bradley,	Haberlen,	Moran,	Sinwell,
Brown, H. S.,	Haluska,	Moul,	Smith, J. A.,
Brown, J. E.,	Hamilton, F. P.,	Munley,	Smith, W. G.,
Brownfield,	Harkins,	Murrin,	Stank,
Brumbaugh,	Harmuth,	Nagel,	Stevens,
Burke,	Hartman,	O'Keefe,	Sumney,
Cannon,	Hetrick,	O'Neill,	Tronzo,
Carson,	Hindman,	Patterson, C.,	Tumelty,
Coakley,	Hirsch,	Patterson, J. W.,	VanSickle,
Cochran,	Holland,	Pearson,	Weilliver,
Cohen,	Holstrom,	Piole,	Welsh,
Coleman,	Kelso,	Powers,	Westrick,
Coolahan,	Kilroy,	Reising,	Yourishin,
Decker,	Kinney,	Robinson,	Furman,
Dent,	Klingler,		Speaker

So the question was determined in the negative and the motion was not agreed to.

REQUEST TO INTERROGATE

Mr. WITKIN. Mr. Speaker, if we are ready to have the Senate come in with us in joint session to hear the unemployed, I will release the floor for that purpose, but if we are not yet ready, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. The Chair wishes to advise the gentleman from Philadelphia that we are just about ready to go into joint session for the purpose of hearing the unemployed.

Mr. WITKIN. Mr. Speaker, I defer my request for recognition until after the Senate has come in and we have finished hearing the unemployed.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to announce that the House and the Senate will go into a joint hearing for the purpose of hearing the speakers from the Workers Alliance of America. This meeting will convene in about five minutes and will last approximately an hour. The members will be at ease awaiting the appearance of the Senate in the hall of the House.

RECESS

The SPEAKER. The Chair now declares a recess of one hour for the purpose of hearing speakers of the Workers Alliance of American.

The CHAIR asks the President of the Senate to take charge of the meeting and also asks the President Pro Tempore to a seat on the rostrum.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The SPEAKER. The time of the recess having expired the House will be in order.

RESOLUTION READ SECOND TIME

Mr. WITKIN. Mr. Speaker I ask unanimous consent of the House to have the resolution introduced by the gentleman from Delaware, Mr. Turner, read again for the information of the House. I believe that the gentleman from Allegheny Mr. Eberharter is convinced that the resolution was not heard by several members of the House at the time of its reading.

The SPEAKER. Will the House give its unanimous consent for the second reading of the resolution introduced by the gentleman from Delaware, Mr. Turner? Are there objections? The Chair hears none and the Clerk will read the resolution the second time.

The resolution was read by the Clerk.

The SPEAKER This is not a privileged resolution and will be filed with the Clerk under the rules.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 20, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts" as amended by revising certain registration fees and revising existing regulations for weight of certain vehicles.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 24, entitled:

An Act to further amend sections five hundred two and six hundred eight of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand five) entitled "An act relating to and regulating tractors and trailers and their operation providing for the registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships with the Commonwealth liability for damages caused tby the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by revising certain registration fees and existing regulations for weight of certain vehicles.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 15, as follows:

An Act transferring money from the Liquid Fuels Tax Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the moneys in the Liquid Fuels Tax Fund upon the effective date of this act are hereby transferred to the General Fund and that any moneys coming into the Liquid Fuels Tax Fund between the effective date of this act and June thirtieth one thousand nine hundred thirty-six shall be transferred to the General Fund immediately upon their payment into the Liquid Fuels Tax Fund But the total amount to be transferred upon this section shall not exceed three million dollars ($3,000,000)

The purpose of this transfer is to provide funds for unemployment relief To the extent to which this transfer makes it necessary the use of the transferred fund for its ordinary purposes shall be postponed, but not otherwise modified

Section 2 The amounts transferred under this act from the Liquid Fuels Tax Fund to the General Fund shall be repaid to the Liquid Fuels Tax Fund out of the General Fund not later than May thirty-first one thousand nine hndred thirty-seven

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 25, as follows:

An Act imposing a temporary State excise tax on electric power and current generated manufactured and sold within this Commonwealth providing for the collection of the tax and the disposition of the revenue derived therefrom imposing certain costs on counties conferring power and imposing duties on certain persons associations partnerships corporations and State departments and imposing penalties

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Electric Power Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" A corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other State territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Exemptions (a) Every person engaged in the business of manufacturing or generating hydroelectric power and current in this Commonwealth shall be subject to the payment of a State excise tax of three-quarter (¾) mill upon each kilowatt hour of hydroelectric power and current so manufactured or generated

(b) Every person engaged in the business of manufacturing or generating electric power and current by the use of steam power in this Commonwealth shall be subject to the payment of a State excise tax of three-quarter (¾) mill upon each kilowatt hour of electric power and current so manufactured or generated

(c) Every person engaged in the business of selling electric power and current within this Commonwealth shall be subject to the payment of a State excise tax of three-quarter (¾) mill upon each kilowatt hour of electric power and current sold in this Commonwealth Provided That if such seller procures electric power or curcent which has been subject to the payment of the excise tax hereinbefore provided a credit on said tax to the amount of the excise tax already required to be paid by the person manufacturing or generating the same within this Commonwealth shall be allowed Provided further That the provisions of this act shall not apply to the electric power or curren manufactured or generated in another state and brought into this Commonwealth until such power or current has lost its interstate character and immunities

(d) The excise taxes imposed by this section shall not be payable upon electric power and current manufactured generated or sold by the Commonwealth or any political subdivision thereof

(e) The excise taxes imposed by this section shall be in addition to all other taxes which now are or may hereafter be imposed by law

Section 4 Report and Payment of Tax For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every person liable to pay tax under this act on or before the fifteenth day of each month to transmit to the department upon a form prescribed and furnished by the department a report under oath or affirmation of electric power and current manufactured generated or sold in this Commonwealth during the preceding month upon which electric power and current tax is imposed by this act Such report shall show the number of kilowatt hours of such electric power and current manufactured generated or sold in the Commonwealth during the period for which it is made and such further information as the department shall prescribe

Every person liable for tax under this act at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on electric power and current manufactured generated or sold by him during the preceding month The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the fifteenth day of the next succeeding month and shall bear interest at the rate of one per centum per month or fractional part of a month from the date they are due and payable until paid

If any person liable to pay tax under this act shall neglect or refuse to make any report or payment as herein required an additional ten per centum of the amount of the tax shall be added by the department and collected as hereinafter provided

Section 5 Determination and Redetermination of Tax Penalties and Interest Due (a) If the department is not satisfied with the report and payment of tax made by any person under the provisions of this act it is hereby authorized and empowered to make a determination of the tax due by such person based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such persons Within thirty (30) days after the date

of any such determination such person may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons whcih the petitioner believes entitles him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within ninety (90) days after the date of any determination to dispose of any petitions for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty (30) days after notice by the department of the action taken on any petition for redetermination filed with it the person against whom such determination was made by petition such action Every petition for review filed hereunder shall state specifically the reason upon which the petitioned relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of said board to dispose of any such petition within ninety (90) days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department of any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) If any person liable to pay tax under this act shall neglect or refuse to make any report or payment of tax required by this act the department shall estimate the tax due by such person and determine the amount due by him for taxes penalties and interest thereon as prscribed herein from which determination there shall be no right of review or appeal

Section 6 Requirements as to Meters Every person engaged in the business of manufacturing generating or selling electric power and current in this Commonwealth shall provide himself with and maintain the necessary meters or other instruments to show the amount of electric power and current manufactured generated or sold expressed in kilowatt hours and shall keep permanent legible records showing the number of kilowatt hours of electric power and current so manufactured generated or sold in each day

Section 7 Examination of Records and Equipment The department or any agent appointed in writing by it is hereby authorized to enter upon the premises and to examine the books papers records meters instruments and any other equipment and to investigate the character of the business of any person liable to pay tax under this act pertaining to the manufacture generation or sale of electric power and current taxable under this act to verify the accuracy of any report or payment made under the provisions of this act or to ascertain whether or not the tax imposed by this act has been paid but any information gained by the department as the result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1000) and costs of presecution or tc undergo imprisonment of not more than one (1) year or both in the discretion of the court

Every person is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations

Section 8 Retention of Records Penalty Each person liable to pay tax under this act shall maintain and keep for a period of two years such record or records of electric power and current manufactured generated or sold in this Commonwealth by him together with such other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment for not more than one (1) year or both in the discretion of the court

Section 9 Collection of Unpaid Taxes Whenever the taxes penalties or interest imposed by this act are not paid within thirty (30) days fater the date of their determination if no petition for redetermination has been filed or from the date of undetermination if no petition for review has been filed or within ninety (90) days from the date of the decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judical sales assignments or bankruptcies the department shall call upon the Department of Justice to collect the same

On all claims for taxes penalties and interest hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the taxpayer for the use of the Commonwealth an Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dollars ($10.000.00) and three (3) per centum upon the amount of the recovery in excess of ten thousand dollars ($10,000.00) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

Section 10 Enforcement Rules and Regulations The department shall be charged with the enforcement of the provisions of this act and it is hereby authorized and empowered to prescribe adopt promulgae and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act Such rules and regulations shall have the same force and effect as law and violations thereof shall be punishable as hereinafter provided

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section 11 Disposition of Taxes Interest and Penalties All taxes interest and penalties received and collected under the provisions of this act shall be paid into the State Treasury through the department and shall be used only for unemployment relief purposes and for such purposes are hereby appropriated

Section 12 Violations (a) Any person who shall fail neglect or refuse to make the report and pay the tax interest and penalties imposed by this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books records papers meters instruments or other equipment pertaining to the manufacture generation or sale of electric power and current in this Commonwealth or who shall make attempt to do anything whatsoever to avoid a full disclosure of the amount of electric power and current manufactured generated or sold or to avoid the payment of the whole or any part of the tax interest and penalties due shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand ($1,000.00) and costs of prosecution or to undergo imprisonment for

not more than one (1) year or both in the discretion of the court

(b) Any person who shall violate any rule or regulation of the department prescribed adopted or promulgated relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) and costs of prosecution or to undergo imprisonment for not more than six months (6) months or both in the discretion of the court

Section 13 Constitutionality If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional section sentence clause or part thereof not been included therein

Section 14 Effective Date This act shall become effective the first day of the month succeeding its final enactment and shall remain in force for a period of twelve months from the effective date thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT

Mr. NOTHNAGLE. Mr. Speaker I move that this bill be recommitted to the Committee on Ways and Means for the purpose of a hearing.

The motion was not agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 28, entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of th same That section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" as last amended by the act approved the thirty-first day of May one thousand nine hundred thirty-three (Pamphlet Laws one thousand one hundred thirty) be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Rpresentatives of the Commonwealth of Pennsylvania in Gneral Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of March in each and every year make to the Department of Revenue a report in writing verified as required by law setting forth the full number of shares of the capital stock subscribed for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say for the calendar year ending December thirty-first one thousand nine hundred thirty-six at the rate of [four] eight mills upon each dollar of the actual value thereof and thereafter at the rate of five mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid i the surplus and undivided profits and dividing this amount by the number of shares It shall be the duty of every bank or savings institution within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of [four] eight mills or five mills as the case may be on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the provisions of this act that have been subscribed for or issued and pay the same into the State Treasury through the Department of Revenue the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

On the question,

Will the House agree to the section?

Mr. HARKINS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 22 by striking out after the word "of" and before the word "mills" the word: "[five]" and inserting in lieu there the word: "four"

On the question,

Will the House agree to the amendment?

It was agreed to as amended.

The second section and the title were separately read and agreed to as follows:

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred thirty-six and thereafter

An act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 3, entitled:

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class providing for the collection of such taxes by the county treasurers and providing for their compensation

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the office of collector of delinquent taxes appointed by the county treasurer in any county of the second class by virtue either of any general special or local act is hereby abolished Provided however That such collectors of delinquent taxes who shall upon the effective date of this act have in their possession a warrant or warrants for the collection of delinquent taxes that are not fully executed shall continue to collect such taxes with the same powers as heretofore and shall receive therefor the same compensation

None of the penalties for delinquent payments of taxes imposed under the provisions of existing laws whether as compensation to the said delinquent tax collectors or otherwise shall be abated or otherwise effected by the provisions of this act but the full amount of the same shall be collected as hereinafter provided and paid into the county treasury for the use of the county

On the question,

Will the House agree to the section?

Mr. WITKIN. Mr. Speaker may I interrogate the gentleman from Allegheny, Mr. O'Keefe, for the purpose of ascertaining whether there is any objection to the bill. I think it will simplify matters if the Chair will permit me to interrogate the gentleman.

The SPEAKER. Will the gentleman from Allegheny, Mr. O'Keefe, permit himself to be interrogated?

Mr. O'KEEFE. I will, Mr. Speaker.

Mr. WITKIN. May I ask the gentleman from Allegheny, Mr. O'Keefe, whether this bill merely applies to Allegheny county.

Mr. O'KEEFE. That is correct, Mr. Speaker.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second, third and fourth sections and title were separately read and agreed to as follows:

Section 2 The county treasurer in counties of the second class shall collect all delinquent county taxes for which services he shall receive no additional compensation

Section 3 All acts and part of acts general local and special inconsistent with the provisions of this act are hereby repealed

Section 4 This act shall become effective upon the fifteenth day of August one thousand nine hundred and thirty-six.

An act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class providing for the collection of such taxes by the county treasurers and providing for their compensation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 21, as follows:

An Act imposing a temporary license tax for the privilege of operating maintaining or controlling within this Commonwealth a store or stores as herein defined prescribing the method and manner of collecting such tax and its disposition and providing penalties

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Store Tax Act"

Section 2 Definitions That the following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" A corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Person" Every natural person association corporation receiver or assignee

"Store" Any store or any mercantile establishment in which or from which tangible personal property of any kind is sold either at retail or wholesale

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 License It shall be unlawful for any person to open establish operate maintain or control any store in this Commonwealth without first having obtained a license so to do from the department as hereinafter provided but each person engaged in the operation maintenance or control of such a store on the effective date of this act shall have sixty (60) days within which to obtain such license for each such store operated maintained or controlled by him A separate license shall be procured for each store Licenses issued under this act may not be transferred or assigned Each licensee shall display each license so issued in a conspicious place in the store for which such license is issued

Section 4 Application for License Any person desiring to open establish operate maintain or control such a store in this Commonwealth shall apply to the department for a license so to do The application for license shall be made on a form prescribed and furnished by the department and shall set forth the name of the person desiring such license the name and location of the store for which the license is desired and such other information as the department may require Each such application shall be accompanied by the proper license tax as hereinafter prescribed in this act

Section 5 License Taxes Every person opening establishing operating maintaining or controlling one or more stores within this Commonwealth under the same general management supervision or ownership shall pay a license tax for the privilege of opening establishing operating maintaining or controlling such store or stores as follows

(1) Upon one store the sum of one dollar ($1.00)

(2) Upon each store in excess of one but not to exceed five stores the sum of five dollars ($5.00) for each such additional store

(3) Upon each store in excess of five but not to exceed ten stores the sum of ten dollars ($10.00) for each additional store

(4) Upon each store in excess of ten but not to exceed fifteen stores the sum of twenty dollars ($20.00) for each such additional store

(5) Upon each store in excess of fifteen but not to exceed twenty stores the sum of thirty dollars ($30.00) for each such additional store

(6) Upon each store in excess of twenty but not to exceed thirty stores the sum of fifty dollars ($50.00) for each such additional store

(7) Upon each store in excess of thirty but not to exceed fifty stores the sum of one hundred dollars ($100.00) for each such additional store

(8) Upon each store in excess of fifty but not to ex-

ceed seventy-five stores the sum of two hundred dollars ($200.00) for each such additional store

(9) Upon each store in excess of seventy-five but not to exceed one hundred stores the sum of two hundred and fifty dollars ($250.00) for each such additional store

(10) Upon each store in excess of one hundred but not to exceed two hundred stores the sum of three hundred and fifty dollars ($350.00) for each such additional store

(11) Upon each store in excess of two hundred but not to exceed five hundred stores the sum of four hundred and fifty dollars ($450.00) for each such additional store

(12) Upon each store in excess of five hundred stores the sum of five hundred dollars ($500.00) for each such additional store

Section 6 Ownership Two or more stores shall for the purpose of this act be considered under the same general management supervision or ownership if directly or indirectly controlled by a single person or any group of persons having a common interest in such stores or if any part of the gross revenues net revenues or profits from any such stores shall directly or indirectly be required to be immediately or ultimately made available for the beneficial use or shall directly or indirectly inure to the immediate or ultimate benefit of any single person or any group of persons having a common interest therein

Section 7 Penalty Any person operating maintaining or controlling a store without a license as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) and costs of prosecution Each and every day that such violation shall continue shall constitute a separate and distinct offense

Section 8 Examination of Records Penalty The department or any duly authorized agent thereof shall have the power to examine the books records papers and files within or outside the Commonwealth of any person operating maintaining or controlling a store within this Commonwealth It shall have the power to examine witnesses under oath to verify the accuracy of any application or to ascertain whether or not any license tax is due which has not been paid Any person refusing to allow an examination of his books records papers and files as herein provided or who refuses to furnish the department with any information requested shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars ($50.00) nor more than one hundred ($100.00) and costs of prosecution Each such refusal shall be deemed a separate offense

Section 9 Disposition of Tax and Fines All taxes and fines received collected or recovered under this act shall be paid into the State Treasury through the department and credited to the General Fund

Section 10 License Tax in Addition to Existing Taxes The license tax imposed by this act shall be in addition to any taxes now imposed or that may subsequently be imposed by law

Section 11 Constitutionality If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional section sentence clause or part thereof not been included therein

Section 12 Effective Date This act shall become effective immediately upon final enactment and shall remain in force only for the imposition and collection of license taxes on stores for a period of one year from the effective date hereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 27, entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax removing certain exemptions changing the listing date the date of filing reports and the date and manner of payment of the tax and making further provisions with regard to penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of th same That Sections three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three and twenty-four of the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" be and the same are hereby amended to read as follows

Section 3 Tax on Mortgages Judgments Et Cetera Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for State purposes at the rate of [one mill] four mills on each dollar of the value thereof as of a date to be fixed annually in the manner provided in section five of this act and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes all loans issued by any corporations association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section [nineteen] eighteen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government [except] including shares of stock in any [bank] corporation or limited partnership that may be liable to a tax on [its share or] its capital stock for State purposes under the laws of this Common-

wealth or relieved from the payment of tax on [its shares or] capital stock for State purposes by the laws of the Commonwealth Provided That this section shall not apply to shares of stock in any bank bank and trust company national bank or savings institution that may be liabile to a tax on its shares for State purposes under the laws of this Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned or used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars ($200) Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest-bearing accounts in any bank or banking institution savings institution or trust company and provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said [one mill] four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said [one mill] four mills tax on any of the said securities bonds or other evidences of indebtedness as may be held owned or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief owned by or owing to the said savings institution having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for any local purpose under the laws of this Commonwealth except for county purposes and in cities coextensive with counties for city and county purposes as now provided by law And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated hereafter received from any person or persons copartnership or unincorporated association or company non-resident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth

Section 4 Returns and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under the third section of this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of [March] February of each year to transmit to the department upon a form prescribed prepared and furnished by the department a return under oath or affirmation of

(1) The aggregate value of each of the different classes of property made taxable by the third section of this act held owned or possessed by such resident as of the date fixed annually in the manner provided in section five of this act either in his own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

(2) The amount of interest dividends or other income derived from each class of such property at any time during the preceding calendar year and

(3) Such other information as may be required by the department concerning such property

The failure of any taxable resident to receive or procure a return form shall not excuse him from making a return

(b) The return so made shall be sworn or affirmed to by the person making the same if an individual and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making the return prescribed by this section for the taking of which oath or affirmation no charge shall be made Any such agent who shall make any charge for administering such oath or affirmation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year either or both in the discretion of the court

(d) The tax imposed by section three hereof shall be due and payable when such return is required to be filed and every resident at the time of making every return shall compute and pay to the department the tax due the Commonwealth by such resident

Section 5 Listing Date The department shall on or before the [first] fifteenth day of [February] January one thousand nine hundred [thirty-six] thirty-seven and annually thereafter fix a day as of which the property made taxable by the third section of this act shall be listed and assessed The day so fixed shall be between the first and the fifteenth days of the [immediately preceding] month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property [if] If through inadvertence mistake or otherwise the department fails to designate or fix such date of if such date does not appear on the form for making return of such property the date as of which such property shall be listed and assessed shall be the immediately preceding first day of January

[Section 6 Original Assessment Notice The Department shall originally assess the tax imposed by the third section of this act on the basis of the return duly made Promptly after the date of such original assessment the department shall give or send by mail or otherwise a notice thereof to the taxpayer If the taxpayer is dissatisfied with the original assessment so made he may petition for a reassessment in the manner hereinafter provided]

Section [7] 6 Estimated Assessment Notice If any resident liable for or believed by the department to be liable for the tax imposed by the third section of this act shall fail to refuse to file a return in the manner and within the time prescribed by this act the department shall make an estimated assessment against him The department shall promptly threafter give or send by mail or otherwise notice of such estimated assessment to such resident At

any time within thirty (30) days after notice of such estimated assessment is so given or sent such resident may file a return under oath or affirmation with the department [and if the department is satisfied that such return is correct and includes all property made taxable by the third section of this act or that such resident owned held or possessed no such taxable property it shall assess the tax if any on the basis of the return so much together with a penalty of ten per centum of the gross amount of taxable property returned] and at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of [six] twelve per centum per annum from the time such property should have been returned [to the date of assessment and shall cancel the estimated assessment] together with a penalty of ten per centum of the amount of the tax due Any resident against whom an estimated assessment is made who shall fail or refuse to file a return and compute and pay the tax interest and penalty in the manner and within the time provided in this section shall have no right to appeal therefrom or to petition for a reassessment and in any suit for the collection of a tax so assessed shall not be permitted to set up as a defense that he owned held or possessed no property made taxable by the third section of this act or any other matter of defense whatsoever If any resident shall file a return [is filed] before an estimated assessment is made but not within the time required by this act [a penalty of ten per centum shall be added to the amount of property so returned and the tax assessed on the basis thereof with interest at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] such resident at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of twelve per centum per annum from the time such property should have been returned together with a penalty of ten per centum of the tax due

Section [8] 7 Additional Assessment Notice If any taxable resident shall fail to include in any return all of his property made taxable by the third section of this act or shall fail to compute and pay tax thereon as required in this act the department shall make an additionl assessment of tax against such resident [of] on the amount of such omitted property together with a penalty of ten per centum of such [amount and interest thereon at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] additional assessment Promptly thereafter the department shall give or send by mail or otherwise notice thereof to such resident If such resident is dissatisfied with the additional assessment so made he may petition for a reassessment in the manner hereinafter provided

Section [9] 8 Assessments Made at any Time within Five Years An additional assessment or estimated assessment as heretobefore provided may be made by the department at any time within five (5) years after any property owned held or possessed or alleged to have been so owned held or possessed by an resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and nothwithstanding the department shall have made previous additional or estimated assessments against such resident In any such case no credit shall be given for any penalty formerly assessed and paid

Section [10] 9 Petition for Reassessment Appeal (a) Any resident against whom [any original assessment or] an additional assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department [prior to the time the amount becomes due and payable to wit Within] within thirty (30) days after notice of such [original assessment or] additional assessment is given or sent by the department to the taxpayer as provided in this act The department shall hold such hearings in each county as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who has duly notified the department or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the ground upon which it is claimed the [original or] additional assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

(b) If such petitioner is dissatisfied with the action of the department on his petition for reassessment [or if any resident against whom an estimated assessment is made and who has duly thereafter made a return as heretofore provided is dissatisfied with the refusal of the department to assess the tax on the basis of the return so made and to cancel the estimated assessment] he shall have the right to appeal to the court of common pleas of the proper county at any time within thirty (30) days after notice of such action [or refusal] is given to him by the department If any resident shall fail to give due notice of an intention to petition for a reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as aforesaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section [11] 10 Information at Source Reports (a) The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal estate of such decedent for the purpose of determining the transfer inheritance tax imposed theron by existing law shall in addition thereto file with such register of wills or clerk of the orphans' court a statement in duplicate under oath or affirmation setting forth the items included in such inventory or affidavit which may be liable to the tax imposed by the third section of this act The register or clerk with whom the same is filed shall forthwith send one copy thereof to the department It shall be the duty of the department to proceed at once to assess the tax due from such decedent with interest and penalties as heretofore provided in this act and to present a claim therefor through the Department of Justice to the orphans' court of the proper county or to proceed by action or suit at law through the Department of Justice in any court of competent jurisdiction for the recovery thereof or to take any or all appropriate steps or procedure necessary for the collection of such tax

(b) It shall be the duty of the recorder of deeds in each and every county in this Commonwealth to keep a daily record separate and apart from all other records of every mortgage or article of agreement given to secure the payment of money entered in his office for recording which record shall set forth the following information to wit The date of the mortgage or agreement the names of the parties thereto the just sum of money secured the precise residence of the mortgagee or person to whom interest is payable a brief description of the real estate upon which such mortgage is secured and the date or several dates when the said sum or portion of the said sum shall become due and payable and a like daily record of every assignment of a mortgage or an article of agreement given to secure the payment of money and also the number of mortgages and agreements together with the amount of same and the names of the parties thereto which shall have been that day satisfied of record For the purpose of obtaining with accuracy the precise residence of all mortgagees assignees and persons to whom interest is payable on articles of agreements it shall be

the duty of the recorder of deeds in each county whenever a mortgage assignment or agreement given to secure the payment of money shall be presented to him for record to refuse the same unless the mortgage assignment or agreement has attached thereto and made part thereof a certificate signed by the mortgagee assignee or person entitled to interest or his duly authorized attorney or agent setting forth the precise residence of such mortgagee assignee or person entitled to interest and such certificate shall be recorded with the mortgage assignment or agreement Every recorder of deeds on the first Monday of each month shall file the aforesaid daily record or a copy thereof with the department

(c) It shall be the duty of the prothonotary or clerk of the court of common pleas in each and every county in this Commonwealth forthwith upon the passage of this act to keep a daily record separate and apart from all other records of every single bill bond judgment or other instrument securing a debt entered of record in his office Such daily record shall set forth the following information to wit The date of the instrument the names of the plaintiff and defendant together with the precise residence of the plaintiff or person to whose use such bill bond judgment or other obligation to pay money is marked whenever such residence can be ascertained the just sum secured and the date or several dates when the said sum or portion of the same shall become due and payable with the further information whether any of said bonds or judgments are accompanied with mortgages and also the number of every single bill bond judgment or other instrument securing a debt together with the amount of same and the names of the plaintiff and defendant thereto which shall have been that day satisfied The prothonotary or clerk of the court of common pleas shall file the aforesaid daily record or a copy thereof with the department on the first Monday of each month

Section [12] 11 Compensation of Recorders and Prothonotaries The several recorders of deeds prothonotaries and court clerks as aforesaid shall be entitled to receive ten cents for each and every mortgage judgment or lien assignment or satisfaction thereof reported to the department as heretofore required in this act Such fees shall be paid by the respective county treasurers on the presentation of proper vouchers certified by the department and shall be applied in like manner as other fees received by such recorders prothonotaries or clerks Provided That no fee shall be allowed in any case where the residence of any plaintiff mortgagee or assignee is omitted in such reports And provided further That the amount allowed any prothonotary or clerk or recorder of deeds under this act shall not exceed the sum of six hundred dollars ($600.00) per annum

Section [13 Payment and] 12 Due Date All taxes [penalties and interest resulting from any original] whether a report is filed as herein required or whether an estimated or additional assessment is made by the department shall be due and payable [within thirty (30) days after notice of such original or additional assessment is given or sent by the department as heretofore provided if no petition for reassessment is taken or within thirty (30) days after notice of the determination of such petition if no appeal is taken All taxes penalties and interest resulting from any estimated assessment made by the department shall be due any payable within thirty (30) days after the expiration of the time within which a return may be made in such cases if no return is made and thirty (30) days after notice of the assessment made on the basis of such return is given or sent as heretofore provided if such return is made and the tax assessed on the basis thereof] on the fifteenth day of February of each year

Section [14] 13 Interest The tax imposed by the third section of this act shall bear interest at the rate of twelve per centum per annum from the date such tax is due and payable until paid except that any tax found due as the result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six per centum per annum from the date the tax was originally due and payable until paid [Any balance finally found due by the department as a result of a reassessment shall bear interest at the rate of twelve per centum per annum from the time such amount was originally due and payable until paid]

Section [15] 14 Lien of Taxes (a) All taxes imposed under the third section of this act together with all penalties and interest shall be considered a public account after [being assessed] becoming due and payable in the manner prescribed in this act and as such shall be a lien upon the franchises and real property of the resident against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchises or property are situated.

(b) The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by the third section of this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are originally employed

Section [16] 15 Credits for Overpayment The Board of Finance and Revenue may allow a credit for any taxes imposed by the third section of this act and penalties and interest thereon [alleged to have been] paid [as the result of an error of law or of fact or of both law and fact] to the Commonwealth and which the Commonwealth is not rightfully or equitably entitled Claims for such credits shall be made in accordance with the provisions of "The Fiscal Code" relative to petitions for refunds of taxes No petition for such credit shall be considered by the board unless filed with the board within two (2) years of the payment alleged to have been erroneously made

Upon the allowance of any such petition the credit so determined may be applied against any amount due or subsequently becoming due by such petitioner on account of taxes imposed by the third section of this act and penalties and interest thereon or may be assigned in whole or in part to any other taxable resident to be applied against any amount due or subsequently becoming due by such resident on account of taxes imposed by the third section of this act and penalties and interest thereon Upon the allowance of a petition for credit the board shall issue its certificate under its hand and seal and no credit claimed whether assigned or not shall be allowed unless evidenced by such certificate

Section [17] 16 Penalties Costs (a) Every person or officer who shall wilfully and corruptly make a false and fraudulent return of property made taxable by the third section of this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law

(b) Any wilful failure on the part of recorders of deeds or prothonotaries or clerks to carry out the duties imposed upon them by section [eleven] ten of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the descretion of the court

(c) Every register of wills who shall fail to send copies of affidavits filed with him by executors or administrators to the department as required by section [eleven] ten of this act shall be guilty of a misdemeanor and upon conviction thereof the register so failing shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the descretion of the court

(d) Every executor or administrator who fails to file the affidavit with the register of wills as required by section [eleven] ten of this act shall be subject to a penalty of twenty-five dollars ($25.00) for the first day and ten dollars ($10.00) for each succeeding day during which such affidavit is not filed to be collected by the department through the Department of Justice in the same manner as debts are by law collected

(e) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for

failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(f) Any person who shall fail neglect or refuse to make the return required by section four of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred dollars ($200.00) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the descretion of the court

Section [18] 17 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by the third section of this act Every such resident is hereby directed and required to give the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized The department is hereby authorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such property The procedure for such hearing or examination shall be the same as that provided by "The Fiscal Code" relating to inquisitorial powers of fiscal officers

Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act shall be confidential except for official purposes and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred ($500.00) or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

(c) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section [19] 18 Tax on Script Bonds Et Cetra Imposition and Rate of Tax All script bonds certificates and evidences of indebtedness issued and all script bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth and all script bonds certificates and evidences of indebtedness issued are hereby made taxable [for the year one thousand nine hundred and thirty-six and annually thereafter] for State purposes during the calendar year one thousand nine hundred thirty-six on reports filed for the calendar year one thousand nine hundred thirty-five or for the fiscal year beginning in the calendar year one thousand nine hundred thirty-five at the rate of one mill on each dollar of the nominal value thereof and during the calendar year one thousand nine hundred thirty-seven on reports filed for the calendar year one thousand nine hundred thirty-six or the fiscal year beginning in the calendar year one thousand nine hundred thirty-six at the rate of four mills on each dollar of the nominal value thereof which tax shall be in addition to the tax imposed for State purposes by section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements Provided That Whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten (10) days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidence of indebtedness under the provisions of the third section of this act that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of the third section of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in the third section of this act Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deductions from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest-bearing accounts in any bank banking institution savings institution or trust company And provided further That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said (one mill) four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said [one mill] four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock

associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under this section are not taxable under the third section of this act and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under the third section of this act.

Section [20] 19 Collection of Tax The tax for State purposes imposed upon obligations of private and public corporations by section [nineteen] eighteen of this act shall be collected in the same manner as the tax imposed for State purposes upon such obligations by section seventeen of the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements it being the true intent and meaning of this act that the provisions of the law in force at the time of the passage of this act relating to the manner of the collection of the State tax upon such obligations shall remain unaffected by this act.

Section [21] 20 Disposition of Tax Interest Fees Fines Forfeitures and Penalties All taxes and interest that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury through the department

All moneys paid into the State Treasury from taxes for the first year for which a tax is imposed by the provisions of this act shall be used only for unemployment relief purposes and for such purposes are hereby appropriated and all moneys paid into the State Treasury during the second year this act is in effect shall be credited to the General Fund

Section [22] 21 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional sentence section clause or part thereof not been included herein

Section [23] 22 Effect on Other Acts of Assembly Nothing contained in this act shall be deemed to repeal or modify the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and its amendments or supplements The taxes imposed by this act shall be in addition to all other taxes which are now or hereafter imposed by law

Section [24] 23 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force for the assessment and collection of taxes under section three of this act for the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven and for the collection of taxes under section [nineteen] eighteen of this act during the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six

On the question,

Will the House agree to the section?

Mr. HARKINS. Mr. Speaker, I desire to offer the following amendments:

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 9, line 1, by striking out the word "of" and insert in lieu thereof the word: "or"

Amend Sec. 1, page 9, line 29, by striking out the word "much" and insert in lieu thereof the word: "made"

Amend Sec. 1, page 15, line 22, by striking out the word "asignee" and insert in lieu thereof the word "assignee"

Amend Sec. 1, page 19, line 3, by striking out the word "originally" and insert in lieu thereof the word: "ordinarily"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

Mr. WICKERSHAM. Mr. Speaker, I desire to offer the following amendments:

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 7, line 6, by inserting after the word "return" the following: "in duplicate, the original"

Amend Sec. 1, page 7, by inserting after line 21, the following paragraph: "The duplicate unsworn return shall be forwarded by the Department of Revenue to the county commissioners, Board of Revision of Taxes or board for the assessment and revision of taxes, as the case may be, of the county from which the return was made for its use and information."

Amend Sec. 1, page 22, line 18, by inserting after the word "act" the following: "and any information gained by the county commissioners, Board of Revision of Taxes or board for the assessment and revision of taxes as the result of duplicate returns received from the department"

On the question,

Will the House agree to the amendments?

Mr. HARKINS. Mr. Speaker and members of the House, I rise to ask that these amendments be voted down for the reason that the addition of these amendments will complicate the enforcement of this act; it will cause a tremendous burden to be placed upon the Department of Revenue in the enforcement and collection of this tax. It appears that no good service will be rendered by the addition of the obligation on the Department of Revenue to furnish the individual counties with duplicate returns, and it will entail an unnecessary and large expense in regard to the gathering, the filing, and the mailing of these duplicate returns to the particular counties. It seems to me that this will complicate the act in its enforcement and will perhaps seriously interfere with the mechanics of the enforcement of this act, and I therefore ask the support of the members of this House in voting down these amendments.

Mr. WICKERSHAM. Mr. Speaker and members of the House, the purpose of these amendments is quite simple. The purpose is to give the County Commissioners throughout the State some reliable information upon which they will be able to collect the four mill personal property tax in collecting the amount due to the County. Under the present law there are no teeth in the act, and the County Commissioners have no way of ascertaining the amount of personal property under their jurisdiction. Under the law

as it is the County Commissioners can only get the amount of the personal property upon which the four mill tax is levied. All these amendments provide is that the Department of Revenue returns shall be in duplicate, and that the duplicate shall be sent to the County Commissioners of the counties in which they are made. This will require very little additional work on the part of the Department of Revenue. The amendments are purely non-political. I submitted them to the Department of Revenue before I offered them, and they met the approval of Mr. Evleth, Deputy Secretary of the Department of Revenue. The result will be that the people who are interested in the reduction of taxes in your own district can do a great deal toward aiding that reduction by helping the County Commissioners to collect the personal property tax due them. This amendment does not levy any new tax, but merely aids in the collection of the present tax. I respectfully submit that the amendment is non-political and deserves the support of both sides of the House.

Mr. HARKINS. Mr. Speaker, I rise to answer but one point raised by the gentleman from Dauphin, Mr. Wickersham, with regard to the inability of the counties to properly enforce the present four mill tax. I would like to call their attention to the fact that the County Commissioners have been empowered in the various counties properly to enforce the Act, and if the County Commissioners in the particular counties wish to do so, they can so do. The purpose of this Act is to raise a fund and it is not to become the teeth for the enforcing of some other act which is to benefit the counties. This Act will in turn benefit the counties because it will raise funds for the purpose of relief in those particular counties. I say to the gentleman from Dauphin, Mr. Wickersham, that the County Commissioners in our County of Allegheny have in the past few years demonstrated that this law with regard to the four mill tax for counties has teeth in it, and the amounts so levied and so collected have been increased there by the County Commissioners enforcing the Act.

The purpose of this Act is not to be confused with the the purpose of the County Act, and due to the fact that there have been reports made for a much longer period of time by the various counties, and due to the fact that this increase will be temporary for this particular year, I feel that it will conflict with the enforcement of the Act very seriously and I feel that it will hamper the Department of Revenue if we adopt the amendments offered by Mr. Wickersham. I therefore ask the members of the House to vote down those amendments.

Mr. WICKERSHAM. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Harkins.

The SPEAKER. Will the gentleman from Allegheny, Mr. Harkins, permit himself to be interrogated?

Mr. HARKINS. I will, Mr. Speaker.

Mr. WICKERSHAM. Mr. Speaker, I desire to know from the gentleman from Allegheny, Mr. Harkins, how under our present laws the County Commissioners are to reach the proper assessment of the tax payers' liability where he fails to make any return?

Mr. HARKINS. Mr. Speaker, I would answer the gentleman's question by informing him of a matter which he probably does know, that the assessor in that particular county who is assessing the taxable value of the personal property of the particular person who is to be taxed, is empowered by the law to make an assessment of the property which the assessor feels or which the assessor has reason to believe is the amount owned by that individual.

On the question recurring,

Will the House agree to the amendments?

BILL LAID ON TABLE

Mr. COHEN. Mr. Speaker, I move that the bill as amended, with the amendments of the gentleman from Dauphin, Mr. Wickersham, be laid on the table.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 22, as follows:

Imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words terms and phrases used in this act are for the purposes hereof defined as follows

"Liquor" Any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic and all drinks or drinkable liquids preparations or mixtures intended for beverage purposes which contain more than one-half of one per centum of alcohol by volume except alcohol and malt or brewed beverages

"Department" The Department of Revenue of this Commonwealth

"Board" The Pennsylvania Liquor Control Board of this Commonwealth

"Fiscal Month" The monthly period established from time to time by the Pennsylvania Liquor Control Board for the purpose of conducting its business

Section 2 Until the first day of June one thousand nine hundred thirty-seven an emergency State tax is hereby imposed and assessed at the rate of ten per centum of the net price of all liquors sold by the board The tax herein imposed shall be collected by the board from the purchasers of the liquor from the board All taxes collected by the board under the provisions of this act shall be paid into the State Treasury through the department in the manner and within the times herein specified and shall be credited to the General Fund

Section 3 It shall be the duty of the board to transmit to the department on or before the fifteenth day of each calendar month a statement of its receipts from sales of liquor and taxes collected during the preceding month and such other information as may be necessary to effectuate the provisions of this act at which time it shall also be the duty of the board to pay to the department the tax imposed upon such liquor by the provisions of this act

Section 4 This act shall become effective at the expiration of ten days after its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 19, as follows:

An Act to amend section three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax for a limited period of time

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" be and the same is hereby amended to read as follows

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation [Such tax shall first be levied collected and paid upon all net income] received by and accruing to such corporation during the calendar year one thousand nine hundred and thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such facts to the department as required by section four of this act in which case such tax at the rate of six per centum shall [first] be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred and thirty-five and ending in the calendar year one thousand nine hundred and thirty-six and a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred and thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred and thirty-six and ending in the calendar year one thousand nine hundred and thirty-seven

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 13, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing an additional tax on liquid fuels for a limited period of time and providing for the distribution thereof

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections four and ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred twelve) are hereby further amended to read as follows

Section 4 Imposition of Tax Exemptions and Deductions (a) A permanent State tax of three cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth excepting liquid fuels delivered to the United States Government on presentation of a duly authorized United States Government exemption certificate or other evidence satisfactory to the department and such liquid fuels used or sold and delivered as are not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be collected by and paid to the Commonwealth but once in respect to any liquid fuels

(b) In addition to such tax an additional emergency State tax on one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for the period beginning on the day this act becomes effective and ending on the thirty-first day of May one thousand nine hundred and thirty-seven

(c) In addition to the aforesaid permanent State tax and emergency State tax imposed by clauses (a) and (b) of this section a further temporary emergency tax of one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for the period of twelve months from the day this amendatory act becomes effective

(d) Distributors shall be liable to the Commonwealth as taxpayers for the payment of the tax imposed by this act

The tax shall be payable upon liquid fuels sold and delivered to or used by the Commonwealth and every political subdivision thereof

Each distributor who shall promptly pay on or before the last day of a particular month the tax due for the preceding month shall be allowed in consideration of leakage spillage shrinkage evaportion and any expense to which he may be put in carrying out the provisions of this act a discount of two per centum on the aggregate amount of tax which is payable by the distributor for such preceding month The discount may be deducted by the distributor from the amount of tax payable for such month

Section 10 Disposition and Use of Tax (a) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years Provided That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August one thousand nine hundred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this Act

All moneys received by the counties hereunder shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest on bonds issued for highways and bridge purposes The county commissioners of each county shall make to the department on or before the first day of May and November of each year on forms prescribed prepared and furnished by the department a report showing the receipts and expenditures of such moneys received during the preceding six months by the county from the Commonwealth under the provisions of this section Such reports shall be transmitted to the Department of the Auditor General for Audit Upon the failure of the county commissioners to file any such report the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed

(b) The remaining two and one-half cents per gallon of the permanent tax collected under the provisions of this act all penalties and interest and all interest earned on deposits of the Liquid Fuels Tax Fund shall be paid into the Motor License Fund and are hereby specifically appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law

(c) The entire amount of the additional emergency tax of one cent per gallon or fractional part thereof collected under the provisions of this act before June first one thousand nine hundred thirty-six shall be paid into the State Treasury by and through the department and shall be used only for unemployment relief purposes and for such purposes is hereby appropriated and all such tax paid into the State Treasury on and after June first one thousand nine hundred thirty-six shall be credited to the General Fund

(d) The entire amount of the temporary emergency tax imposed by clause (c) of Section four shall be paid into the State Treasury by and through the department and shall be credited to the General Fund

On the question,

Will the House agree to the section?

Mr. JOHN E. BROWN. Mr. Speaker, I desire to offer the following amendment.

The Speaker. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 3, line 27, by inserting after the word "effective" the following: "The further temporary emergency tax of one cent a gallon or fractional part thereof imposed by this clause of this section shall be payable by the distributor, but shall be borne by the last purchaser, and the payment by the distributor shall be deemed to have been for the account of such purchaser. However, the intent of this clause is to place the ultimate burden resulting from such further temporary emergency tax so far as possible on persons who use the public highways of the Commonwealth for operating motor vehicles thereon, on persons who operate motor boats on the waters of this Commonwealth or the boundaries thereof, and on persons who operate air craft over this Commonwealth; and to that end, any person who shall buy liquid fuels on which the further temporary emergency tax imposed by this clause of this section shall have been paid, and shall consume the same in any manner except in the operation of a motor vehicle upon or over the highways, or motor boats on waters, or air craft through the air of this Commonwealth, shall be entitled to a refund of the amount of such tax. All such claims for refund shall be made by affidavit in such form and containing such information and be presented within such time as the Board of Finance and Revenue, by rules and regulations, shall prescribe, and the claimant shall satisfy the board that he has borne the tax and that the liquid fuels have been consumed by him in a manner other than in the operation of a motor vehicle upon or over any of the highways, or a motor boat on the waters, or air craft through the air of this Commonwealth. The Board may require such further information or proof as it shall deem necessary. The action of the Board of Finance and Revenue in granting or refusing a refund shall be final. Any person making any false or fraudulent affidavit for the purpose of a refund of the tax shall be guilty of perjury."

On the question,

Will the House agree to the amendment?

Mr. JOHN E. BROWN. Mr. Speaker, I woud like to say that the purpose of these amendments is to protect the farmers, to exempt agriculture from any additional taxation. There are one hundred seventy thousand farmers in this State, and on an average, I would say, one hundred seventy thousand tractors—some don't have any tractors and others have half a dozen. It is easy enough for us to pay the additional tax of one cent on a tractor when we dump in five gallons of gasoline, whereas a tractor will use a hundred gallons. Both political parties during the last campaign promised to reduce the tax on the farmer. We haven't done that but we can at least not impose any additional taxes on them.

On the question recurring.

Will the House agree to the amendment?

The yeas and nays were required by Mr. WITKIN and Mr. WOOD and were as follows:

YEAS—123

Achterman,	Habbyshaw,	Merrell,	Sinwell,
Alexander,	Haluska,	Moomaw,	Sloan,
Allen,	Hamilton, R. S.,	Moore,	Smith, J. A.,
Altenburg,	Harmuth,	Moul,	Smith, W. G.,
Atkins,	Hartman,	Muir,	Snyder, F. E.,
Aukerman,	Hermansen,	Murrin,	Snyder, J. L.,
Baine,	Hetrick,	Nothnagle,	Sowers,
Baker, F. T.,	Hindman,	Parks,	Sproul,
Baldi,	Hirsch,	Patterson, C.,	Stewart,
Barnhardt,	Hoffner,	Pearson,	Stockham,
Bernhard,	Holstrom,	Perry,	Stott,
Blumberg,	Hoopes,	Peters,	Surface,
Boose,	Horst,	Phillips,	Sweeney,
Boyd, R.,	Jackson,	Reising,	Tahl,
Boyer,	Jones,	Reynolds,	Terry,
Brennan,	Kane,	Rhys,	Trout,
Brown, J. E.,	Kelder,	Rinn,	Turner
Brumbaugh,	Kelso,	Roan,	VanAlsburg,
Carr,	Kenney,	Robinson,	VanSickle,
Coakley,	Klingler,	Root,	Wall,
Condon,	LaRue,	Royer,	Wasserman,
Cooper	Linderman,	Ruffennach,	Weidemann,
Davies,	Longaker,	Schrock,	White,
Diehl,	Lovett,	Sehrope,	Wickersham,
Dilley,	Lynch,	Schwab,	Winner,

Duffort,	Male,	Serrill,	Witkin,
Flynn,	Mallen,	Shortz,	Wood,
Forrest,	McCreary,	Shreiner,	Woodside,
Gates,	McDevitt,	Siegel,	Yeakel,
Gillette,	McKinney,	Simon,	Zimmerman,
Greenstein,	Mentzer,	Simpson,	

NAYS—54

Arnold,	Denning,	Kobelak,	Shugarts,
Baker, J. J.,	Downey, G. E.,	McDermott,	Stank,
Barber,	Downey, J. J.,	McElroy,	Stevens,
Bradley,	Eberharter,	Mooney,	Sumney,
Brown, H. S.,	Eroe,	Moran,	Tronzo,
Brownfield,	Finnerty,	Munley,	Tumelty,
Burke,	Fitch,	O'Keefe,	Weiss,
Cannon,	Flanagan,	O'Neill,	Welliver,
Caputo,	Gerard,	Patterson, J. W.,	Welsh,
Chervenak,	Hamilton, F. P.,	Piole,	Yourishin,
Cochran,	Harkins,	Powers,	Zappala,
Cohen,	Holland,	Sarraff,	Furman,
Coleman,	Kilroy,	Schaeffer,	Speaker
Coolahan,	Kinney,	Shaw,	

So the question was determined in the affirmative and the amendment was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to.

Section 2 This act shall become effective the first day of the month succeeding its final enactment

The title was read as follows:

An Act to further amend sections four and ten of the act, approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing funds imposing penalties and making an appropriation" by imposing an additional tax on liquid fuels for a limited period of time and providing for the distribution thereof.

On the question,

Will the House agree to the title?

Mr. JOHN E. BROWN. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 2, line 3 of title, by inserting after the word "fuels" the following: "used for certain purposes"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BURKE. Mr. Speaker, in view of the great number of requests that have been made for a hearing, as sponsor of the bill, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of a public hearing.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 26, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approval April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and by further modifying the method of computing the tax

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" as last amended by the act approved the thirty-first day of May one thousand nine hundred thirty-three (Pamphlet Laws eleven hundred thirty-two) be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one

thousand eight hundred seventy-four and its supplements or any other act of Assembly heretofore or hereafter approved for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and incumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust company or as a trust company under any act of Assembly heretofore or hereafter approved shall on or before the fifteenth day of March in each and every year make to the Department of Revenue a report in writing setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Department of Revenue for the calendar year ending December thirty-first one thousand nine hundred thirty-six to assess such shares for taxation at the rate of [five] eight mills upon each dollar of the actual value thereof and thereafter at the rate of five mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together so much of the amount of capital stock paid in the surplus and undivided profits

[As is not invested in shares of stock of corporations liable to pay to the Commonwealth a tax on shares or]

[As is not invested in such portion of the capital stock of corporations liable to pay to the Commonwealth a capital stock tax as the capital stock of such corporation employed within this Commonwealth and liable to a capital stock tax bears to the total capital stock of such corporation or

As is not invested in such portion of the capital stock of corporations specifically relieved under the laws of this Commonwealth from the payment of a capital stock tax as the capital stock of such corporation employed within this Commonwealth and relieved from the payment of a capital stock tax bears to the total capital stock of such corporation]

[And] and dividing this amount by the number of shares

It shall be the duty of every such company within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That upon the payment of the tax fixed by this act into the State Treasury through the Department of Revenue the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation under the laws of this Commonwealth The procedure in case the Department of Revenue be not satisfied with the report made by any title insurance or trust company and the penalties for failing to make such report and pay the tax shall be as provided by law

On the question,

Will the House agree to the section?

Mr. HARKINS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 4, line 24 by striking out at the end of the line, after the word "together" the word: "[so]"

Amend section 1, page 4, line 25, by striking out at the beginning of the line, before the word "the" the words: "[much of]"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and the title were separately read and agreed to as follows:

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred thirty-six and thereafter

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (Pamphlet Laws, six hundred forty), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto: for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies, the powers and privileges of companies incorporated under the provision of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by increasing the rate of tax for a limited period of time, and by further modifying the method of computing the tax.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 17, as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eleven million dollars ($11,000,000) is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the monies appropriated to it among the several counties of this Commonwealth for work relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 Out of the appropriation made by this act

the State Emergency Relief Board shall from time to time allocate to the State Veterans' Commission an aggregate of fifty-five thousand dollars ($55,000) for the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means

Section 5 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such monies as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 14, as follows:

An Act transferring money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Treasurer is hereby authorized and directed to transfer from the Motor License Fund to the General Fund such sums not exceeding in the aggregate the sum of five million five hundred thousand dollars ($5,500,000) as the Governor shall direct Transfers shall be made hereunder upon warrants of the Auditor General upon requisition of the Governor

The purpose of this transfer is to provide funds for unemployment relief To the extent to which this transfer makes it necessary the use of the transferred fund for its ordinary purposes shall be postponed but not otherwise modified

Section 2 The amounts transferred under this act from the Motor License Fund to the General Fund shall be repaid to the Motor License Fund out of the General Fund not later than May thirty-first one thousand nine hundred thirty-seven

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

USE OF HALL OF HOUSE GRANTED

The SPEAKER. The Chair lays before the House the request of the Committee on Ways and Means for the use of the hall of the House of Representatives for a hearing on House Bill No. 13 on Wednesday, May 13, 1936, between the hours of two and four in the afternoon. If there are no objections, the request will be granted. The Chair hears none.

COMMITTEE MEETING

Mr. EROE asked and obtained consent for the Committee on Municipal Corporations to meet during this session of the House.

ANNOUNCEMENT BY THE SPEAKER

The Chair wishes to make the following announcements: The following Committee Chairmen are requested to meet immediately after adjournment in the House Caucus Room: the Chairman of the Committee on Municipal Corporations, Mr. Eroe; the Chairman of the Committee on Cities, Miss Brancato; the Chairman of the Committee on Counties, Mr. Hetrick; the Chairman of the Committee on Constitutional Amendments, Mr. Chervenak; the Chairman of the Committee on Judiciary Special, Mr. Simon; the Chairman of the Committee on Pensions and Gratuities, Mr. Harkins; the Chairman of the Committee on Ways and Means, Mr. Flinchbaugh; the Chairman of the Committee on Law and Order, Mr. Melchiorre; the Chairman of the Committee on Appropriations, Mr. Cohen; the Chairman of the Committee on Highways, Mr. Dent; and the Chairman of the Committee on State Government, Mr. McHenry to meet immediately after this session in the House Caucus Room.

ANNOUNCEMENTS BY THE CLERK

There will be an important meeting of the Committee to consider the matter of the purchase of the amplifying system on the floor of the House at 10:00 A. M. Tuesday.

The Republican Steering Committee will meet Tuesday morning at 10 o'clock in the Republican Steering Committee Room. All members are requested to be present.

There will be a caucus of the Democratic members of the House Tuesday at 10:30 A. M. in the House Caucus Room.

REPORT FROM COMMITTEE

Mr. MURRIN, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except School district of the first class), and poor district taxes.

ADJOURNMENT

Mr. SINWELL. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12:00 noon.

The motion was agreed to, and (at 12:16 A. M.) the House adjourned until Tuesday, May 12, 1936, at 12:00 noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., TUESDAY, MAY 12, 1936. No. 5.

SENATE

The Senate met at 12 o'clock noon.

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard D. D., offered the following prayer:

How limitless is Thy wisdom, O Lord, and how willing Thou art to bestow it upon us. Yet often times we refuse to accept its bestowal, deeming the devices of man superior to the plans of God. Save them who are charged with the affairs of our State from falling into such error and quicken their spiritual eyes and ears so they may see Thee and hear Thy voice and Thy hand will lead them in the right way if they submit themselves to its clasp; Thou wilt whisper words of wise counsel unto them if they but bend to hear.

Grant O God that the members of this Senate in their deliberations may feel the touch of Thy hand and hear the sound of Thy voice and be led thereby. We thus pray in the name of Thy Son and our Saviour, Jesus Christ. Amen.

JOURNAL APPROVED

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

PETITION

PROTESTING AGAINST AN INCREASE IN THE GASOLINE TAX

The Chair cleared his table and laid before the Senate petition from an individual of Pittsburgh protesting against increasing the tax on gasoline.

Which was referred to the Committee on Finance.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 12, 1936.

To the Honorable, The Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BEDFORD COUNTY

Miss Sara McLaughlin, Bedford.

BERKS COUNTY

Miss Anna V. Albrecht, Reading.

GEORGE H. EARLE

BILLS INTRODUCED

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 16, entitled:

An Act to provide for the Commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement, the First Courts of Law, and the First Capital within what is now Pennsylvania, and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. BEAN read in his place and presented to the Chair Senate Bill No. 17, entitled:

An Act to amend sections seven and eight of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, register of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation;" by changing certain penalties imposed by said act.

Which was committed to the Committee on Finance.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED (Dauphin). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Dauphin, Mr. Reed, will state his question of personal privilege.

Mr. REED (Dauphin). Mr. President, statements were made by the Governor, at the opening of this Special Session of the Legislature, which cannot be permitted to go unchallenged.

Those statements were addressed to us, but primarily they were meant for the general public. That is the Governor's privilege, and if he had been candid and accurate, there could be no valid objection. What I do object to is the evident pains he took to tell half-truths, for the

obvious purpose of confusing and fooling the people of Pennsylvania.

Upon many occasions during the last several weeks, the Governor has publicly expressed the hope that these deliberations would be free of partisan politics. Even in the message with which he opened this session, he said (I quote): "Politics and political consideration must take a holiday in this emergency."

But he didn't mean it. He was neither candid nor sincere. For the Governor made that very same speech the instrumentality with which to try to "smear" the Republican majority in this chamber, in an effort to shift to us the responsibility for this special session and the added taxes which New Deal extravagance, inefficiency and failure have now made necessary.

Of course, it was a brand of political strategy with which Pennsylvania and the country at large have become quite familiar. It dates back to March 4, 1933, and has been worn to a frazzle. It has been the stock-in-trade of the New Deal—in Washington and in Harrisburg. We know it by heart. No matter what the changes rung upon it, it remains the same tune. Blame your blunders on others. To any and all opposition, attribute vicious motives. Only New Dealers are pure. They, and they alone, have a monopoly of all the virtues and humane instincts of the race. And those who dare to oppose their phony plans, or who stand in the way of the further taxes through which they may continue their wholesale squandering of the public money, are "tools of the vested interests," are "for property rights as against human rights," and are "heartlessly playing politics with the misery of the unemployed."

Well, Mr. President, the Governor of Pennsylvania isn't going to get away with it. The people of Pennsylvania are going to get the truth throughout this Special Session, whether the Governor likes it or not.

I know that I reflect the determination of every Republican member of this Legislature when I say that the needy of this Commonwealth are going to be provided for —and provided for adequately. But the day is past when the Earle Administration can spend millions of the public's money for the building up of a Guffey-Lawrence-Earle political machine, and call it unemployment relief.

The Republican members of this body are going to see to it that there is no chiselling of the unemployed. But they likewise are going to see to it that there is no further chiselling of the rest of the people of this State, who have to carry the relief load.

More than that, the Republican members of this Assembly are not going to permit themselves to be placed in a false light by misrepresentations which are prepared and disseminated for the principal purpose of hiding the truth. That's out, and it may as well be clearly understood right now.

Let's proceed now to some of the statements with which the Governor opened this session. Here is one (I quote):

> "As you are aware, my original request for an appropriation of $120,000,000 for relief during the biennium was reduced to $60,000,000. As a result of this action by your members, our relief appropriation is inadequate and will be exhausted one week from today. It is principally for that reason that this Special Session is now necessary."

Mr. President, I emphatically deny the truth of those latter statements. A spendthrift, whether an individual or an Administration, always can say that his funds are exhausted because he did not have more money with which to defer the date of bankruptcy. But an argument as ridiculous as that doesn't get far among people of common sense. It doesn't get to the facts. Of course, a spendthrift never relishes the realities, and so it was in this case. The Governor elected not to be candid. He stated a half-truth that was designed to create a wholly false impression; and I say that its deliberate purpose was to hoodwink the people of Pennsylvania.

The facts relating to the appropriation of $60,000,000 for Relief one year ago are easily stated. In setting them forth I shall speak from the record, and shall gladly give my authority in every instance. It hardly needs to be said, therefore, that these remarks have been prepared with great care. I stand by every fact and figure I am about to present; and when that presentation has been concluded, I challenge Governor Earle to make a satisfactory explanation of the existing situation—to this Legislature and to the people of Pennsylvania.

This General Assembly met in regular session last January. The $60,000,000 appropriation for Relief was made late in May. It was during that intervening period, therefore, that the study and debate concerning that appropriation occurred.

I desire to put into the record at this point the following facts of that 5-month period, as gleaned from pages 55 and 58 of the Third Annual Report of the State Emergency Relief Board, January, 1936:

(a) The monthly averages for Direct Relief were: 1,395,025 persons, at a cost of $12,731,054; which was at the rate of $9.13 per person.

(b) The monthly averages for Work Relief were: 317,670 persons, at a cost of $5,155,755; which was at the rate of $16.23 per person.

(c) The monthly averages for Direct Relief and Work Relief combined were: 1,712,695 persons, at a cost of $17,886,809; which was at the rate of $10.45 per person.

(d) The average monthly cost of administration was $1,533,920; which was at the rate of 90-cents per person.

(e) The total average monthly expenditures for the whole Relief activity (including an item averaging about $600,000 for special programs) was $20,116,508; which was at the rate of $11.75 per person.

We will come back to those figures a little later.

I now recall to your minds that early last year—early in our considerations of what Pennsylvania's Relief requirements were likely to be—President Roosevelt asked Congress to appropriate, for purposes wholly under his direction and control, the colossal sum of four billion eight hundred and eighty million dollars.

In support of his request, the President offered the following explanations and pledges:

1. He asserted that Direct Relief was destroying the morale of the nation and no longer could be tolerated.
2. He stated that the Relief roll of the nation represented 5,000,000 heads of families, of whom 3,500,000 were employables, the remaining 1,500,000 being unemployables.
3. He proposed to use $880,000,000 of the appropriation to maintain Federal aid to the States for Direct

Relief until a Works Progress Administration could be set up and put in operation.

4. With the remaining 4 billions of the appropriation he pledged that every employable would be taken off Direct Relief and put to work under WPA before the end of 135—the unemployables becoming the responsibility of the respective States, as they had been prior to Federal Relief.

Not only did the President pledge Congress and the nation that every employable would be off Direct Relief and either in private employment or under WPA before the end of 1935, but his own pledge to the country was emphasized, repeated and reiterated by PWA Ickes, WPA Hopkins, and Federal Co-ordinator Walker.

The President's message to Congress, asking for the appropriation and explaining its purposes, was on January 4th; his radio address to the nation on that subject was on April 28th; and the Ickes-Hopkins-Walker radio symposium was on May 16th. But before this latter date, the law had been enacted and the unprecedented appropriation made.

I repeat that this appropriation of nearly five billions of dollars had been made available, and the President's pledge was a matter of record, before this Legislature enacted the $60,000,0090 Relief Bill of 1935.

These things are all beyond successful denial, and they constitute what I might call the first phase of this presentation.

Now, the President's estimate of the ratio of employables and unemployables constituting the Relief roll of the nation was 70% employables and 30% unemployables. I don't pretend to know where he got his figures, and it may be that this ratio is approximately accurate for the country as a whole. But I do know that at no time have the Relief rolls of Pennsylvania contained anything like 30% of unemployables. The employables on Relief in this State have been far in excess of 70% of the total number—and again I have authoritative support for my statements.

Among those who, unlike the Governor, have made it a point to learn and keep abreast of the pertinent facts concerning this very important problem, it is a matter of common knowledge that on page 26 of the Third Annual Report of the State Emergency Relief Board it is set forth (I quote):

> "By the end of 1935....the estimated total number of 'unemployable cases' still being supported from unemployment relief funds was less than 22,000."

And from page 42 (I quote):

> "That the problem of unemployable persons no longer bulks large in Pennsylvania's unemployment relief picture is evidenced by the fact that the number of cases having no member certified for Federal Works Program employment was reported, at the beginning of December, 1935, as being less than 22,000. A comprehensive survey of the problem was made in August, 1935. At that time a census of county relief rolls revealed 24,358 cases definitely classified as unemployable. These cases, comprising only 5.7 per cent of the total relief case load, were made up of 51,809 persons."

While Federal Administrator Hopkins did not make a final allotment of WPA jobs to Pennsylvania sufficient to take all of our employables from Direct Relief, as had been promised, he did make an allotment which, had it been carried out by Pennsylvania WPA, would have provided Works Progress employment for more than 80% of those who were on Direct and Work Relief during the first five months of 1935. Hopkins allotted 309,000 WPA jobs to this State. At this case average of 4½ which these jobs have taken off Relief, that number of jobs would have reduced the Direct Relief roll of 1,390,500, and would have reduced the total number on Relief from a monthly average of 1,712,695, to 322,195.

Early in the summer of 1935, in the course of an exuberant speech delivered in Wilkes-Barre, Eddie Jones, Administrator of WPA in Pennsylvania, gave public assurance that "we have the money and we have the projects with which to take 309,000 cases off Direct Relief."

Had this been done—as certainly everybody had a right to expect that it would be done—the story might be different. But we will come to that in a few moments.

What wish to present here, is the situation which confronted us, as the basis for estimating the appropriation needed for the Direct Relief requirements of the biennium.

We had, first, the fact that from the beginning of the biennium on June 1st, 1935, until December 1st, 1935, when we had been promised WPA would be in full operation, the State was to continue, on a Federal-State basis, to provide that 6-month period, the number on Direct Relief was to shrink rapidly from the then prevailing monthly average of 1,712,695, to a maximum of 322,000 by December 1st, when Federal aid for Direct Relief was to cease.

For the five months of 1935 preceding the enactment of the $60,000,000 Relief appropriation, the monthly average expenditure of State funds for that purpose was $2,496,153. For the sake of round figures, let's call at 2½ millions per month.

Contemplating the swift strinkage of Direct Relief rolls that was promised to take place during this 6-month period, together with the fact tha Congress had given the President the full amount for which he asked, in order to continue Federal aid to the States to December 1st when WPA was to be in full operation, we certainly had no valid reason to believe that during this steady deflation of the Direct Relief roll, the State's monthly expenditure would exceed the average then prevailing, or 2½ million dollars.

That meant a total of $15,000,000 for the first six months of the biennium.

We then had to consider the remaining 18 months, during which period, even if there were no improvement whatever in the field of private employment, we had been given to understand that the maximum monthly average on Direct Relief would not exceed 322,000.

The average monthly cost of Direct Relief, plus the administration of Direct and Work Relief, during the first five months of 1935, was $10.03 per person.

But I submit that with the advent of the Earle Administration, Relief in this Commonwealth was speedily converted into a political racket; and we all know that every factor of cost was being increased at a rate out of all reason.

Therefore say to this body and to the people of Pennsylvania—and I challenge the Governor to take issue with me on it—that the Republican majority in this Senate, mindful of meeting every requirement of the needy, but with a decent regard also for the people in all walks of life in this Commowealth who have to carry the Relief load, had a right to believe, and an obligation to demand,

that Relief thenceforth should be carried on at an average cost not exceeding that for the calendar year 1934.

For that year, as shown in the Annual Report of S. E. R. B. already mentioned, the average monthly cost of Direct Relief, plus the administration of both Direct and Work Relief, plus the administration of both Direct and Work Relief, was $7 per person. Actually it was a trifle under that, but I use the round figure.

We had before us, then, the factors for the 18-month period. Mantaining a monthly average of not exceeding 322,000, at a cost of $7 per person, meant $2,254,000 per month, or approximately $40,575,000 for the 18-month period.

Adding together the $15,000,000 needed for the first 6 months, and the $40,575,000 required for the remaining 18 months, made a total of $55,575,000 needed for the biennium.

I hurl back at the Governor the blatant pretense by which he has tried to make the people of Pennsylvania believe that the exhaustion of $60,000,000 within a year, and the consequent necessity for this special session and more added taxation, are the fault of the Republican majority in this chamber. I say to him, and to the people of this State who have to pay for this Guffey-Lawrence-Earle spoils system, that if the President's pledge had been worth the credit given it, and if Relief and WPA in Pennsylvania were less than the scandalous rackets which the Federal and State New Deals have made them, the $60,000,000 Relief appropriation made a year ago not only would have been ample for the whole biennium, but would have been in excess of all honest requirements by from five to ten millions of dollars.

With those facts and statements I conclude the second phase of these remarks.

* * *

In spite of that record as I have set it forth so far—and I can assure you that the worst is yet to come!—the Governor now demands that we appropriate $70,991,000 more of the taxpayers' money for Relief; not to carry that activity through the balance of the biennium, but only for the 2½ months to January 31st, next. That represents Relief expenditures at the rate exceeding 8 1/3 millions per month.

In respect of that demand, the Governor said in his message (I quote):

> "You can reduce it only by causing great suffering to the unfortunate men, women and children on our Relief rolls, and the more you reduce it the more they will suffer. My Administration urgently recommends that you appropriate the full amount, and will gladly present any facts and figures you may desire to justify this estimate."

We can ignore the threat for the moment, because I am coming back to that later. What I want to emphasize and repeat at this point is the latter part of the quoted statement: "My Administration . . . will gladly present any facts and figures you may desire to justify this estimate."

Mr. President, I am mighty glad that the Governor made that clear and unqualified promise a matter of public record. It was a promise not only to us, but to the people of Pennsylvania, and hope he won't welsh. Without that offer by the Governor, we could have asked for such information, but without much hope of getting it. We can call for it now, with the demand that the Governor of Pennsylvania keep his public promise.

And it is my conviction that an absolute obligation rests upon us to make that demand. I believe that we would be indefensibly remiss in our responsibilities, and false to the taxpayers and needy alike in Pennsylvania, if we even attempted to proceed otherwise. For there are all-important facts of this situation now enveloped in complete mystery, concerning which we, and the public at large, are entitled to full enlightenment.

I would not assume to enumerate here all of the matters relating to this subject, concerning which the various members of this body may desire information and are fully entitled to have it. But I shall list a few of the subjects upon which I am sure that all of us want complete candor; and the relatively few that I mention may be taken as significant of many other phases, probably equally important, but not specifically set forth now.

Mr. President, it has been said repeatedly—and so far as I know never has been denied—that last Summer and Fall, during the early stages of WPA, that organization was for some unexplained reason not able to meet its payrolls, and that the State Emergency Relief Board paid the WPA workers throughout that period.

It is said, too—and again so far as I know has never been denied—that when the WPA funds began to flow, these WPA workers were paid their back wages just as though they had not been taken care of by S. E. R. B., and that S. E. R. B. never got back the sum it laid out.

That sum is said to have been in excess of $10,000,000. More than one-sixth of the entire Relief appropriation made by this Assembly one year ago, thus went out the window! Ten million dollars of the taxpayers' money which was gaily kissed goodbye!

I think one of the very urgent things we want to know from the Governor is what effort, if any, he has made to recover this money from his friend and political ally, Eddie Jones, and thus save the people of Pennsylvania $10,000,000.

The answer to that question is mighty important from a taxpayer standpoint. But it is equally important to those who have to depend upon Direct Relief. It was taken from the Direct Relief funds; and in the statement I just quoted, the Governor put himself on record to the effect that (I quote): "You can reduce it (the Relief fund) only by causing great suffering to the unfortunate men, women and children on our relief rolls, and the more you reduce it the more they will suffer."

It is worth noting that even under the present highly inflated costs of Direct Relief, that sum was sufficient to have maintained the entire Relief roll for about two months.

I call attention to the fact that time and again, when WPA was being put under way, we were assured that so speedily and plentifully was it going to supply work and thus take families off Direct Relief, that by July 1, 1936, the entire four billion would be expended.

That date is important in connection with the further fact that as of December 31, 1936, it was reported from Washington that $320,858,000 of WPA funds had been allotted to this State. Heaven only knows how much more has come to State Administrator Eddie Jones in the four and a half months since. But let's consider only the figure as of the end of 1935.

On May 7, 1936, according to an Associated Press dispatch, Administrator Jones announced that a total of $1,732,601 had been paid in WPA wages in this State since the program began.

I think a second mighty important thing we all want to know is why, only 54 days from the time when every dollar of WPA money was to have done its promised work of taking every employable off Direct Relief, only 25% of this State's allotment as of December 31st, last, had been put in circulation among those needing WPA work in this State.

We all know, of course, that Administrator Jones has complained bitterly that this is largely due to the astounding fact that the Relief Board constantly is raising its standards in order to bid against his efforts to have people leave Relief to take WPA jobs. Relief in Pennsylvania has provided soft berths for welfare workers upon a scale never before dreamed of, and all hands are doing everything possible to keep Relief at a peak and thus retain their jobs. In effect, if not actually, they are saying to the people on Relief: "Stay with us and you won't have to work. True, WPA pays more, but we are constantly raising our standards, and soon we will have you up to WPA. Stay on Relief."

The Governor seems to be with them. I think we should ask him to tell us all about that.

In my opinion, all of us want to know, too, just what the arguments are for carrying on Relief at a cost to the taxpayers that is now 57% more per person than the average for the calendar year 1934—just prior to Mr. Earle's coming into office. By his demand for $70,991,000 to carry Relief for only 8½ months, the Governor indicates a purpose of putting the whole activity upon a grander scale. It certainly is up to him, therefore, to tell us all about that. Every person in Pennsylvania who is helping to carry this Relief load will be deeply interested in his learned defense of a bigger and better dole.

Another thing I think we all want to know, is why Administrator Eddie Jones has upon his WPA rolls 22,542 jobholders who did not come from Relief. Fifty-four days before the dead-line set by Washington, he hasn't been able to get more than 25% of last December's allotment into operation, but within the sphere of his restricted and ineffective activities he has managed to give 22,542 jobs to people who were not on Relief.

At the cost ratio previously mentioned, 22,542 jobs would have removed 101,439 persons from the Direct Relief roll. And at the present cost of Relief, per person, that would mean a saving to the taxpayers of Pennsylvania amounting to $1,111,771 a month.

We certainly want the Governor to tell us all about that.

Mr. President, I don't think I need go further at this time. These facts confront us, and they cannot be sidestepped.

Ten million dollars figuratively tossed out the window! $1,111,771 a month being paid in Relief because non-relief people hold 22,542 WPA jobs!

WPA allotments only 25% used, with the result that Relief is carrying thousands of others who ought to have WPA jobs!

Relief costs, per person, 57% greater now than the average for the calendar year 1934, directly preceding the Earle Administration!

These things alone are enough to arouse the righteous indignation of every honest citizen in this Commonwealth. If ever there was a conspiracy to mace the people of a State, we have it here. I repeat that Relief and WPA as now operated have become scandalous rackets in this Commonwealth, and I believe that a majority in this chamber will agree with me when I say that the whole subject demands a complete ventilation.

The Governor has made his offer. We cannot do less than call upon him to make good.

QUESTION OF PERSONAL PRIVILEGE

Mr. WOODWARD. Mr. President, for the first time in my long career I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Woodward, will state his question of personal privilege.

Mr. WOODWARD. Mr. President. The construction of the Democratic Party. When Mr. Lawrence, who is the Secretary of the Commonwealth, issues a proclamation, you may remember that at the very end of the proclamation he says, "P. S. God Save the Commonwealth."

Years ago the Republican Party were saving the Commonwealth. Now it is the Democratic Party that is saving the Commonwealth, and, as far as we can see, they are saving nothing else. Last evening I received an official statement called, "The Staff of the Governor." This is just a side light. There are items including secretary, assistant secretary, personal secretary, clerks, stenographers and messengers, comprising the total full time staff. California had a total full time staff, for its Governor of 11; Illinois, 12; Maryland, 11; Massachusetts, 21; New Jersey, 15; Ohio, 10; New York, 22. Now, if you are all ready;—Pennsylvania, 51! That is a very interesting side light.

Now, to our thesis: The song we sing is , "Millions for relief, but not a cent for tribute." We all know what relief is. "Tribute" refers, in the language of Gilbert and Sullivan, to the Pirates of Pittsburgh. I was in the House the other day, trying to keep warm—out of the Senate—and I listened to the four lawyers, two Republican and two Democrats, discuss the $11,000,000 versus $9,500,000; and Mr. Witkin was very eloquent. I could not help feeling, however, that if the Governor had asked for $9,500.000 Mr. Witkin would have been just as eloquent in asking for $8,000,000.

The trouble was, and the trouble is, that this song of ours is A Song Without Words—by which I mean we haven't the facts; and while I rise to a question of personal privilege, I am directing my remarks to the amendment which has been offered, setting up these two legislative agents or auditors, so that we may know the facts. Of course, I understand that lawyers can be eloquent without all the facts, and that it is necessary to have a great many lawyers in the legislative body; but woe betide this State when all the lawmakers will be lawyers. It has been said, by some unkind critic, that the Republican Senate had acquired a distinguished criminal lawyer from Philadelphia to keep themselves out of jail.

Years ago—or, not so long ago—in the days when the goose was hanging high, everything in Harrisburg was very much pleasanter for Republicans than it is now. You know, it is not worth while being Senator if nobody knows it; and when I arrive now the taxi driver does not call me "Senator" but offers to show me the sights of Harrisburg; and in the hotel I go down to the dining room and go to find one of my favorite tables and find there entirely new

faces—people I have never seen before—Guffey and Lawrence and Jones, people I have no acquaintance with. Then, when I come to the main entrance to the Capitol and look at those bronze doors, where the Republican statesmen of the past are immortalized, I shed a tear and say a brief prayer for those who have gone before, wishing that they might be with us. I refer to Simon Cameron and Matthew Stanley Quay and Boise Penrose. We are very badly in need of them. Then you remember as you come in at the main door there is a door to the left. I used to go in there occasionaly, but it is not the same place to me any more. The label on the door says, "Gentlemen's Reclining Room," and in the old days the guides—that is where the guides recline—got up, when I came in, and said, "Good Morning, Senator, Good Morning." And the attractive young woman in there said, "Good Morning, Senator," and gave me an up-to-date road map of Pennsylvania. And I used to leave my hat and coat there. Now I do not leave my hat and coat there. And when I come to the elevator the operator never says, "Good Morning, Senator," he takes me for a touris' from Punxsutawney. He says, "What floor? Do you want to go to the basement?" I say, "No; second floor."

Well, this morning I went in that gentlemen's reclining room, and I found a guide just organizing a party of high school girls and boys, to look at the Senate; and as I had not been able to get into the Senate before I joined this party of sightseers; I thought if they had a guide I would like to join them. So we came around through the post office and arrived here, and I listened to the guide; and he described these pictures—not accurately. He said, "That pictures represents William Penn meeting the Indians; and the lady on the coucl. is William Penn's second wife." Then he said, "If it becomes necessary at any time to realize on our assets here, remember that the clock is only brass, that all those railings there are covered with 18 karat gold leaf; and that you can remember for future use." And he said, "These electroliers are solid bronze covered with 18 karat gold leaf, and they each weigh two tons." I never knew that before. He then asked me to stand aside, —I was in the way of some young lady; so I came and sat down at my desk here.

Well, when I thought of those electroliers I began to feel a little worried; and then I was not long worried but somewhat reconciled when I discovered that one is directly over the desk of the Senator from Fayette, Mr. Cavalcante, and the other is very nearly over the desk of the Senator from Philadelphia, Mr. Shapiro; and if they do fall I shall be sorry, but mingled with my grief will be the thought that instead of 21 Democrats there will be only 19.

Well, "Sweet are the uses of adversity," but I hope the Republican Party will not go sour; instead they ought to go sweet. I am not invited by the High Command, I can only pick up a few crumbs from the table; but those few crumbs look sour to me. I cannot get even the Senator from Tioga, Mr. Owlett, to call together his Committee to take some action; so I will linger and wait. But we are a very chastened party—I may say that Dame Fortune has taken the Republican Party across her knees and administered punishment upon its damask cheek.

I am now coming to the real speech; and I want to say a good word for Karl de Schweinitz, and I want to say a good word for our Governor. I have known Mr. de Schweinitz all my life; he is a real man, and we trust him and believe what he says. When I first came here, and looked up to the Senator from Bucks, Mr. Buckman—which I still do—whenever we had the social workers before us Senator Buckman would say to me "Look at them. You can alway. tell they are short haired women and long haired men." And then I listened to what they talked about—and they have a remarkable vocabulary, these social workers. I am saying this because all this is what Mr. de Schweinitz is not, but the usual social workers will tell you about cooperation, coordination—they sit down and integrate a program, and when the program has been evaluated then comes the dangerous part, when they say, "We must now implement the program,"—which means they will ask you for a subscription.

Mr. de Schweinitz is not that kind of man. Our Governor did a very good job when he appointed Mr. de Schweinitz.

I like Mr. Johnson, too. He was a very good man, and told the truth. Perhaps that is one thing that was wrong. He told the truth in the Saturday Evening Post. Then Senator Guffey insisted that Mr. E. M. Jones—I don't know him well enough to call him "Eddie"—be appointed. Mr. Johnson had said that $10,000,000 was thrown away,—you may have read it in the Saturday Evening Post,—and that broke up the friendship, I fear, between the Governor and Mr. Johnson.

I have the highest regard for the Governor, and he may easily be called, "The Big Brother of the Poor and Needy." I am sure he was born in a log cabin,—and there will be a pilgrimage to that log cabin, somewhere near Philadelphia, out in the slum—well, in a forlorn district out on the Main Line, near Merion. In the future there will be a pilgrimage to this log cabin, and I suppose you will see there, on the outer wall, "God Bless our Home;" and on the inside, "Swat the Rich"—"Swat," I think; not "Soak"—"Swat the Rich." And on the other wall on the inside, "No Sales Tax,"—no need of a sales tax, because we give ourselves away!

Well, the amendment to the resolution is that there shall be two auditors, one from the House and one from the Senate; and while it is not good form for the Legislative Department to encroach on the Executive, when it comes to spending a million dollars a month for overhead for administrative costs I think it is high time for the Legislative body to assert itself and stand between the people and the advocates of this extravagant overhead.

These two men are not supposed to go into the field. I understand that Mr. de Schweinitz shall say whether they will pay rent or not. But the rich and privileged will be intelligent enough, I hope, to criticise the enormous overhead expense of this administration.

QUESTION OF PERSONAL PRIVILEGE

Mr. McGINNIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. McGinnis, will state his question of personal privilege.

Mr. McGINNIS. Mr. President, it is very apparent that the Special Session will develop into a session something similar to the regular one. At the Regular Session we came down here every week and listened every Monday or Tuesday to a harangue on relief from the other side of the House, and it is quite apparent that the same program is going to be with this Special Session. To a stranger who is in this room today, it would seem from the speeches already heard that relief is a joke; all we have heard is sarcasm, scorn and ridicule. It is apparent that it is not

realized by some people that there are 1,600,000 people in Pennsylvania that do not have regular employment today, and we hear the word "racket", "racket in relief." Well, if there is any racket in emergency relief in Pennsylvania, it is being done by Republicans. The two Emergency Directors we have had are Republicans, and I will say that 95 per cent of the Emergency Administration in Pennsylvania is Republican; Republican leaders, directors and the township set-up is running relief in Pennsylvania today.

Now, I do not say that this is wrong. I say that our Governor was extremely fair in handling relief. I say to you that he could have thrown politics in and could have insisted upon a Democratic Administration, but he did not. He appointed two Republicans as Directors of Relief in Pennsylvania. I do not think that there is a soul changed in the township set-up. I know that in Pittsburgh, in Mr. Hill's office there are 800 clerks and not a Democrat among them. Therefore, I say to you that our Governor has been extremely fair, and if it is a racket, if there is chiselling on relief, it is done by Republican administrators and not a Democratic Governor.

Now, of course, if he had put in Democrats under him on the payrolls, I know that this group would not have led the harangue that would have gone on.

Then we have heard that this thing is costing too much. Mr. President, you know that during the war we spent twenty billion dollars in this country, and then we sent two and a half billions to Hoover to feed starving Europeans; then we have had the International bankers in partnership with the Republican Party in the State Department foisting seventeen billion dollars worth of stocks and bonds on the American people. In other words, the American people, during that period, were milked out of forty billion dollars and then came the Hoover administration and the last we heard his administration he took six billion dollars and gave it to railroads and banks and lo and behold Roosevelt comes along and in his three years he spends only a little over seven billion dollars more than Hoover and you would think that this country was going to collapse. Think of it—fourteen billion dollars stolen or milked out of the people of the United States during the war and after the war then selling stocks and bonds in this country, and to think that in three years under Roosevelt we have spend only one billion more than Hoover spent in his administration but there is a vast difference in how it was spent. That was given to railroads and banks, not given to honest-to-God poor down trodden people in the United States, and hasn't it paid? Hasn't it paid? Why the income of the United States has gone up from forty to sixty-five billion dollars a year. I say it is a pretty good investment. If we spend only one, two or three billion a year on the poor whose souls have been burned out of their bodies, and if as a result of this the mills of industry start up—the mills I know in my own county are running full time, our stores were never more crowded, our streets were never more packed and I know that forty thousand WPA workers have had a little hope come back into their souls. I know that the United States has increased the income of all its people from forty to sixty-five billion dollars, and so, doesn't it pay? Doesn't it pay? Ah, you will say this Democratic administration is going to ruin us with taxes. You ought to go to Europe, to England for instance, and see how they tax them over there, but the crux of the thing is this that under the Republican rule of this country for twelve years before 1929 this country was stripped to the bone by high finance and by wrong government. Think of it! Ten thousand banks closed their doors, in fact fifteen thousand closed their doors or amalgamated with other banks. The mills had shut down, people were walking the street despair written on every man's face, all of them, despair, hopelessness everywhere, suicides, and Mr. Roosevelt took charge of the country when it was down in the depths, hope gone, and even the big fellows were down on their knees begging him to lift them up, and now, after he has lifted them up, after the dividends are rolling in and people employed, and those not employed taken care of, which is the duty of every government, I would be ashamed of my record here if I did not stand up and defend the Federal administration whose soul purpose has been to look after human beings, and I am going to defend the State government because I say to you that it is the first time in Pennsylvania in my time that we have had a Governor who had the courage to come out and tell the powers that be in this state that he for one is going to look after the poor down-trodden and the unemployed in the State of Pennsylvania.

Mr. SHAPIRO. Mr. President, I have a very important question to ask the Senator from Philadelphia, Mr. Woodward. I wonder if he would permit himself to be interrogated.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Woodward, permit himself to be interrogated?

Mr. WOODWARD. Mr. President, I will.

Mr. SHAPIRO. Mr. President, the Senator from Philadelphia, seems to have the cold-blooded attitude of saying that if the chandeliers fell down on two Senators that the effect would be, we would have nineteen Democrats, which would help the Republicans, of course. My question to the Senator it, what would he think,—not being so cold-blooded—would be the effect on the people of Pennsylvania if instead of the chandeliers falling, some of the light would fall on the Republican Senators.

Mr. WOODWARD. Mr. President, my only reply is that we hope to move the electrolier directly over the Senator's desk in the future.

Mr. SHAPIRO. Mr. President, Does not the Senator from Philadelphia, Mr. Woodward, think the same result could be better accomplished by moving the Republican Senators over to the light.

Mr. WOODWARD. Mr. President, it may be.

RESOLUTION RELATIVE TO THE APPOINTMENT OF A COMMITTEE TO INVESTIGATE THE FUNCTIONING OF THE WORKS PROGRESS ADMINISTRATION IN PENNSYLVANIA

Mr. OWLETT offered the following resolution, which was twice read as follows:

In the Senate, May 12, 1936.

Whereas, The Democratic Administration at Washington in establishing the Works Progress Administration promised the State of Pennsylvania, along with the other states, that all employables on the relief rolls at the time of the creation of said Administration would be given work relief; and

Whereas, The Works Progress Administration has been in operation in Pennsylvania for a considerable period of time; and

Whereas, There are still on the direct relief rolls in

Pennsylvania upwards of one hundred and seventy thousand cases, a very large percentage of whom are employables; and

Whereas, The report of certain members of the Joint Legislative Committee Investigating Public Relief, has disclosed that the Works Progress Administration in Pennsylvania is functioning as an arm of the Guffey-Earle-Lawrence Democratic State Administration, and being used for the purpose of building up a political machine, rather than for the alleviation of unemployment; and

Whereas, The Governor of this Commonwealth has demanded that the Legislature impose an additional burden of seventy million dollars on our people to provide relief, largely for the employables, for the next nine months; and

Whereas, It is believed that an investigation of the Works Progress Administration as it is now functioning in Pennsylvania will disclose that the proper and economic administration thereof would provide for the most, if not all, of those now on the direct relief rolls, thus relieving the taxpayers of Pennsylvania from this additional burden which the Governor proposes to impose upon them; now therefore be it

Resolved, That the President Pro Tempore of the Senate is hereby authorized to appoint a committee of five members of the Senate, whose duty it shall forthwith be to make a searching and impartial investigation of the organization, administration and functioning of the Works Progress Administration in Pennsylvania, to ascertain, (a) whether the same, if administered in a proper and economical manner, would relieve this Commonwealth from further taxation for unemployment relief or materially lessen the same, (b) in what respect, if any, the present administration is abusing the powers, prerogatives and privileges imposed in it, and (c) to investigate such other facts and circumstances as may be deemed necessary in order to enable the General Assembly to measure the extent of any revenue it should raise to provide for those employables which could not be provided for through a proper administration of the Works Progress Administration;

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer any such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents, as the committee may deem necessary. Such subpoenas may be served upon any person, and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee, or to produce any papers, books, records, or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases;

Resolved, That said committee shall make a report to the Senate now in session as early as possible.

Mr. HUFFMAN. Mr. President, I move that the resolution be sent to the Judiciary General Committee.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. HUFFMAN. Mr. President, I would like to present a resolution at this time. Yesterday there died at Washington a former Attorney General from Pennsylvania, A. Mitchell Palmer, and I offer this resolution and ask unanimous consent for its immediate adoption.

RESOLUTION ON THE DEATH OF THE HONORABLE A. MITCHELL PALMER

Mr. HUFFMAN offered the following resolution, which was twice read, considered and agreed to:

Whereas, Honorable A. Mitchell Palmer, former Attorney General of the United States, was yesterday claimed by death, and

Whereas, Mr. Palmer has had a long and distinguished record in his country's service, as member of Congress and Alien Property Custodian as well as Attorney General, and

Whereas, Mr. Palmer was in 1920 a formidable candidate for the Democratic nomination for the high office of President of the United States; was previously honored by his party with the nomination for United States Senator from the State of Pennsylvania, and served several times as a delegate to Democratic National Conventions, and

Whereas, Mr. Palmer this year was again chosen by a majority of electors in his party as a delegate at large to the Democratic National Convention of 1936, and

Whereas, Mr. Palmer throughout his career has been a distinguished son of our Commonwealth, now therefore

Be It Resolved, That the Senate extend to his bereaved widow and to his many friends and associates its sympathy, and formally express its sorrow upon the passing of Mr. Palmer, and be it further

Resolved, That a copy of this resolution be sent to the widow of the late Mr. Palmer.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, nearly a year ago we came to the end of a General Session throughout whose whole course the very atmosphere of this Senate Chamber was charged with the bitterest quality of partisan stupidity. The majority of this Senate was so stupidly engrossed in the defense of the ill-gotten lucre of its hirelings and masters that many grave and necessary problems were left untouched.

The welfare of the fish, the squirrel, the bear, the bee, the dag and the skunk received careful consideration. The quality of manure and the mechanical proof that eggs are freshly laid, all received legislative attention and sanction. Blind Republican stupidity exerted itself in full upon these subjects, but refused to come to grips with the permanent problem of human relief. We are now embarked upon an Extraordinary Session called by His Excellency, the Governor, so that we might solve the problem of unemployment relief scuttled by the brutal and stupid Republican majority at that last General Session.

It is deplorable to note at so early a stage of this Extraordinary Session that that stupidity has suffered little abatement since the last General Session. If any change has taken place it is in the direction of greater Republican stupidity. This stupidity is magnified a hundred-fold by the studious efforts of my colleague from Dauphin County to stupidly confuse the subject of Direct Relief with that of Work Relief.

The proclamation calling this Extraordinary Session confines our deliberations to specific subjects, among which we find the one of Direct Relief, but not that of Work Relief. Nowhere in the proclamation do we find a subject dealing with W. P. A., Guffey, Lawrence or Earle. The subject of W. P. A. is purely a Federal problem and only stupidity of the vilest character can motivate one to confound it with Direct Relief, a problem admittedly a State problem, and one upon which lucidity of mind should direct the efforts of this Senate.

The fact is, Mr. President, that neither the Governor of this State, nor Senator Guffey, Secretary Lawrence or

Administrator Jones, are in need of food, clothing or medicine. They have plenty. This is needed by the unemployed and needy of our State. Will that stupidity seek to confound this fact also?

Mr. President, it is amazing indeed that this Republican stupidity has overlooked that fact, unless the gentleman from Philadelphia has been assigned the duty to accomplish this purpose by his humorous absurdities.

Mr. President, if we are worthy men of reason, let us come to grips with the problems before us as such men and not like stupid asses or Republican hirelings.

Mr. EALY. Mr. President, it is unfortunate that the distinguished Senator from Allegheny, Mr. McGinnis, and the distinguished Senator from Fayette, Mr. Cavalcante, are not students of history. The fact remains,—though I do not wish to charge either of them with insincerity; I believe they are sincere in what they are saying,—that the speeches they are making are the same speeches that have been made by political demagogues since the beginning of time.

In the Second Century before Christ Gaius Gracchus, a Tribune of the Roman State, and one who represented himself as being a sincere reformer, in order to gain the votes of the masses proposed a law called the Lex Frumentaria, whereby those who could not purchase grain at the full price were to be given the same at half price.

It was the beginning of the end for Rome. It resulted in the loss of all self-respect and self-initiative on the part of the Romans. The opponents of Gaius Gracchus outbid him for the favor of the populace, and one demagogue after another proposed amendments to this law until 80% of the populace of Rome were living at the public crib.

Now, the Republican Party of Pennsylvania intends to provide for everyone who is in real need. There is no one in this State who has starved: there is no one who will starve. The Republican Party of Pennsylvania intends to see that everyone who is in need is taken care of; but the people of this State understand that this colossal waste and extravagance cannot go on; and the more intelligent of the unemployed understand that also. Those who have come here are the least intelligent; they are led by parasites and damagogues, who are leading them for their own purposes.

The report which was submitted by Mr. Horst's Committee merely scratches the surface. If an investigation could be made which would disclose the real facts of relief in Pennsylvania, it would astound everybody. The waste is appalling.

Now, I am not charging the administrators of relief with graft, or with inefficiency—from their point of view; but the system is wrong, and I have been saying that for a couple of years here. Until we get rid of this system we can never get rid of this thing which has destroyed the morale of the people of this State. We must change this system and place it on a basis where we will not all be involved in the same common ruin.

Mr. HARRIS. Mr. President, the very thing has occurred that all of should have hoped to avoid. For the last hour and fifteen minutes there have been charges and counter charges against one party and against the other. I think that we could better employ our time in discussing and studying and investigating the merits of the legislation that has been presented. There is serious work to be done here; there is a serious job for all of us. So let us discontinue this political discussion and employ our time in a better way, by taking up the serious matters that confront us. I sincerely hope that this will end all of the political discussion for this session.

HOUSE RESOLUTION NUMBER THREE, RELATIVE TO TRANSFER OF FUNDS

Mr. BUCKMAN. Mr. President, I now call up for consideration by the Senate, House Resolution No. 3, which is printed and on the desks of the Senators.

The resolution was read as follows:

In the House of Representatives, May 5, 1936.

Amend House Concurrent Resolution Serial No. 3, House History of May 11, Page 19; Senate History, May 11, Page 15, Serial No. 200, to read as follows:

Whereas, House Bill No. 14, authorizing the transfer from the Motor License Fund to the General Fund of amounts aggregating not more than five million five hundred thousand dollars ($5,500,000), for the purpose of providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 15, authorizing the transfer from the Liquid Fuels Tax Fund to the General Fund, between its effective date and June thirtieth, one thousand nine hundred thirty-six, of amounts aggregating not more than three million dollars ($3,000,000), for the purpose of providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 17, appropriating these amounts, among others, in the sum of eleven million dollars (11,000,000), to the State Emergency Relief Board for unemployment relief purposes, is in the Committee on Appropriations of the House of Representatives, and

Whereas, these bills are not possible of passage until they have been acted upon both by the House of Representatives and the Senate on three legislative days and there is not yet available sufficient data upon which to intelligently act upon said legislation and

Whereas, There is a deficit of Three Million six hundred thirty thousand dollars ($3,630,000) of cash to meet the allocations of the State Emergency Relief Board for the remainder of the month of May one thousand nine hundred thirty-six and

Whereas, the cost of administration of unemployment relief has enormously increased since the passage of the law providing for the creation of the State Emergency Relief Board out of all proportion to the additional numbers of unemployed upon the relief rolls and likewise the cost of administering unemployment relief has increased from the sum of fifty-five cents per case in the month of May one thousand nine hundred thirty-three to the sum of four dollars four cents per case in the month of February one thousand nine hundred thirty-six, and

Whereas, It is the sense of the General Assembly that the system of administering relief be changed so that relief shall be granted on the basis of need only and that the cost of administering relief shall be materially reduced to the end that the overwhelming burden of taxation may be lifted from our citizens, and

Whereas, the number of administrative employes has increased from two thousand seven hundred sixty-one during the month of June one thousand nine hundred thirty-two to seven thousand seven hundred thirty-four during the month of February one thousand nine hundred thirty-six, and

Whereas, By the Act of May twenty-six one thousand nine hundred thirty-three (Pamphlet Laws one thousand eighty-eight) the State Treasurer is authorized and directed from time to time whenever the Governor ascertains the necessity therefor to transfer upon warrant by the Auditor General upon requisition of the Governor funds from the Motor License Fund to the General Fund, and

Whereas, it is of vital importance to the Commonwealth of Pennsylvania, and to the unemployment relief situation, that this sum of three million six hundred thirty thousand dollars ($3,630,000) be made available immediately for unemployment relief purposes, now therefore be it

Resolved (if the Senate concur), that if the Governor the Auditor General and the State Treasurer shall in accordance with said act of May twenty-six one thousand nine hundred thirty-three (Pamphlet Laws one thousand eighty-eight) transfer to the General Fund such sum of money from the Motor License Fund in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board for the balance of the month of May one thousand nine hundred thirty-six the General Assembly hereby pledges itself that it will enact appropriate legislation at this session of the General Assembly specifically appropriating the sum of three million six hundred thirty thousand dollars ($3,630,000) to the State Emergency Relief Board for unemployment relief and to provide revenue by taxation or otherwise to repay said transferred moneys to said special fund

Resolved, That it is the sense of the General Assembly that appropriate legislation be enacted providing that the Senate shall elect a financial agent who shall not be a member of the Senate and the House of Representatives shall elect a financial agent who shall not be a member of the House of Representatives whose duty it shall be individually or collectively to demand and receive from time to time from the Executive Director of the State Emergency Relief Board for the use of the Senate and House of Representatives an itemized account of all moneys expended from the sum authorized to be made available for expenditure in accordance with this resolution the law enacted to carry the same into effect and any other law heretofore or hereafter appropriating moneys to the State Emergency Relief Board and expended subsequent to May one one thousand nine hundred thirty-six the agents so elected to be paid from appropriations made to the State Emergency Relief Board.

On the question,

Will the Senate agree to the resolution?

Mr. SHAPIRO. Mr. President, before offering amendments to this resolution, I should like to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, I will.

Mr. SHAPIRO. Mr. President, I ask the Senator from Bucks, Mr. Buckman, whether it is not true that when this resolution was acted upon in the Appropriations Committee last night, the resolution as adopted by the Committee provided for the payment of one thousand dollars per month to two financial agents.

Mr. BUCKMAN. Mr. President, that may be.

Mr. SHAPIRO. Mr. President, I should like to know when the change occurred then, if the resolution was in the form that I suggested when the Committee acted upon it. I would like to know when and by whose authority the change is made.

Mr. BUCKMAN. Mr. President, I have no knowledge of that.

Mr. SHAPIRO. Mr. President, I call that to the attention of the Senate, and therefore offer the following amendment, which, in effect, would be to strike out everything that is in this resolution except the appropriation and the moral pledge to adopt the resolution which will transfer three million six hundred and thirty thousand dollars.

The amendments were read as follows:

Srike out on page 2, lines 18 to 29 inclusive. Strike out on page 3, lines 1 to 16 inclusive. Strike out on page 4, lines 26 to 29 inclusive. Strike out on page 5, lines 1 to 14 inclusive.

On the question,

Will the Senate agree to the amendments?

Mr. SHAPIRO. Mr. President, in view of the fact that it would be difficult for the Senators to understand just what these amendments would do to the resolution, I should like to have the consent of the Senate to state the situation if they should adopt them.

The adoption of the amendments would mean that this Senate pledges itself morally to appropriate $3,630,000 by proper legislation to the State Emergency Relief Board for the balance of May. That eliminates from this resolution all the declarations of policy and all statements of fact, to which some of us, if any of us, do not wish to give our consent by vote in favor of the resolution as it now stands. It would simply mean that we pledge ourselves to appropriate $3,630,000. We can have a separate resolution to take care of the other matters in this resolution.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. SHAPIRO and Mr. CAVALCANTE.

Mr. THOMPSON (Centre). Mr. President, I call for a verification of the rule before announcing the vote.

The roll was verified and was as follows:

YEAS—23

Baumer,	Law,	Rankin,	Rupp,
Cavalcante,	McCreesh,	Reed,	Ruth,
Frey,	McGinnis,	(Washington)	Shapiro,
Harris,	Miller,	Rice,	Sones,
Huffman,	Prince,	Roberts,	Thompson,
Kahle,	Pytko,	Rodgers,	(Centre)
Lanius,			

NAYS—25

Aron,	Ealy,	McClure,	Staudenmeier,
Batchelor,	Gelder,	Owlett,	Thompson,
Bean,	Graff,	Pierson,	(Westmoreland)
Bennett,	Harvey,	Reed,	Trainer,
Buckman,	Homsher,	(Dauphin)	Woodward,
Chapman,	Howell,	Salus,	Ziesenheim,
Coyne,	Mallery,	Scott,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the Resolution?

Mr. THOMPSON (Centre). Mr. President, I think it is fairly conceded that we all are interested, or should be interested, in providing a decent form of direct relief. While I think this resolution, in its present form, is trashy, and has a great many other things in it that are not going to assist us, I think the fundamental purpose of the resolution, and the fundamental contents of the resolution outweigh the trashy elements of it, which I have heard this morning were placed in there by subterfuge.

When I say that the fundamental elements of the resolution are right and proper, I mean this: We have been debating here, or we have been making gestures at debating as to the handling of the relief problem and I am glad to see that there occurs in this resolution a ground upon which we can all agree as Senators, and I am glad to see that in the meritorious part of this resolution the Appropriations Committee, controlled, of course, by the other side of the House, has finally come around to our viewpoint on this relief problem. If we examine into the contents of the resolution we find two very important things. We find in the first place a desire on the part of our Republican colleagues to shorten this whole

controversy. The original resolution, as it went into the Committee, provided for this temporary expedient with respect to relief until July 1st. Of course we all knew what that would mean. If this temporary transfer was made until July 1st we could pretty nearly count on this Senate marking time in the meanwhile to see how that money was spent, but I am glad to see that we are all of the mind now that this whole problem could be settled by the 31st of May and permanent legislation adopted to carry us until the next regular session convenes, in 1937. I say that that is a very important part of this resolution, that by passing this resolution this House commits itself to get down to work in the next two weeks and work six days a week, if it is necessary to do so, and to get our permanent legislation in shape by that time to settle this problem, and not drag out this session, with its quarrelsomeness, interminably, and I want to congratulate the members of the Appropriations Committee, be they Democrats or be they Republicans, in coming around to the viewpoint where they can say by the adoption of this resolution in its present form, that in the next two weeks we can dispose of this controversy, because we can dispose of it if we get down to business. I am glad to see that my colleagues recognize that fact.

Mr. President, in the second place, I speak in favor of this resolution, even as it is now constituted, because I am glad to see that the Appropriations Committee has at last recognized what the policy should be according to their recommendation as to the amount of direct relief, that it is necessary for us to appropriate on a monthly basis. If we examine into this figure of $3,630,000 we find that this figure, together with the balance of money that is available at the present time for the expenditure of direct relief until the 31st of May, it brings us right up to the figure that has been recommended by the Governor, and I am heartily in favor of the spirit of cooperation that has been displayed by the Republican side of this House in the action of the Appropriations Committee in finally coming to the point where they agree with us that that is the necessary figure for monthly appropriations for direct relief.

Mr. President, I say again that I believe that the adoption of this resolution—and I am quite sure that my colleagues on the Republican side of this House mean, in reporting this resolution in its present shape, out of the Appropriations Committee, that they intend at last to settle down to work and dispose of this question in the next two weeks, by their concession in this resolution along the lines of the policy recommended by the Governor and recommended by the Relief Director, Dr. de Schweinitz, and I say, in view of these facts, in spite of some of the trashy elements of this resolution, I propose to vote for it.

Mr. GELDER. Mr. President, I can hardly allow to go unchallenged the statement of my colleague, who has just finished speaking, that in the passage of this resolution the Republican members of the Senate are recognizing that the figures of the relief dirctor are correct.

The Republican members of the Legislature have tried to be too fair to take away from the director of relief the amount of money that he has said, in general, was the amount he needed until he had a chance at least to appear before the Appropriations Committee and explain why he needs it. That is one reason that the appropriation is for the current month and not for a longer period. I think that the Senator from Centre, Mr. Thompson, will agree with me that the so-called Harmony Committee that worked here for six weeks prior to this Special Session was unable to talk down under the broad general figures that the Relief Director gave, saying that he needed the $70,500,000.00.

That was one reason why the Special Committee was not able to agree on any amount, that it would recommend to this Legislature, that should be passed by the Special Session. That is a problem that still confuses us. We still must determine whether or not $70,500,000.00, which I believe now has been raised to $70,800,000.00, is needed, or whether some smaller amount is needed. It is high time, it seems to me, that we should get away from the idea that we are simply to take whatever report is handed to us—take it blindfolded.

The Senator from Centre, Mr. Thompson, will agree with me also, I am sure—and so, I feel, will the Senator from Washington County, Mr. Reed, who is on the Committee, together with the Senator from Tioga, Mr. Owlett, and myself—that when we went in to the Board which is charged with the work of directing the Director of Relief, we found a condition that amazed us. We found that that Board, itself, has very little knowledge as to what is going on in relief,—such knowledge as the stockholders of any corporation would expect their directors to have. So, apparently it is up to the members of the Legislature, in this Special Session, to find out just what the conditions are.

We are told that relief has increased from $17.00 a case to $34.00 a case. We are told that the cost of administration has increased from 55 cents, in 1933, to over $4.00 in 1935. And yet we were told by the Directors of the State Emergency Relief Board that they had not investigated in an effort to determine whether or not the standards of 1936 are correct, or the standards of 1932.

Now, I want to say for the Republican members of this Senate—and I think I can speak also for the Democratic members of the Senate—that the members of that Harmony Committee were a unit in the report that they signed; that we are ready to give to the people of Pennsylvania who are deserving, all the relief that is necessary to keep them from suffering; but I feel that the Republican members, as my good friend from Philadelphia, Dr. Woodward, said, are in the position that the Ambassador from the United States to France was in when he said, "millions for defense, but not one cent for tribute."

We do want to take care of those who need relief. We do not, however, want the burden to be increased by including those who otherwise could get along without it; because just as soon as we put that burden on the Commonwealth of Pennsylvania we are placing ourselves in such a position that eventually all relief must break down. We are going to gradually force those people who are close to the line, over the line—first, because they will think, in accordance with the natural trend of human nature, that the grass is a little greener on the other side; and, secondly, because those who are taxed so heavily will themselves become submerged.

This is a serious problem with which we are faced at the present time, because the welfare of the people of Pennsylvania is at stake. Members of the Senate, I want

to say to you, and I also want to say to the people on relief, that the welfare of these people on relief is at stake,—because every dollar taken by the people who are not deserving of relief is a dollar which cannot be contributed to those who really need it. And I cannot allow to pass unchallenged the statement that if we pass this resolution here today we are setting our stamp of approval on the figures that have come to us; because if in six weeks of honest, hard work we were not able to break down those figures and find out if we should give them the stamp of approval of that Harmony Committee, I am very sure that in the casual glance we have had of them here, the short time we have had to study them, we, the Republican members—and I feel quite sure that the gentlemen on my left have had no better opportunity to break those figures down—cannot in a moment determine whether or not the sum of $70,500,000.00, is needed, or a greater or less amount.

Mr. SHAPIRO. Mr. President, whether a chandelier falls on me or not, to reduce the number of Democratic or Republican members of the Senate, interests me very little. What interests me in this proposition is the fact that it is a very difficult proposition to deal with, that it should be purely non-political, and that statement made concerning the picture should be based upon facts and not upon a wish, which is father to the thought. I have no objection to voting for $3,630,000, instead of $11,000,000, if that is the sense of the majority, because eventually the trouble will have to be faced. The only effect of this piecemeal proposition will be that we will not be able again to calmly and wisely solve the problem, because this is the 11th of May, there are only eighteen actual days left, and probably only six legislative days left, if we Senators follow our usual custom of running home on the third day and leaving the problem take care of itself for the other three days, and, therefore, it seems to me that it is foolish to try to handle this piecemeal. However, if that is the desire of the majority, rather than have this thing go over to the House and not pass there and reach another deadlock, I am willing to say "I told you so" afterwards, and let those who suffer by it accept the responsibility. I do not think that any Senator, in view of the admissions and contentions that are made here, that there has not been sufficient time to ascertain the facts should be asked to commit himself in voting upon a resolution as to how much money should be transferred to statements that are drawn up based upon the belief or desire of anyone individual in this room, and I say that this resolution if it is serious and sincere, should have nothing more in it than a pledge on the part of this body to enact legislation which will furnish the money and nothing more. Its insincerity is shown when it goes farther than that by the fact that it begins in its preamble with the statement, as an excuse for authorizing only $3,630,000: "Whereas, these bills are not possible of passage until they have been acted upon both by the House of Representatives and the Senate on three legislative days, and there is not yet available sufficient data upon which to intelligently act upon said legislation."

And after making that declaration it proceeds to absolutely state these matters as fact, to which I am asked by my vote to give consent: "Whereas, the cost of administration of unemployment relief has enormously increased since the passage of the law providing for the creation of the State Emergency Relief Board out of all proportion to the additional numbers of unemployed upon the relief rolls, and likewise the cost of administering relief has increased from the sum of 55 cents per case in the month of May one thousand nine hundred thirty-three to the sum of $4.04 per case in the month of February, one thousand nine hundred thirty-six.

Now, I am asked to give my consent and approval to that in the face of the fact that there was appointed a non-political committee headed by Herbert F. Goodrich, as Chairman, who is the Dean of the Law School of the University of Pennsylvania, a man of integrity, and joined in by men whose names are familiar in all walks of life, who say in their report, on page 32, "When, however, it is recalled that the cost of administration for unemployment relief is only slightly more than 10 per cent. of the total amount expended; that the maximum cost of administration of mothers' assistance is no more, and the cost of administration of other forms of assistance considerably less (six per cent. for old age assistance), it is obvious that no considerable immediate saving can be anticipated through a present reduction of so small a fraction of the total expenditures. Indeed, it is by no means certain that an increase in administrative expenditures for investigation and follow-up service, proportionately to the total appropriation in all fields of assistance, might not actually produce increased saving in the amount of money required for direct assistance of individuals," and I say it is cheaper to accept three applications for relief than it is to turn down three of them. In other words, this report proves conclusively to me that it costs more to investigate and turn down three out of four applications than it does to approve four without investigation. In view of the fact, and in view of the fact that this Committee also say, on page 11 of its preamble: "The size of the relief and assistance grants to individuals and families cannot be lowered without imposing intolerable hardships upon the recipients, lowering their vitality and reducing their capacity to re-establish self-support . In fact the grants should be raised if possible."

In view of this statement from men, twenty-five or thirty of them, who make it their business to look at this thing in a purely non-partisan way, I am unwilling to give my approval to a statement of one indidivual incorporated in the resolution, which should deal with the amount appropriated.

I want to go further and say, that it is not true that there has not been time to investigate. Everyone knows that since the date this Session was talked about, sometime early in April, a Committee was appointed, supposed to be non-partisan, to find out, and they did have opportunity to investigate and they would have found out even from the books which have been submitted to us, and which can be found out, so that he who runs may read, that to have spent in the Commonwealth of Pennsylvania $252,000,000 in 1935 for relief; $183,000,000 of that money was contributed by the Federal Government, and only $56,000,000 were contributed by the Commonwealth of Pennsylvania. A number of promises were made early in April of 1935, or rather in February of 1935, that we would contribute $5,000,000 a month if the Federal Government would supply the balance. From January 1935, to May 31, 1935, out of $103,000,000 that was spent for relief in Pennsylvania, $87,000,000 was sent in by the Federal Government, and we only spent, instead of $5,000,000 on an average, the sum of $3,000,000 a month in those months, and that money has never been paid back to the Govern-

ment, and if you want further facts about what is necessary, I might suggest to my friends that I have a letter here from Dr. de Schweiitz, which states that the May budget of the State Emergency Relief Board was $6,971,000, which was approved at a meeting of the State Emergency Relief Board on April 22, 1936,—a Board upon which Mr. Waters sits—at the time these matters are taken up. And now, my friend, the Senator from Centre, Mr. Thompson, says, sarcastically, I am sure, that he is glad that on this question this side of the House has come around to their way of thinking. They had to because they say in their preamble they do not know whether this $690,000 is due for May or not, in spite of the fact that they had the approval of one of the fiscal officers of this State,—a Republican, I presume, as early as April 22nd. And I say the sincerity of this resolution can be attacked by the phrase in which my friend and colleague, the Senator from Centre, Mr. Thompson, called it trash, and I call unnecessary, because they engender feelings that should not be aroused in dealing with subjects of this kind.

I should not be asked to give my approval to the subject matter of this resolution, to vote on something that can be taken up in another resolution; and if my friends wanted to be fair and honest, and bring about this situation, they could have presented a resolution such as they have here, properly worded, not misstating the facts, and I would have been the first one to vote for it; but I will not and cannot vote for a resolution of this kind, which is supposed to, and should, only deal with the amount involved.

Inconsistent as it is upon its face,—misstating the facts as it does, by proof that I have submitted to you, when I am asked to vote upon a matter of this kind,—for this reason, as long as my voice holds out, I shall speak against such resolution and vote against it.

Mr. HUFFMAN. Mr. President, those on this side of the chamber are placed in a very difficult situation. We cannot wait any longer for this money. It is true that it is unfair to place a minority in a position where they have to vote for resolution that is offensive. This is distinctly offensive and ought not to have been submitted to the Senate. On the other hand we are forced in a position to support it because as I said the money is necessary immediately, but we do want to say on our side of the House that we have been placed in a trap here, the majority knowing that we will have to vote for this amendment or be branded as having voted against them, the unemployed. If the language had been tamed down, or if some of these statements had been left out we could have gone along very well with the reduced amount. However, the majority here know very well that they will not have any more information on this subject on the first of June than we have now. They admit we cannot get the facts, we all admit it. It is too big a subject to know all about it, and we will not know any more in two weeks hence. Again I say we will vote for this resolution on this side under protest because of the language contained in it, and for the reason that we would support any appropriation that we can get through at this time for these people.

And the question recurring

Will the Senate agree to the resolution?

The yeas and nays were required by Mr. FREY and Mr. HUFFMAN and were as follows, viz:

YEAS—47

Aron,	Harris,	Owlett,	Ruth,
Batchelor,	Harvey,	Pierson,	Salus,
Baumer,	Homsher,	Prince,	Scott,
Bean,	Howell,	Pytko,	Sones,
Bennett,	Huffman,	Rankin,	Staudenmeier,
Buckman,	Kahle,	Reed,	Thompson,
Cavalcante,	Lanius,	(Dauphin)	(Centre)
Chapman,	Law,	Reed,	Thompson,
Coyne,	Mallery,	(Washington)	(Westmoreland)
Ealy,	McClure,	Rice,	Trainer,
Frey,	McCreesh,	Roberts,	Woodward,
Gelder,	McGinnis,	Rodgers,	Ziesenheim,
Graff,	Miller,	Rupp,	

NAYS—1

Shapiro,

So the question was dtermined in the affirmative.

QUESTION OF PERSONAL PRIVILEGE

Mr. THOMPSON (Centre). Mr. President, I rise to the question of personal privilege.

The PRESIDENT. The Senator from Centre, Mr. Thompson, will state his question of personal privilege.

Mr. THOMPSON (Centre). Mr. President, the Senator from Susquehanna, Mr. Gelder, spoke a few moments ago referring to the bi-partisan committee which deliberated here for several weeks largely on this question of relief. If there was one matter that the bi-partisan committee was able to agree upon whole-heartedly, it was the inability of the Legislature at a Special Session to change or alter the mechanics of the administration of direct relief. We were all in accord in this committee that whatever the problems of the mechanics of the administration might be, that those problems in their adjustment could only be the proper subject for discussion or modification at a General Session. We probably inquired into all of the problems surrounding the question of direct relief about as thoroughly as they have ever been inquired into by any group of legislators. We had before us Dr. de Schweinitz and his assistants any number of times, and any questions which any of the members of the committee felt were necessary to propound to the Executive Director of the State Emergency Relief Board, or his staff, were propounded and answered from their viewpoint; and in addition to this, we had before us a preview of the Horst quasi report which appeared last week. We heard their angle of the relief problem, and after listening to all this, I say the one thing upon which we could all agree was the fact that we could do nothing satisfactorily at the Special Session which would at the present time modify the mechanics of the administration.

Mr. President, in view of these facts, I ask unanimous consent of the Senate to offer the following resolution:

RESOLUTION RELATIVE TO PREPARING A PLAN OF PERMANENT ADMINISTRATION OF UNEMPLOYMENT RELIEF

Mr. THOMPSON (Centre) offered the following resolution, which was twice read:

In the Senate, May 12, 1936.

Whereas, a centralized administration of relief is unsuited in some respects to a protracted program of dealing with the consequences of unemployment

Whereas, the present constituted agencies for the care of the indigent throughout the Commonwealth are inadequate at the present time to assume the burden of the distribution of funds provided for unemployment relief, and

Whereas, private industry is failing to keep re-employment abreast of industrial and commercial recovery, and

Whereas, it appears to be the duty of the Commonwealth for some period in the future to provide against the social consequences of unemployment

Resolved (if the House of Representatives concur) That the President pro tempore of the Senate appoint three Senators and the Speaker of the House of Representatives appoint three members of the House of Representatives to serve as a committee whose duty it shall be to prepare a plan of permanent administration of unemployment relief, which plan shall co-ordinate the activities of the Commonwealth and its municipal subdivisions, and to draft legislation which incorporates such plan, or plans and to report the same to the regular session of the Legislature in 1937.

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoena may be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall willfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Resolved, That the Senate and the House of Representatives will appropriate the sum of Five Thousand Dollars ($5000.00) to pay the expenses of the Committee in prosecuting its study of such legislation, the summoning of witnesses, postage, secretarial and clerical hire, the attendance of members at meetings and other expenses.

Mr. THOMPSON (Centre). Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. BUCKMAN. Mr. President, I object.

The PRESIDENT. The Chair hears objection. The resolution is referred to the Committee on State Government.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced returned to the Senate the following resolution, with amendment, in which the concurrence of the Senate is requested:

In the Senate, May 11, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May 18th, at nine o'clock, Eastern Standard Time; and that when the House of Representatives adjourns this week it reconvene on Monday evening, May 18th, at nine o'clock, Eastern Standard Time.

On the question,

Will the Senate concur in the amendment?

Mr. BUCKMAN. Mr. President, I move that the Senate concur in the amendment.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until five o'clock this afternoon.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. MALLERY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY, from the Committee on Judiciary General reported as committed, the following resolution, which was laid on the table:

In the Senate, May 12, 1936.

Whereas, The Democratic Administration at Washington in establishing the Works Progress Administration promised the State of Pennsylvania, along with the other states, that all employables on the relief rolls at the time of the creation of said Administration would be given work relief; and

Whereas, the Works Progress Administration has been in operation in Pennsylvania for a considerable period of time; and

Whereas, There are still on the direct relief rolls in Pennsylvania upwards of one hundred and seventy thousand cases, a very large percentage of whom are employables; and

Whereas, The report of certain members of the Joint Legislative Committee Investigating Public Relief, has disclosed that the Works Progress Administration in Pennsylvania is functioning as an arm of the Guffey-Earle-Lawrence Democratic State Administration, and being used for the purpose of building up a political machine rather than for the alleviation of unemployment; and

Whereas, The Governor of this Commonwealth has demanded that the Legislature impose an additional burden of seventy million dollars on our people to provide relief, largely for the employables, for the next nine months; and

Whereas, it is believed that an investigation of the Works Progress Administration as it is now functioning in Pennsylvania will disclose that the proper and economic administration thereof would provide for the most, if not all, of those now on the direct relief rolls, thus relieving the taxpayers of Pennsylvania from this additional burden which the Governor proposes to impose upon them; now therefore be it

Resolved, That the President Pro Tempore of the Senate is hereby authorized to appoint a committee of five members of the Senate, whose duty it shall forthwith be to make a searching and impartial investigation of the organization, administration and functioning of the Works Progress Administrtion in Pennsylvania, to ascertain, (a) whether the same, if administered in a proper and economical manner, would relieve this Commonwealth from further taxation for unemployment relief or materially lessen the same, (b) in what respect, if any, the present administration is abusing the powers, prerogatives and privileges imposed in it, and (c) to investigate such other facts and circumstances as may be deemed necessary in order to enable the General Assembly to measure the extent of any revenue it should raise to provide for those unemployables which could not be provided for through a proper administration of the Works Progress Administration;

Resolved, That the said Committee shall have power to issues subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer and such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents, as the committee may deem necessary. Such subpoenas may be served upon any person, and shall have the force

and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee, or to produce any papers, books, records, or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases;

Resolved, That said committee shall make a report to the Senate now in session as early as possible.

Mr. OWLETT. Mr. President, I move the resolution be printed for the information of the Senate.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

RESOLUTION FAVORING AN AMENDMENT TO THE APPROPRIATION BILL COVERING ALLOCATION OF WPA FUNDS

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZIESENHEIM offered the following resolution which was twice read and referred to the Committee on Federal Relations.

In the Senate, May 12, 1936.

Whereas, There is a bill in Congress which carries an appropriation of $1,500,000,000 for continuation of WPA; and

Whereas, Under the present system of WPA several hundred million dollars of this appropriation will be used for administrative and overhead costs, thereby reducing the funds available for the workers who really need assistance; and

Whereas, There is overwhelming evidence that politics, and not relief, is the dominant factor in the WPA administration; and

Whereas, If the best interests of the general public shall be served, politics, excessive administrative costs, and waste and delays must be eliminated; and

Whereas, The locally elected officials of the various political subdivisions of the country, by virtue of their knowledge of local conditions, are in a better position to sponsor and administer works projects to provide employment for the citizens of their districts than any centralized Federal authority; and

Whereas, By eliminating the unnecessary administrative costs, and making all of the appropriation available for the unemployed, the present un-American labor rates and conditions could be eliminated, and a fair wage based upon the prevailing rate in each community for similar work could be paid; and

Whereas An amendment to the bill to provide that the WPA fund be allocated on a per capita basis to each political subdivision to be administered and expended by the proper local officials would eliminate delay, unnecessary overhead costs, and provide a greater number of jobs; therefore be it

Resolved, That the Senate of Pennsylvania urges the President of the United States and Representatives in Congress to support an amendment to the $1,500,000,000 appropriation bill; to provide that the WPA funds be allocated to each political subdivisions on a per capita basis to be used by the proper officials thereof to finance and administer work projects in their respective districts, to provide jobs for their citizens at the prevailing local labor rate; and that the allocaton to each political subdivision shall be at least ten dollars per capita; and that a further allocation of at least one dollar per capita be made to the various counties for work and direct relief; and to provide that the county commissioners shall by resolution appropriate at least fifty per cent. of the county allocation to the various poor districts for direct relief for citizens unable to work because of age or disability; and be it further

Resolved, That copies of this resolution be forwarded to the President of the United States, Senators and Representatives in Congress.

RESOLUTION FAVORING ADJOURNMENT OF TAX SALES DURING THE MONTHS OF MAY AND JUNE

Mr. RANKIN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RANKIN offered the following resolution which was twice read and considered:

In the Senate, May 12, 1936.

Whereas, The authorities of the City of Pittsburgh and other municipalities throughout the Commonwealth of Pennsylvania are advertising or about to advertise tax sales, and have declined the requests of taxpayers to further postpone said tax sales until legislation can be enacted by the General Assembly for the relief of delinquent taxpayers; and

Whereas, The Allied Boards of Trade of Allegheny County, composed of forty-eight constituent community organizations, the Pittsburgh Real Estate Board, the Allegheny County Real Estate Owners and Taxpayers League, Pennsylvania Tax Justice League, and Pennsylvania Property Owners Association and similar organizations throughout the Commonwealth are in favor of the continuation of any such tax sales so as to enable the Legislature now in Special Session to enact appropriate legislation; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly hereby directs the attention of the public authorities of the City of Pittsburgh and the public authorities of other municipalities throughout the entire Commonwealth of Pennsylvania to the fact that, pursuant to the Governor's call, bills are now before the General Assembly authorizing the abatement of penalties and interest on municipal and other local taxes permitting the payment of such delinquent taxes by installments and therefore urges the public authorities of the City of Pittsburgh and all other municipalities in the Commonwealth to adjourn any tax sale which, under existing law, such authorities have authorized to be held during the months of May and June, one thousand nine hundred thirty-six, until legislation may be enacted relative to the abatement of tax penalties and interest.

Resolved, That a copy of this resolution be forthwith transmitted by the Chief Clerk of this Senate to the mayor and to the city council of the City of Pittsburgh.

Mr. RANKIN. Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question?

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF THE STATE BOARD OF PHARMACY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 12, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Harry H. Buch, of Harrisburg, Dauphin County, for appointment as a member of the State Board of Pharmacy, for the term of six years (to fill a vacancy).

GEORGE H. EARLE

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. REED (Dauphin). Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 3 (Senate Bill No. 18), entitled:

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class; providing for the collection of such taxes by the county treasurers; and providing for their compensation.

Which was committed to the Committee on County Government.

House Bill No. 15 (Senate Bill No. 19), entitled:

An Act transferring money from the Liquid Fuels Tax Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

Which was committed to the Committee on Appropriations.

House Bill No. 21 (Senate Bill No. 20), entitled:

An Act imposing a temporary license tax for the privilege of operating, maintaining or controlling within this Commonwealth a store or stores or herein defined; prescribing the method and manner of collecting such tax and its disposition, and providing penalties.

Which was committed to the Committee on Finance.

HOUSE NON-CONCURS IN CERTAIN AMENDMENTS TO HOUSE RESOLUTION NO. 3

He also returned to the Senate House Resolution No. 3, as amended by the Senate, with the information that the House has concurred in certain amendments made by the Senate as follows:

1. The 3rd "whereas" clause found on page 2, which reads as follows: "Whereas, there is a deficit of three million six hundred and thirty thousand dollars of cash to meet the allocations of the State Emergency Relief Board for the remainder of he month of May, 1936.

2. In the amendment to the last "whereas" clause, found on page 3, to wit: "This sum of three million six hundred and thirty thousand dollars."

3. To a strike-out of the resolution commencing with line 1, on page 3, and ending with the end of line 9 on page 4.

4. To the resolution commencing with line 10 on page 4, and ending with the end of line 25 on page 4.

And has non-concurred in all other amendments made by the Senate.

SENATE RECEDES FROM CERTAIN AMENDMENTS TO HOUSE RESOLUTION NO. 3

Mr. BUCKMAN. Mr. President, I take it that the question before the Senate is not to agree to any amendments, but either to recede from the amendments made by the Senate, or to insist upon those amendments made by the Senate, that is, the amendments non-concurred in by the House. The amendments that the House already concurred in are not before the Senate for consideration at this time.

Mr. President, in this connection I desire to direct the attention of the Senate to the fact that this is a House resolution, introduced in the House of Representatives and passed by that body, sent over here to the Senate, and by us amended and passed almost unanimously. Even the Democratic membership were magnanimous enough to vote for this resolution in the form in which it passed the Senate by reason of the fact that it contained relief for human suffering and human misery. However, when the resolution was messaged back to the House for their concurrence in our Senate amendments, the House was so captious and so proud of its Democratic majority that they did not look upon this situation as the members of the Senate did, but by cracking the whip up and down the aisles of their Democratic membership, they saw fit to non-concur in certain of these amendments. Realizing as I do the importance of the carrying on of the work of relief in this State, as a member of the majority party of this Senate, I am now about to make a motion that the Senate recede from the amendments made in the Senate and non-concurred in by the House.

Mr. REED (Dauphin). Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL INTRODUCED

Mr. HUFFMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUFFMAN read in place and presented to the Chair Senate Bill No. 21, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; and prohibiting the sale of real property for the non-payment of any such taxes for a certain period.

Which was committed to the Committee on County Government.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, in view of the fact that there are no bills of importance before the Senate, and that the revenue bills must necessarily arise in the House and be passed by that body before they can be considered by the Senate, there is really no point in the Senate remaining in session any further this week.

I therefore move that this Senate do now adjourn until next Monday evening, at 9:00 o'clock.

Mr. BAUMER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:32 P. M. until Monday, May 18, 1936, at 9:00 P. M.

HOUSE OF REPRESENTATIVES

TUESDAY, May 12, 1936

The House met at 12:00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend FINLEY KEECH, Pastor of the First Baptist Church of Harrisburg, offered the following prayer:

Our Father, we thank Thee for the way in which Thy hand has guided our nation through these years that are gone. We thank Thee for the consciousness on the part of our people to this Divine leadership.

We pray today that his hand may be felt again in this place, that our own personal idealism may not be sacrificed upon the altar of public good, but that we may be ever conscious of the God Who hath given us light, who hath sent us out as a people with a purpose in the world, and Who is mindful today of each thing that we do in this House, in our own personal living in this nation and throughout the world.

May this consciousness guide, we pray Thee, Father, each member here, and lead us into that rich joy of a deeper and finer association with Thee. May the things that are done this day by these Representatives of this great Commonwealth have Thy Divine benediction. Through Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. COCHRAN the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. HOLLAND. HOUSE BILL No. 44.

An Act to amend section two hundred and one of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," making the real estate of public service companies, with certain exceptions, subject to taxation for school purposes.

Referred to the Committee on Education.

By Mr. BARBER. HOUSE BILL No. 45.

An Act validating certain proceedings and elections of political sub-divisions had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Referred to the Committee on Municipal Corporations.

By Mr. KELDER. HOUSE BILL No. 46.

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river banks protections along the Delaware River at Matamoras and Milford, Pike County.

Referred to the Committee on Appropriations.

By Mr. JOHN J. BAKER. HOUSE BILL No. 47.

An Act to amend section one of the act, approved the sixteenth day of May, one thousand nine hundred and thirty-five (P. L. 176), entitled "An act requiring cities of the second and third class to allow members of the police departments, twenty-four consecutive hours of rest each week, and fourteen days vacation each year, except in emergency cases," by extending the provisions thereof to cities of the second class A.

Referred to the Committee on Cities.

By Mr. WINNER. HOUSE BILL No. 48.

An Act making it unlawful to have animals, wild by nature, in captivity and on display for the purpose of attracting trade.

Referred to the Committee on Game.

By Mr. HARKNS. HOUSE BLL No. 49.

An Act to amend sections four and five of the Act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisors and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended," by providing for the payment to newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium.

Referred to the Committee on Appropriations

By Mr. HALUSKA. HOUSE BILL No. 50.

A Supplement to the Act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one), entitled "An Act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of board of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended," making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

Referred to the Committee on Appropriations.

By Mr. TURNER. HOUSE BILL No. 51.

A Joint Resolution proposing an amendment to article nine, section fifteen, of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. COHEN. HOUSE BILL No. 52.

An act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth, under certain conditions, in lieu of the redemption thereof; and defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the duly authorized loan and transfer agent of the Commonwealth in relation thereto.

Referred to the Committee on State Government.

By Mr. COHEN. HOUSE BILL No. 53.

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania, Series "D", for the purpose of refunding, redeeming and retiring said Series "D" for those issued hereunder; defining the powers and duties of the Governor, the Auditor General and the State Treasurer, in relation thereto; providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

Referred to the Committee on State Government.

By Mr. DIEHL. HOUSE BILL No. 54.

A Supplement to Act No. 57-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Act of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance," making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

Referred to the Committee on Appropriations.

By Mr. MOOMAW. HOUSE BILL No. 55.

An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry, and its existing and newly created agencies; requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment, and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Gvernment and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties.

Referred to the Committee on Labor.

By Messrs. COLEMAN, O'NEILL, YOURISHIN and MUNLEY. HOUSE BILL No. 56.

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from anthracite coal mines which have been flooded, directly or indirectly, by the high waters during March, one thousand nine hundred thirty-six.

Referred to the Committee on Appropriations.

By Mr. KOBELAK. HOUSE BILL No. 57.

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons; authorizing the appointment of trustees for certain persons; providing for the recovery of moneys expended for assistance in certain cases; providing penalties; and repealing inconsistent acts.

Referred to the Committee on Pensions and Gratuities.

By. Mr. BROWNFIELD. HOUSE BILL No. 58.

A Supplement to act number seventy-seven-A, approved twentieth day of July, one thousand nine hundred thirty-five, (One Thousand Nine Hundred Thirty-Five Appropriations Acts, page seventy-one), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-five; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-five," providing for additional appropriations to certain departments, boards and commissions.

Referred to the Committee on Appropriations.

By Miss BRANCATO. HOUSE BILL NO. 59.

An Act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen, and to repeal section two of the act, approved the tnth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards and trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," by providing for the appointment of a board of trustees for each county; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers assistance, except under certain circumstances; providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board; and authorizing the Department of Welfare to cooperate with, and to accept and disburse moneys received from, the United States government for aid to dependent children.

Referred to the Committee on Pensions and Gratuities.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. TURNER. RESOLUTION No. 4

Whereas, the preliminary report of Joint Legislative Committee to Investigate Public Relief in Pennsylvania, as filed by the Republican members thereof, set forth that employables transferred from direct relief to WPA projects received relief orders concurrent with the time they worked on WPA, because WPA were unable to issue pay checks, and at the request of WPA to the SERB the relief service was continued; and

Whereas, the said report further states that this duplication cost the Commonwealth an estimated sum of Ten Million ($10,000,000) Dollars; and

Whereas, it is reported that large numbers of WPA workers in the State are being dismissed and are being reinstated on relief rolls; and

Whereas, the President and Federal Relief Administrator advised the States during the year 1935 that the Federal Government would, through its various programs, give employment to all employables and that the States would have to take care of the unemployables;

Therefore, Be It Resolved that the SERB be requested to communicate without delay with the Federal Relief Administration and request

(1) that the said Federal Relief Administration immediately pay to the SERB the sum of Ten Million ($10,000,000) Dollars representing the amount paid by the SERB to WPA workers as set forth above, said sum to be applied to the immediate relief requirements; and

(2) that the said Federal Relief Administration agree to pay to the SERB the amount necessary to reimburse the State for any moneys which are paid for the relief of said discharged WPA workers; and

(3) that the SERB cause to be kept an accurate account of all moneys paid for relief to employables, and that statements thereof be summitted from time to time to the Federal Emergency Relief Administration.

And Further Be It Resolved that the SERB forward a report showing the action taken to present aforesaid matters to the Federal Emergency Relief Administration, and their replies and agreements in reference thereto.

Referred to the Committee on Judiciary Special.

By Mr. HOLLAND. (Concurrent) Resolution No. 5

In the House of Representatives, May 11, 1936.

The cost of transportation of pupils to the school districts in Allegheny County is matter of grave concern to its citizens; and it is believed that it is far greater than the circumstances require; therefore, be it

Rsolved (If the Senate concur), That the Public Service Commission of Pennsylvania is hereby requested to make an investigation, through its existing facilities, with the view of ascertaining whether, on the basis of valuation and income, or on any other basis, the street railway companies operating in Allegheny County may be required to issue tickets for school pupils only, at a rate not to exceed twenty-five cents (25 cents) per week.

Referred to the Committee on Public Utilities.

SENATE MESSAGE

TIME OF NEXT MEETING.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 11, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May 18, at eight o'clock, Eastern Standard Time; and that when the House of Representatives adjourns this week it reconvene on Monday evening, May 18, at eight o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. BURKE. Mr. Speaker, I move that the resolution be amended by striking out the word "eight" and inserting on lieu thereof the word "nine."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House concur in the resolution as amended?

It was concurred in.

Ordered that the Clerk inform the Senate accordingly.

LEAVE OF ABSENCE

Mr. Carson asked and obtained leave of absence for Mr. STONE for the balance of the week on account of illness.

RESOLUTION

Mr. JOHN E. BROWN offered two resolutions which were filed under the rules.

Mr. WEISS offered a resolution which was filed under the rules.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. For the information of the members it is necessary only to send resolutions to the desk the same as a bill. They will be filed with the Clerk under the rules.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1, entitled:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except School district of the first class) and poor district taxes

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bill to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 20, as follows:

An Act to amend the act approved the first day of May one thousand nine hundred twenty nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns

townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by revising certain registration fees and revising existing regulations for weight of certain vehicles

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections seven hundred three seven hundred four seven hundred five seven hundred six and nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws seven hundred fifty-one) are hereby further amended to read as follows

Section 703. Commercial Motor Vehicles and Truck Tractor with Pneumatic Tires. Commercial motor vehicles and truck tractors with pneumatic tires other than those electrically operated shall be divided in to [eight (8)] the following classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross chassis weight as given and certified to by the manufacturer shall be as follows

Four-Wheeled

Class	Chassis Weight in Pounds		Fee
R	Less than 2000	[$16.50]	$20.00
S	2000 and over but less than 3000	[26.00]	36.00
T	3000 and over but less than 4000	[35.00]	55.00
U	4000 and over but less than 5000	[45.00]	77.00
V	5000 and over but less than 6000	[63.00]	102.00
W	6000 and over but less than 7500	[90.00]	130.00
Y	7500 and over but less than 9000	[110.00	161.00
Z	9000 and over	[155.00]	195.00

Six-Wheeled (3 Axles)

Class	Chassis Weight in Pounds		Fee
RZ	2000 and over but less than 3000	[$40.00]	$48.00
SZ	3000 and over but less than 4000	[50.00]	63.00
TZ	4000 and over but less than 5000	[60.00]	80.00
UZ	5000 and over but less than 6000	[90.00]	110.00
VZ	6000 and over but less than 7500	[155.00]	144.00
WZ	7500 and over but less than 9000	[175.00]	182.00
YZ	9000 and over but less than 12000	[200.00]	224.00
ZZ	12000 and over	[225.00]	270.00

Section 704. Commercial Motor Vehicles and Truck Tractor with Solid Rubber or Cushion Rubber Tires. Commercial motor vehicles and truck tractors with solid rubber or cushion rubber tires approved by the Secretary of Highways of this Commonwealth other than those electrically operated shall be divided into [eight (8)] the following classes and the fee for the annual registration of such vehicles in each of the respective classes based on the gross chassis weight as given and certified to by the manufacturer shall be as follows

Four-Wheeled

Class	Chassis Weight in Pounds (Solid Rubber or Cushion Rubber Tires)		Fee
R	Less than 2000	[$28.00]	$35.00
S	2000 and over but less than 3000	[45.00]	63.00
T	3000 and over but less than 4000	[60.00]	96.25
U	4000 and over but less than 5000	[75.00]	134.75
V	5000 and over but less than 6000	[105.00]	178.50
W	6000 and over but less than 7500	[150.00]	227.50
Y	7500 and over but less than 9000	[190.00]	281.75
Z	9000 and over	[300.00]	341.25

Six-Wheeled (3 Axles)

Class	Chassis Weight in Pounds (Solid Rubber or Cushion Rubber Tires)		Fee
RZ	2000 and over but less than 3000	[$65.00]	$84.00
SZ	3000 and over but less than 4000	[75.00]	110.25
TZ	4000 and over but less than 5000	[90.00]	140.00
UZ	5000 and over but less than 6000	[150.00]	192.50
VZ	6000 and over but less than 7500	[275.00]	252.00
WZ	7500 and over but less than 9000	[300.00]	318.50
YZ	9000 and over but less than 12000	[325.00]	392.00
ZZ	12000 and over	[350.00]	472.00

Four-Wheeled

Class	Chassis Weight in Pounds (Cushion Rubber Tires)	Fee
R	Less than 2000	$ 25.00
S	2000 and over but less than 3000	35.00
T	3000 and over but less than 4000	50.00
U	4000 and over but less than 5000	60.00
V	5000 and over but less than 6000	85.00
W	6000 and over but less than 7500	125.00
Y	7500 and over but less than 9000	150.00
Z	9000 and over	200.00

Six-Wheeled (3 Axles)

Class	Chassis Weight in Pounds (Cushion Rubber Tires)	Fee
RZ	2000 and over but less than 3000	$ 55.00
SZ	3000 and over but less than 4000	65.00
TZ	4000 and over but less than 5000	70.00
UZ	5000 and over but less than 6000	125.00
VZ	6000 and over but less than 7500	200.00
WZ	7500 and over but less than 9000	225.00
YZ	9000 and over but less than 12000	250.00
ZZ	12000 and over	275.00

Section 705. Electrically Operated Commercial Motor Vehicles and Truck Tractors. Electrically operated commercial motor vehicles and truck tractors shall be divided into [eight (8)] the following classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross maximum weight of chassis battery body and load as given and certified to by the manufacturer shall be as follows:

Four-Wheeled

Class	Weight of Chassis Battery Body and Load in Lbs	Fee
R	Less than 5001 [$16.50]	$ 20.00
S	5001 and over but less than [7001] 8001 [26.00]	36.00
T	[7001] 8001 and over but less than 11001 [35.00]	55.00
U	1101 and over but less than [15001] 14001 [45.00]	77.00
V	[15001] 14001 and over but less than [18001] 17001 [63.00]	102.00
W	[18001] 17001 and over but less than [22001] 20001 [90.00]	130.00
Y	[22001] 20001 and over but less than [25001] 23001 [110.00]	161.00
Z	[25001] 23001 and over but less than 25000 [155.00]	195.00

Six-Wheeled (3 Axles)

Class	Weight of Chassis Battery Body and Load in Lbs	Fee
RZ	Less [that] than 12001 [$40.00]	$48.00
SZ	12001 and over but less than 14001 [50.00]	63.00
TZ	14001 and over but less than 16001 [60.00]	80.00
UZ	16001 and over but less than [22001] 20001 [90.00]	110.00
VZ	[22001] 20001 and over but less than [26001] 24001 [155.00]	144.00
WZ	[26001] 24001 and over but less than [30001] 28001 [175.00]	182.00
YZ	[30001] 28001 and over but less than [34001] 32001 [200.00]	224.00

ZZ	[34001] 32001 and over but less than 36000			[225.00]	270.00

Section 706. Trailers and Semi-Trailers. Trailers and semi-trailers equipped with pneumatic or solid rubber or cushion rubber tires approved by the Secretary of Highways shall be divided into [seven (7)] the following classes and the fee for annual registration of such vehicles in each of the respective classes based on the combined weight of chassis and body if so constructed or the gross weight of the trailer or semi-trailer exclusive of the load to be transported shall be as follows

Two-Wheeled

Class	Semi-Trailer Weight in Pounds	Fee Tire Equipment Pneumatic	[Cushion]	Solid or Cushion
A	Less than 1000 [$5.00]	$10.50	[$6.00]	[$8.00] $18.38
B	100 and over but less than 2000 .....[8.00]	24.00	[10.00]	[15.00] 42.00
C	2000 and over but less than 3000 ....[15.00]	45.00	[20.00]	[25.00] 78.75
D	300 and over but less than 4000 ....[25.00]	60.00	[30.00]	[35.00] 105.00
E	4000 and over but less than 5000 ....[30.00]	77.00	[40.00]	[50.00] 134.75
F	5000 and over but less than 6000 ....[45.00]	96.00	[60.00]	[75.00] 168.00
G	6000 and over [75.00]	117.00	[85.00]	[100.00] 204.75

Four-Wheeled (2 Axles)

Class	Trailer or Semi-Trailer Weight in Pounds	Fee Tire Equipment Pneumatic	[Cushion]	Solid or Cushion
A	Less than 1000 [$5.00]	$10.50	[$6.00]	[$8.00] $18.38
B	1000 and over but less than 2000 ....[8.00]	24.00	[10.00]	[15.00] 42.00
C	2000 and over but less than 3000 ....[15.00]	45.00	[20.00]	[25.00] 78.75
D	3000 and over but less than 4000 ....[25.00]	70.00	[30.00]	[35.00] 122.50
E	4000 and over but less than 5000 ....[30.00]	99.00	[40.00]	[50.00] 173,25
F	5000 and over but less than 6000 ....[45.00]	132.00	[60.00]	[75.00] 231.00
G	6000 and over [75.00]	169.00	[85.00]	[100.00] 295.75

Six-Wheeled (3 Axles)

Class	Trailer Weight in Pounds	Fee Tire Equipment Pneumatic	[Cushion]	Solid or Cushion
AZ	Less than 3000 [$40.00]	$54.00	[$45.00]	[$50.00] $94.50
BZ	3000 and over but less than 4000 [45.00]	80.00	[50.00]	[60.00] 140.00
CZ	4000 and over but less than 5000 [50.00]	110.00	[60.00]	[70.00] 192.50
DZ	5000 and over but less than 6000 [60.00]	144.00	[75.00]	[90.00] 252.00
EZ	6000 and over but less than 7000 [75.00]	182.00	[100.00]	[125.00] 318.50
FZ	7000 and over but less than 9000 [85.00]	224.00	[110.00]	[135.00] 392.00
GZ	9000 and over [100.00	270.00	[125.00]	[150.00] 472.50

Section 903. Weight of Vehicles and Loads

(a) Commercial motor vehicles and truck tractors other than those electrically operated shall not be used or operated on any highway with gross weight exceeding those specified for the several classes and weights of chassis as follows

Four-Wheeled Class	Chassis Weight in Pounds	Maximum Gross Weight in Pounds
R	Less than 2000	5000
S	2000 and over but less than 3000	[7000] 8000
T	3000 and over but less than 4000	11000
U	4000 and over but less than 5000	[13000] 14000
V	5000 and over but less than 6000	[18000] 17000
W	6000 and over but less than 7500	[22000] 20000
Y	7500 and over but less than 9000	[25000] 23000
Z	9000 and over	26000

Six-Wheeled (3 Axles) Class	Chassis Weight in Pounds	Maximum Gross Weight in Pounds
RZ	2000 and over but less than 3000	12000
SZ	3000 and over but less than 4000	14000
TZ	4000 and over but less than 5000	16000
UZ	5000 and over but less than 6000	[22000] 20000
VZ	6000 and over but less than 7500	[26000] 24000
WZ	7500 and over but less than 9000	[30000] 28000
YZ	9000 and over but less than 12000	[34000] 32000
ZZ	12000 and over	36000

(b) Electrically operated commercial motor vehicles and truck tractors shall not be used or operated on any highways with gross weight exceeding those specified for the several classes as follows:

Four-Wheeled Class.	Maximum Gross Weight in Pounds.
R	5000
S	[7000] 8000
T	11000
U	[15000] 14000
V	[18000] 17000
W	[22000] 20000
Y	[25000] 23000
Z	26000

Six-Wheeled (3 Axles) Class	Maximum Gross Weight in Pounds
RZ	12000
SZ.	14000
TZ	16000
UZ	[22000] 20000
VZ	[26000] 24000
WZ	[30000] 28000
YZ	[34000] 32000
ZZ	36000

(c) Trailers and semi-trailers shall not be used or operated on any highway with gross weight exceeding those specified for the several classes as follows:

Four-Wheeled (2 Axles) Class	Trailer or Semi-Trailer Weight in Pounds	Maximum Gross Weight in Pounds
A	Less than 1000	3000
B	1000 and over but less than 2000	6000
C	2000 and over but less than 3000	10000
D	3000 and over but less than 4000	[16000] 14000
E	4000 and over but less than 5000	[20000] 18000
F	5000 and over but less than 6000	[24000] 22000
G	6000 and over	26000

Six-Wheeled (3 Axles) Class	Trailer Weight in Pounds	Maximum Gross Weight in Pounds
AZ	Less than 3000	12000
BZ	3000 and over but less than 4000	[15000] 16000
CZ	4000 and over but less than 5000	20000
DZ	5000 and over but less tha 6000	[26000] 24000
EZ	6000 and over but less than 7000	[30000] 28000
FZ	7000 and over but less than 9000	[34000] 32000
GZ	9000 and over	36000

Two-Wheeled Class	Semi-Trailer Weight in Pounds	Maximum Gross Weight in Pounds
A	Less than 1000	3000
B	1000 and over but less than 2000	6000
C	2000 and over but less than 3000	10000
D	3000 and over but less than 4000	12000
E	4000 and over but less than 5000	14000
F	5000 and over but less than 6000	16000
G	6000 and over	18000

(d) No two-wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of eighteen thousand (18,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire.

(e) No four-wheeled vehicle except fire department equipment shall be operated upon any highway with a

gross weight in excess of twenty-six thousand (26,000) pounds or in excess of eighteen thousand (18,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel.

(f) No six or more wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of thirty-six thousand (36,000) pounds or in excess of eight thousand (8000) pounds on the front axle or in excess of sixteen thousand five hundred (16,500) pounds on any one of the rear axles or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart.

(g) No truck tractor and semi-trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of thirty-nine thousand (39,000) pounds or in excess of eighteen thousand (18,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel axle or axles of semi-trailer shall not be less than ninety-six (96) inches from the axle of the truck tractor.

(h) No commercial motor vehicle and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of sixty-two thousand (62,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel.

No truck tractor semi-trailer and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of sixty-five thousand (65,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel.

(i) Maximum gross weights provided in this section are permissible only under conditions where no other restrictions are provided in this act or in any other laws regulating the gross maximum weight of vehicles.

Penalty. Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days.

Section 2. The provisions of this act are severable and if any provision thereof is held to be unconstitutional the decision so holding shall not be construed as affecting or impairing any other provision of this act or the act as a whole. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein.

Section 3. This act shall become effective on the first day of January one thousand nine hundred thirty-seven.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MOOMAW. Mr. Speaker, I move that this bill be recommitted to the Committee on Highways for the purpose of a public hearing.

The motion was agreed to.

Agreeably to order,

The rule requiring bill to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 24, as follows:

An Act to further amend sections five hundred two and six hundred eight of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand five) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by revising certain registration fees and existing regulations for weight of certain vehicles

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections five hundred two and six hundred eight of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand five) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws eight hundred fifteen) are hereby further amended to read as follows

Section 502 Trailers Trailers equipped with pneumatic or solid rubber or cushion rubber tires approved by the Secretary of Highways shall be divided into [seven (7)] the following classes and the fee for annual registration of such trailers in each of the respective classes based on the combined weight of chassis and body if so constructed or the gross weight of the trailer exclusive of the load to be transported shall be as follows

Two-Wheeled Trailer Class	Weight in Pounds	Fee Tire Equipment Pneumatic	[Cushion]	Solid or Cushion	
A	Less than 1000 [$5.00]	$10.50	[$6.00]	[$8.00]	$18.38
B	1000 and over but less than 2000 ....[8.00]	24.00	[10.00]	[15.00]	42.00
C	2000 and over but less than 3000 ....[15.00]	45.00	[20.00]	[25.00]	78.75
D	3000 and over but less than 4000 ....[25.00]	60.00	[30.00]	[35.00]	105.00
E	4000 and over but less than 5000 ....[30.00]	77.00	[40.00]	[50.00]	134.75
F	5000 and over but less than 6000 ....[45.00]	96.00	[60.00]	[75.00]	168.00
G	6000 and over [75.00]	117.00	[85.00]	[100.00]	204.75

Four-Wheeled (2 Axles) Trailer Class	Weight in Pounds	Fee Tire Equipment Pneumatic	[Cushion]	Solid or Cushion	
A	Less than 1000 [$5.00]	$10.50	[$6.00]	[$8.00]	$18.38
B	1000 and over but less than 2000 ....[8.00]	24.00	[10.00]	[15.00]	42.00
C	2000 and over but less than 3000 ....[15.00]	45.00	[20.00]	[25.00]	78.75
D	3000 and over but less than 4000 ....[25.00]	70.00	[30.00]	[55.00]	122.50

E	4000 and over but less than 5000	[30.00]	99.00	[40.00]	[50.00]	173.25
F	5000 and over but less than 6000	[45.00]	132.00	[60.00]	[75.00]	231.00
G	6000 and over	[75.00]	169.00	[85.00]	[100.00]	295.75

Six-Wheeled (3 Axles) Class	Trailer Weight in Pounds	Fee	Tire	Equipment	
AZ	Less than 3000	[$40.00]	$54.00	[$45.00]	[$50.00]	$94.50
BZ	3000 and over but less than 4000	[45.00]	80.00	[50.00]	[60.00]	140.00
CZ	4000 and over but less than 5000	[50.00]	110.00	[60.00]	[70.00]	192.50
DZ	5000 and over but less than 6000	[60.00]	144.00	[75.00]	[90.00]	252.00
EZ	6000 and over but less than 7000	[75.00]	182.00	[100.00]	[125.00]	318.50
FZ	7000 and over but less than 9000	[85.00]	224.00	[110.00]	[135.00]	392.00
GZ	9000 and over	[100.00]	270.00	[125.00]	[150.00]	472.50

Section 608. Weight of Tractor Trailer and Load.

(a) Tractors shall not be operated or moved upon any highway with gross weight in excess of twenty-eight thousand (28,000) pounds.

(b) The width of tires on the wheels of tractors or trailers shall be sufficient so that including the load on the tractor or trailer the weight shall not be in excess of eight hundred (800) pounds on any wheel for each nominal inch of width of tire on each wheel.

(c) Trailers shall not be operated or moved upon any highway with gross weight exceeding those specified for the several classes as follows:

Two-Wheeled Class	Trailer Weight in Pounds	Maximum Gross Weight in Pounds
A	Less than 1000	3000
B	1000 and over but less than 2000	6000
C	2000 and over but less than 3000	10000
D	3000 and over but less than 4000	12000
E	4000 and over but less than 5000	14000
F	5000 and over but less than 6000	16000
G	6000 and over	18000

Four-Wheeled (2 Axles) Class	Trailer Weight in Pounds		Maximum Gross Weight in Pounds
A	Less than 1000	3000	
B	1000 and over but less than 2000	6000	
C	2000 and over but less than 3000	10000	
D	3000 and over but less than 4000	[16000]	14000
E	4000 and over but less than 5000	[20000]	18000
F	5000 and over but less than 6000	[24000]	22000
G	6000 and over	26000	

Six-Wheeled (3 Axles) Class	Trailer Weight in Pounds		Maximum Gross Weight in Pounds
AZ	Less than 3000	12000	
BZ	3000 and over but less than 4000	[15000]	16000
CZ	4000 and over but less than 5000	20000	
DZ	5000 and over but less than 6000	[26000]	24000
EZ	6000 and over but less than 7000	[30000]	28000
FZ	7000 and over but less than 9000	[34000]	32000
GZ	9000 and over	36000	

Penalty. Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days.

Section 2. The provisions of this act are severable and if any provision thereof is held to be unconstitutional the decision so holding shall not be construed as affecting or impairing any other provision of this act or the act as a whole. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein.

Section 3. This act shall become effective on the first day of January one thousand nine hundred thirty-seven.

And said bill having read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MOOMAW. Mr. Speaker, I move that this bill be recommitted to the Committee on Highways for the purpose of a public hearing.

The motion was agreed to.

COMMITTEE MEETING

The SPEAKER. The Chair wishes to announce that there will be a caucus of the Democratic members in the House caucus room at 3:00 o'clock this afternoon.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 4:00 p. m. Are there objections? The Chair hears none and declares a recess until 4:00 p. m.

AFTER RECESS

The House reconvened at 4:00 p. m.

The SPEAKER (Roy E. Furman) in the Chair.

BILLS INTRODUCED AND REFERRED

By Mr. SIMON. HOUSE BILL No. 60.

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public nonsectarian libraries damaged or destroyed by flood; and providing procedure to ascertain the amount of damage.

Referred to the Committee on Appropriations.

By Mr. VANSICKLE. HOUSE BILL No. 61.

An Act imposing an income tax for State purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania; defining taxable income and requiring filing of returns thereof; providing for the assessment, collection and lien of said tax; providing for administration and enforcement of the act by the Department of Revenue; conferring powers and imposing duties on certain persons, partnerships, associations, corporations, State officers, employes and departments; and imposing penalties.

Referred to the Committee on Ways and Means.

By Mr. SURFACE. HOUSE BILL No. 62.

An Act imposing an emergency State income tax, and providing for the distribution of the proceeds thereof to school districts.

Referred to the Committee on Ways and Means.

By Mr. PARKS. HOUSE BILL No. 63.

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and

limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damage caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by requiring extra fees for the assignment of special registration plates.

Referred to the Committee on Highways.

By Mr. SIMON. HOUSE BILL No. 64.

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals furnishing excess free days of service on account of floods.

Referred to the Committee on Appropriations.

By Mr. MOOMAW. HOUSE BILL No. 65.

An Act to amend section five of, and to add sections six A, twelve A and twelve B to, the act, approved the eighteenth day of January, one thousand nine hundred and thirty-four (Pamphlet Laws two hundred eighty-two. nineteen hundred thirty-three and nineteen hundred thirty-four), entitled "An act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to, and the burial of, certain aged indigent persons, and the administration of this act by the Department of Welfare, the trustees who administer mothers' assistance in the several counties, and others; making counties liable for certain expenses; providing penalties; and making an appropriation;" by changing the age, citizenship and resident requirements of applicants for assistance; providing for appeals by applicants to the Department of Welfare in certain cases; providing for the acceptance of title one of the act of the Congress of the United States, approved the fourteenth day of August, one thousand nine hundred and thirty-five; and providing for the acceptance of Federal funds for old-age assistance, and cooperation by the Department of Welfare with the Social Security Board of the United States in distributing old-age assistance.

Referred to the Committee on Pensions and Gratuities.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. JOHN E. BROWN. RESOLUTION No. 6.

In the House of Representatives, May 12, 1936.

Whereas, The Supreme Court has held that it is the duty of the Commonwealth to care for unemployed persons who are without means of support, but no such duty exists with respect to those which have such means and who are not eligible for poor relief; and

Whereas, It appears that many married women are employed in the administration of unemployment relief who are not in need of employment, and yet are paid from moneys appropriated for unemployment relief; and

Whereas, The true purposes of the appropriation for unemployment relief will be accomplished by employing in administrative work those competent persons who are in need of employment and relief aid, and who can appreciate the necessities and select the cases entitled to aid; therefore be it

Resolved, That it is the sense of the House of Representatives that all married women employed by the State Emergency Relief Board, who are not in need of employment, be replaced by the employment of competent persons, residents of this Commonwealth, who are without employment and are in need of work.

Resolved, That a copy of this resolution be transmitted to the Executive Director of the State Emergency Relief Board by the Chief Clerk of this House.

Referred to the Committee on Judiciary Local.

By Mr. WEISS. (Concurrent) RESOLUTION No. 7.

In the House of Representatives, May 12, 1936.

Whereas, The authorities of the City of Pittsburgh and other municipalities throughout the Commonwealth of Pennsylvania are advertising or about to advertise tax sales, and have declined the requests of taxpayers to further postpone said tax sales until legislation can be enacted by the General Assembly for the relief of delinquent taxpayers; and

Whereas, The Allied Board of Trade of Allegheny County, composed of forty-eight constituent community organizations, the Pittsburgh Real Estate Board, the Allegheny County Real Estate Owners and Taxpayers League, Pennsylvania Tax Justice League, and Pennsylvania Property Owners Association throughout the Commonwealth are in favor of the continuation of any such tax sales so as to enable the Legislature now in Special Session to enact appropriate legislation; therefore be it

Resolved, (if the Senate concur), That the General Assembly hereby directs the attention of the public authorities of the City of Pittsburgh and the public authorities of other municipalities throughout the entire Commonwealth of Pennsylvania to the fact that, pursuant to the Governor's call, bills are now before the General Assembly authorizing the abatement of penalties and interest on municipal and other local taxes permitting the payment of such delinquent taxes by installments and therefore urges the public authorities of the City of Pittsburgh and all other municipalities in the Commonwealth to adjourn any tax sale which, under existing law, such authorities have authorized to be held during the months of May and June, one thousand nine hundred thirty-six, until legislation may be enacted relative to the abatement of tax penalties and interest.

Resolved, That a copy of this resolution be forthwith transmitted by the Chief Clerk of this House to the mayor and to the city council of the City of Pittsburgh.

Referred to the Committee on Municipal Corporations.

By Mr. JOHN E. BROWN. RESOLUTION No. 8.

In the House of Representatives, May 12, 1936.

Whereas, The primary purpose of the appropriations for unemployment relief is to care for residents of this Commonwealth who are unemployed and without means of support; and

Whereas, The money expended for administration come from the moneys appropriated for unemployment relief; therefore be it

Resolved, That the Executive Director of the State Emergency Relief Board be directed to furnish to the the employes of the State Emergency Relief Board, in-House of Representatives, as early as possible, a list of cluding those employed in counties and districts, (a) whose residence at the time of appointment was outside Pennsylvania (b) the home address of such persons, (c) the positions they fill, (d) the length of time they have been employed, and (e) the compensation to each, averaged monthly.

Resolved, That a copy of this resolution be transmitted to the Executive Director of the State Emergency Relief Board by the Chief Clerk of this House.

Referred to the Committee on Judiciary Local.

SENATE MESSAGE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Resolution as follows:

In the Senate, May 11, 1936.

Resolved, (if the House of Representatives concur) that when the Senate adjourns this week it reconvene on Monday evening, May 18 at (eight) nine o'clock, Eastern Standard Time, and that when the House of Representatives adjourns this week it reconvene on Monday evening May 18, at (eight) nine o'clock, Eastern Standard Time.

SENATE MESSAGE

AMENDED RESOLUTION RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced returned resolution from the House of Representatives as follows:

In the House of Representatives, May 5, 1936.

Whereas, House Bill No. 14, authorizing the transfer from the Motor License Fund to the General Fund of amounts aggregating not more than five million five hundred thousand dollars ($5,500,000), for the purpose of providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 15, authorizing the transfer from the Liquid Fuels Tax Fund to the General Fund, between its effective date and June thirtieth, one thousand nine hundred thirty-six, of amounts aggregating not more than three million dollars ($3,000,000), for the purpose of providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 17, appropriating these amounts, among others, in the sum of eleven million dollars ($11,000,000), to the State Emergency Relief Board for unemployment relief purposes, is in the Committee on Appropriations of the House of Representatives, and

Whereas, these bills are not possible of passage until they have been acted upon both by the House of Representatives and the Senate on three legislative days, and

Whereas, it is of vital importance to the Commonwealth of Pennsylvania, and to the unemployment relief situation, that these moneys be made available immediately for unemployment relief purposes, now, therefore, be it

Resolved (if the Senate concur) that the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund from the Motor License Fund, sums not exceeding five million five hundred thousand dollars ($5,500,000), and from Liquid Fuels Tax Fund, sums not exceeding three million dollars ($3,000,000), and the General Assembly hereby pledges that it will pass, without amendment, House Bills Nos. 14 and 15, so providing, validating the action of the Governor and the fiscal officers in making such transfers, and the General Assembly further pledges that it will further pass, without amendment, House Bill No. 17, appropriating said moneys, among others, to the State Emergency Relief Board, for unemployment relief purposes, and the General Assembly further pledges that it will do so without delay.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend on page 2, second "Whereas" clause by adding at the end thereof the following: and there is not yet available sufficient data upon which to intelligently act upon said legislation and

Whereas There is a deficit of Three Million six hundred thirty thousand dollars (3,630,000) of cash to meet the allocations of the State Emergency Relief Board for the remainder of the month of May one thousand nine hundred thirty-six and

Whereas the cost of administration of unemployment relief has enormously increased since the passage of the law providing for the creation of the State Emergency Relief Board out of all proportion to the additional numbers of unemployed upon the relief rolls and likewise the cost of administering unemployment relief has increased from the sum of fifty-five cents per case in the month of May one thousand nine hundred thirty-three to the sum of four dollars four cents per case in the month of February one thousand nine hundred thirty-six and

Whereas It is the sense of the General Assembly that the system of administering relief be changed so that relief shall be granted on the basis of need only and that the cost of administring relief shall be materially reduced to the end that the overwhelming burden of taxation may be lifted from our citizens and

Whereas the number of administrative employes has increased from two thousand seven hundred sixty-one during the month of June one thousand nine hundred thirty-two to seven thousand seven hundred thirty-four during the month of February one thousand nine hundred thirty-six and

Whereas By the Act of May twenty-six one thousand nine hundred thirty-three (Pamphlet Laws one thousand eighty-eight) the State Treasurer is authorized and directed from time to time whenever the Governor ascertains the necessity therefor to transfer upon warrant by the Auditor General upon requisition of the Governor funds from the Motor License Fund to the General Fund.

Amend page 3 by striking out in the third line of the third "Whereas" clause after the word "that" the words [these moneys] and inserting the words this sum of three million six hundred thirty thousand dollars ($3,630,000) be made

Amend page 3 by striking out the following.

[Resolved (if the Senate concur) that the General Assembly hereby authorize the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund from the Motor License Fund sums not exceeding five million five hundred thousand dollars ($5,500,000) and from the Liquid Fuels tax Fund sums not exceeding three million dollars ($3,000,000) and the General Assembly hereby] [pledges that it will pass without amendment House Bills Numbers fourteen and fifteen so providing validating the action of the Governor and the fiscal officers in making such transfers and the General Assembly further pledges that it will further pass without amendment House Bill Number seventeen appropriating said moneys among others to the State Emergency Relief Board for unemployment relief purposes and the General Assembly further pledges that it will do so without delay]

and adding the following,

Resolved (if the Senate concur) that if the Governor the Auditor General and the State Treasurer shall in accordance with said act of May twenty-six one thousand nine hundred thirty-three Pamphlet Laws one thousand eighty-eight transfer to the General Fund such sum of money from the Motor License Fund in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board for the balance of the month of May one thousand nine hundred thirty-six the General Assembly hereby pledges itself that it will enact appropriate legislation at this session of the General Assembly specifically appropriating the sum of three million six hundred thirty thousand dollars ($3,630,000) to the State Emergency Relief Board for unemployment relief and to provide revenue by taxation or otherwise to repay said transferred moneys to said special fund

Resolved That it is the sense of the General Assembly that appropriate legislation be enacted providing that the Senate shall elect a financial agent who shall not be a member of the Senate and the House of Representatives shall elect a financial agent who shall not be a member of the House of Representatives whose duty it shall be individually or collectively to demand and receive from time to time from the Executive Director of the State Emergency Relief Board for the use of the Senate and House of Representatives an itemized account of all moneys expended from the sum authorized to be made available

for expenditure in accordance with this resolution the law enacted to carry the same into effect and any other law heretofore or hereafter appropriating moneys to the State Emergency Relief Board and expended subsequent to May one one thousand nine hundred thirty-six the agents so elected to be paid from appropriations made to the State Emergency Relief Board.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. COHEN. I move that on House Concurrent Resolution No. 3, Printer's No. 20, the House do concur in the folowing amendments made by the Senate, to wit:

(1) The third Whereas clause, found on page 2, which reads as follows:

"Whereas, There is a deficit of three million six hundred thirty thousand dollars ($3,630,000) of cash to meet the allocations of the State Emergency Relief Board for the remainder of the month of May, one thousand nine hundred thirty-six; and"

(2) In the amendment to the last Whereas clause, on page 3, to wit:

[these moneys] this sum of three million six hundred thirty thousand dollars ($3,630,000)

(3) To the strike-out of the Resolution commencing with line 1, on page 3, and ending with the end of line 9 on page 4.

(4) To the Resolution commencing with line 10 on page 4, and ending with the end of line 25 on page 4.

And that the House do non-concur in all other amendments made by the Senate.

The SPEAKER. The Chair wishes to state that the question will be divided. The question will be put first on concurrence in certain amendments just read.

On the question,

Will the House agree to the motion to concur in certain amendments made by the Senate?

Mr. WITKIN. Mr. Speaker, as I understand, we are now voting upon that portion of the motion made by the gentleman from York, Mr. Cohen, which reads as follows:

1. The third whereas clause found on page 2 which reads as follows: "Whereas there is a deficit of Three Million six hundred thirty thousand dollars ($3,630,000) of cash to meet the allocations of the State Emergency Relief Board for the remainder of the month of May one thousand nine hundred thirty-six and"

2. In the amendment to the last whereas clause on page 3, to wit, "(these moneys) this sum of three million six hundred thirty thousand dollars" and then the same in figures.

3. To strike out that portion of the resolution commencing with line 1, on page 3 and ending with line 9 on page 4. The resolution commencing on line 10 on page 4 and ending with line 29 on page 4; that the motion of the gentleman from York, Mr. Cohen, is to concur in these amendments made by the Senate, and that is what we are now about to take the vote upon and only that part of the motion; am I correct, Mr. Speaker?

The SPEAKER. The gentleman is correct.

On the question recurring,

Will the House agree to the motion to concur in certain amendments made by the Senate?

Mr. WITKIN. Mr. Speaker, I ask my Republican colleagues to vote in favor of this motion, and in order that you may thoroughly understand it, this motion amends the eleven million dollar figure of the House resolution and is reducing that figure to three million six hundred thirty thousand dollars, but I want you to bear in mind that in the reduction of that figure they have also reduced the time, so that we are not providing an emergency transfer up to the first of July, 1936, as originally proposed in the House resolution, but we are merely providing for an emergency relief transfer of funds up until the thirty-first day of May, 1936—the first of June, 1936.

The figure of three million six hundred and thirty thousand dollars is the actual figure that the State Emergency Relief Board is short, because the allocation for the month of May, I believe, roughly was six million nine hundred seventy-one thousand two hundred and ten and some odd dollars, and that the amount of money in the treasury was three million four hundred thousand some odd dollars and some odd cents, leaving a deficit of three million six hundred and thirty thousand dollars. So, by approving this amendment made by the Senate, we are providing actually for the deficit, for the allocation needed in the month of May and we are not committing ourselves to any proposition as to any amount that may be required for the month of June. It is the feeling, I take it, of this House that we will be able to solve that situation prior to the thirty-first day of May, 1936, and I know that it is the hope and desire of all of us that we may be able so to do.

I urge the members to vote "aye" on the motion made by the gentleman from York, Mr. Cohen. And for once we agree.

On the question recurring?

Will the House agree to the motion to concur in certain amendments made by the Senate?

It was agreed to.

On the question,

Will the House agree to the motion to non-concur in all other amendments made by the Senate?

Mr. WITKIN. Mr. Speaker, I should like to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. COHEN. Mr. Speaker, I will.

Mr. WITKIN. Mr. Speaker, will the gentleman from York, Mr. Cohen, advise the House his reason for his motion of non-concurrence in these various amendments made by the Senate?

Mr. COHEN. Mr. Speaker, in answer to the request of the gentleman from Philadelphia for information as to the reasons for non-concurrence affecting six paragraphs in the resolution:

Number 1 is in the second whereas clause, which we do not wish to concur in, "and there is not yet available sufficient data upon which to intelligently act upon said legislation," because in the next whereas clause we specifically agree that the sum of three million six hundred thirty thousand dollars is required to take care of the relief requirements for the month of May. I am sure that neither the gentleman from Philadelphia nor any other member of this House wishes to concur in a paradox. We surely do not wish to concur, on the one hand, in admitting that the figures are not available upon which to determine the amount of money required for relief, and on the other hand, definitely to allege that that sum of money amounts to three million six hundred thirty thousand dollars.

The second paragraph, upon which there is non-concurrence, is the fourth whereas clause on page 2, which has been read to you by the Clerk. It indicates that the cost

of administration of unemployment relief has enormously increased since the passage of the bill providing for the creation of the State Emergency Relief Board. It does not indicate that that increase increased proportionately with the number of cases to which the State Emergency Relief Board was administering relief. It does not indicate that since this administration the cost of administering relief has fallen. It does not indicate, as the gentleman from Philadelphia indicated to you on a prior occasion when this same discussion was before the House, that the increase from 1933 until January of 1935 was an increase that was occasioned under a Republican administration.

The third paragraph upon which there is a motion of non-concurrence goes to the last whereas clause on page 2, "Whereas it is the sense of the General Assembly that the system of administering relief be changed." How can we, as a deliberative body, confronted with the serious proposition of the administration of relief, by resolution indicate that the system of administering unemployment relief should be changed? What plan has been offered? What change has been suggested? What proposition has been given to us for consideration, which will supplant the present system of administering State relief? Should this House or this Assembly bind itself to change the system of administering State relief and then find out, after deliberation, that there is no better method than the one that is now employed by the State Emergency Relief Board? Should we bind the members of this General Assembly to go into unbeaten paths, into dark alleys, in order to find a method of administering State relief about which we know nothing? The immediate necessity is the raising of three million six hundred thirty thousand dollars to care for relief for the balance of the month of May. Why should this House with a gun pointed at its head be required in order to get three million six hundred and thirty thousand dollars to subscribe to a method of administering relief about which we know nothing?

The next objection is on page 3, the first whereas clause, It is objection number four. That clause indicates "whereas the number of administrative employes has increased" from a certain number in June, 1932 to a certain number in February, 1936. It does not tell you how much it has decreased since February, 1936. It does not indicate to the membership that there has been a curtailment of the number of employes under the State Emergency Relief Board of approximately seven to eight hundred. It does not tell you that with a decrease in the case load there has been a decrease in the administrative load.

The fifth objection is really of no affect. It merely states what is already the enacted law of this Commonwealth, and if the gentleman from Philadelphia desires us to concur in this second whereas clause on page 3, I feel sure that that can be done. It is of no importance whatever. It binds the House to no policy and indicates in the resolution clause nothing more than is therein contained.

The sixth objection, is contained on page 4, the last clause on page 4. We ask non-concurrence on that portion of the resolution because this House again does not want to be put into the paradoxical situation that the gentleman from Philadelphia seems to desire to place the House in by this clause. How can we in one instance—how can the Republican minority in one instance complain about the increase in the cost of administration of the State Emergency Relief Board and on the other hand ask that two positions be created? All the information, all the statistics, all the knowledge of the State Emergency Relief Board are available to the members of this House and to the members of the Senate.

That figure of three million six hundred thousand at which we have arrived was not concocted in a smoke-filled back room of a hotel. That figure was arrived at as a result of due deliberation on the part of the two Republican members of the State Emergency Relief Board. That figure, in order to make up the relief requirements of the Commonwealth to the end of May, was the figure that was suggested by the State Auditor General and the State Treasurer, both Republicans. At that meeting there sat but one Democrat, the Governor of the Commonwealth of Pennsylvania. They had at that time available all of the figures of the State Emergency Relief Board upon which they could ascertain the relief requirements for the month of May and it was with the Republican majority of two to one that the figure of three million six hundred thousand dollars was arrived at. That figure and all figures of the State Emergency Relief Board are available to the Republican Auditor General, the Republican State Treasurer, and to every member of this House and the Senate.

Mr. WITKIN. Mr. Speaker and members of the House, my friend in taking up his first objective was erroneous in his argument at the very inception.

He pointed out that in the first whereas clause we referred to the words "and there is not yet available sufficient data upon which to intelligently act upon said legislation," and then said we were in a paradox because in the very next whereas clause we state that there is a deficit of a particular amount, to wit, three million six hundred thirty thousand dollars. Were that all in the resolution, his argument would be right, but my friend forgets or apparently has not read or paid any heed to the words in the whereas clause immediately preceding that, wherein it refers to eleven million dollars. In other words, it says "whereas House Bill Number seventeen appropriating these amounts among others in the sum of eleven million dollars." So that the words "and there is not yet available sufficient data upon which to intelligently act upon said legislation" clearly and definitely refer to the fact that there are no figures upon which we can intelligently act upon the eleven million dollars and not upon the three million six hundred thirty thousand dollars. It is a rather technical argument, but the gentleman is very wrong in that particular matter.

The next argument that he puts forth is an endeavor—I will not accuse him of beclouding the issue or endeavoring so to do, but he seems to read the wording of the whereas clause differently although it is written in plain English. The cost increase set forth in this clause is not based upon the increased number of cases and the fact that there are more or less cases does not govern the second whereas clause he is seeking to strike out. The specific words used are that "the cost of administering unemployment relief has increased from the sum of fifty-five cents per case (per case, if you please) in the month of May one thousand nine hundred thirty-three to the sum of four dollars four cents per case." So this argument that the cost of administering relief has increased because the cases have increased is not ridiculous and most fallacious, because he rests his case on that whereas

clause. He does not dispute the facts and by not disputing them I take it that he admits them, and if his admission is that the cost per case has increased from fifty-five cents to four dollars and four cents per case, then that whereas clause should certainly not be stricken out, and I might just say to you, I don't know whether round figures mean much to you or not, but do you know that based on the present cost of administering relief, it costs the taxpayers of Pennsylvania thirty thousand dollars per day to administer relief. Nine hundred thousand dollars per month divided by thirty in plain arithmetic is thirty thousand dollars per day to administer relief. We contend on this side that a large portion of that thirty thousand dollars ought to go to feed the hungry and the needy, concerning whom my Democratic friends properly make much ado. If you divide thirty thousand by twenty-four, you will find that it costs twelve hundred and fifty dollars an hour, so that when you go to sleep and you take eight hours of sleep, by the time you wake up in the morning the Commonwealth has spent ten thousand dollars for the cost of administering relief. We claim that that is too much and we want it reduced. So the whereas clause on page 2 ought certainly not be stricken out, because it conforms to your figures, and I think we are grateful to the Democratic administration for having reduced this particular cost, because in April of 1936, instead of nine hundred thousand dollars, it is frankly admitted that it was one million seven hundred thousand and some odd dollars, and instead of being thirty thousand dollars a day during those days preceding September of 1935, it amounted to seventy-five thousand dollars or very close to that amount per day, with a corresponding increase per hour and per minute, as you will find by reducing the figure down to those periods.

The third objection deals with the whereas clause on the top of page 3. cannot in the farthest recess of my mind see how the Democratic Party can object to this suggestion. All we want to do under this whereas clause is to see to it that "the system of administering relief be changed so that relief shall be granted on the basis of need only." We want it changed so that the system of relief shall be on the basis of need only. You do one two things. You either admit that it is now based upon the basis of need only and Heaven knows if it is not based upon a system of need only, then you are doing something so radically wrong, improper and incorrect that you ought to change it even faster than the fastest airplane. Or you say that if you don't have it upon need only, that you don't want it upon need only, then you practically admit that the question of politics enters into this matter of administering relief, which we have charged. If you admit that and you are frank and open about it, more power to you for admitting it; less power to you for being compelled to admit it. But all we say to you is that our change is for need only, and then you object to the fact that we say that the cost of administering relief shall be materially reduced, but you argue that you have reduced it, you argue that you find yourselves now in a position where you can reduce it. Well, if you are reducing it, then why do you object to our saying that we ought to reduce it. If you are not reducing it, then you are admitting that the cost of administering relief ought to be as high as it is and you rebut your own argument by saying that you are reducing it.

Now my friend pays a great deal of time and attention to praising the Republican members of the Emergency Relief Board. I thank him for the praise and I believe it is well merited. He has told this House that he has the utmost, sublime confidence in the intelligence, in the integrity, and in the figures submitted by the Republican members of that Emergency Relief Board. That is a high compliment in these days of political argument for a member of one party to pay to another, and I ask the gentleman from York and I ask my Democratic coleagues to take the word of their leader and to continue to have absolute confidence in the integrity, in the intelligence, in the honesty and in the figures of the Republican members of that relief board, I call your attention to the little pamphlet issued under the title "A Message for Mr. and Mrs. Average Citizen" written by our State Treasurer, Charles A. Waters, to whom my good friend refers and who definitely and concretely tells you that the figure and proper figure for the proper administration of relief, so that the people can't starve in Pennsylvania—and we don't want them to starve—should be forty-three million five hundred thousand dollars. Perhaps my friend will say "Well, this time the Republican is wrong. He was right every other time." Well, just suppose for the sake of argument that he is wrong, you at least admit that his figures are responsible and then you at least admit that there is a dispute between honest people upon the State Emergency Relief Board as to what the right figure is, so that you can go away back to the first whereas clause and you will repudiate your friend's argument when you want to strike out "there is not yet available sufficient data upon which to intelligently act upon said legislation."

Now, we come to the last. I am going to skip the fact that you have increased the number of employes five thousand between June, 1932 and 1936, and I hope you won't deny that in 1935 and '36 there was a Democratic governer and the increase took place to the most gigantic figures per month of expenditure during his administration, that it reached the all-time peak. Nobody can dispute that, but I am now coming down to the last and the last hurts me the worst. Here is a Senate and a House that pass upon legislation appropriating moneys for unemployment relief and, mind you, we have the effrontery, the Senate has the audacity to say we ought to know what is going on. The gentleman from York says "You can find out what is going on. Walk over there and they will give it to you. What are you kicking about? What are you raising a fuss about? If you don't know what's going on, you or any member of the House can find out what is going on." Well, we have had an awful hard time and we haven't found out yet what is going on in the WPA. But let us assume you are right, for the sake of argument. If you are right, what objection have you to permitting the people that appropriate the money, the people that levy the taxes, to have a representative who shall have the right not to vote, not to interfere with the administration of relief, but who shall merely have the right to sit in and get the facts.

I heard Justice Maxey deliver an oration to a bar association. It was one of the most interesting, eloquent and able orations I have ever heard, and speaking as a Judge, he said the most important thing in every life and in all things is to get the facts.

All we want is for the Senate, which undoubtedly will elect a Republican and the House which undoubtedly elect a Democrat, to put two separate persons in as their respective financial agents. To do what? "Whose duty shall it be to receive from time to time from the Executive Director of the State Emergency Relief Board for the use of the Senate and House of Representatives an itemized account of all moneys expended" etc. and so forth. I would like to hear a good logical reason why that's objectionable.

That covers the amendments in which you do not want to concur. Let us be practical. Let us get down to brass tacks. You argue that the hungry will go hungry unless we appropriate immediately the money necessary to continue relief, that the funds are exhausted and that the unemployed in Pennsylvania will starve unless by Thursday of this week we transfer to the State Emergency Relief Board these funds. Are any of these whereas clauses so objectionable? Is party politics so great and so important that my Democratic friends curtail and endeavor to delay, endeavor to hinder, endeavor to prevent a transfer of funds that will enable the unemployed, the needy, the hungry and the destitute tonight to know that there is no deadlock in this Legislature but that on Thursday they will be fed. If you men are sincere in your statements, if you want to feed them, if you are not endeavoring to play politics with human misery, then I contend that the amendments acted upon and incorporated herein by the Senate are not objectionable enough to have you put this Legislature into a deadlock. Cast aside, even for a short space of time, your endeavor to make political capital out of that human misery and vote to defeat this motion so that the funds will be transferred and the rest of the legislation will come up in its turn and be enacted upon.

My attention has been called to just one other fact and, that is, my friend from York says that no other method of administering relief has been offered or introduced. That is true, perhaps. I don't know whether any Republican has so done or not, but one of your Democrats apparently thinks it is being administered the wrong way and acting, perhaps boldly and audaciously, one of my colleagues, one of the Representatives, John A. Smith of Cumberland County, I believe, introduced House Bill No. 37. I take it that the gentleman from York either was not familiar with that bill or does not want to pay any attention to it, but in that bill there is a provision for returning the unemployment relief situation back to the counties. Now, I don't stress that particularly, but I do say that apparently even on your side you are not entirely in accordance with one another on how the administration of relief should be conducted, and I appeal to the membership of this House, and although I usually believe that speeches don't make votes I do say that if you have followed this argument if you have read (you don't have to follow the argument)—if you have read the amendments, you will vote this motion down, and the poor and the needy and the destitute, of whom you speak with tears and concerning whom you play politics daily, will get their money and there will be no delay in this Legislature.

Mr. BURKE. Mr. Speaker and members of the House, I want to point out a paradox in this resolution which the gentleman from Philadelphia can not evade no matter what type of specious reasoning he may employ; that is on the same line that he pointed out, namely, "and there is not yet available sufficient data upon which to intelligently act upon said legislation." That line obviously refers to the appropriation on transfer bill of eleven million dollars. Now the passage of the transfer bill involves a knowledge of the working operations of the relief system. If there is not sufficient data to pass upon the advisability of transferring eleven million dollars, then there is not sufficient data to raise objection to the present method of administering relief and there is not justification for urging a lowering or an increase in the administrative costs.

I wish to skip over to the last whereas clause on page 2, wherein the gentleman points out that the Democratic side of the House must be opposed to supplying relief only on the basis of need. We have no opposition to that line, but the gentleman in the Senate who wrote this resolution made the mistake of incorporating two ideas in one whereas clause, and we are opposed to the second point in that whereas clause, namely, "that the cost of administering relief shall be materially reduced" and so on, because the gentleman in the Senate admits in this resolution there is not sufficient intelligent data for them to pass on the transfer bill.

On the next whereas clause, it is absolutely asinine to cite that there has been an increase in the number of employees in the administrative side of relief. We all know that the relief system grew by leaps and bounds, and merely to say that there has been an increase proves the necessity for such an increase, because the funds that were expended became larger and the needs of the people became greater.

I wish to refer back to the paragraph in which they set forth the rising cost of administration per case per month. They state in there that the cost has risen from fifty-five cents per person or per case per month in 1932 to four dollars and four cents in March of 1935. When the gentleman argues that we should go along with this resolution he is assuming that those figures are correct, and that question when he puts it to us "why don't you go along with us because the costs have increased?" is just the same as a question that I might propound to the gentleman by asking him "Do you still beat your wife?" No matter how he answers the question, he still incriminates himself. I say that Mr. Witkin does not understand how those figures are computed in there. I say that the source of the information which supplied these figures is inaccurate; it is unsound, and I am willing to show on the floor of this House that those figures are not correct.

As to the last "resolved" clause, the gentleman reaches great heights of indignation that this House would not approve the appointing of a representative of the House and a representative of the Senate to study this question. I do not think that the minority side of this House are very short on information since I have heard one gentleman quote figures from the State Treasurer who is a member of the Board. He seems to get figures from him in a few minutes, so I think you are well represented, you have a member of the Relief Board who is very friendly, who cooperates with you, and you can get any kind of figures you want—there is no trouble getting them. But I do object to this House appointing a representative, or rather the Senate appointing a Republican and the House appointing a Democrat because it puts

those two persons in an official status and they may file a report in which the Republican member may be influenced by his political bias, and that report would get more publicity than an impartial study of those figures.

On the question recurring,

Will the House agree to the motion to non-concur in all other amendments made by the Senate?

The yeas and nays were required by Mr. WITKIN and Mr. WICKERSHAM and were as follows:

YEAS—114

Achterman,	Downey, G. E.,	LaRue,	Ruffennach,
Alexander,	Downey, J. J.,	Long,	Sarraf,
Allen,	Eberharter,	Lovett,	Scanlon,
Andrews,	Eroe,	Lynch,	Schaeffer,
Anthony,	Falkenstein,	Male,	Schrope,
Arnold,	Ferko,	McDermott,	Schwab,
Aukerman,	Finnerty,	McElroy,	Shaw,
Baine,	Fitch,	McHenry,	Shepard,
Baker, J. J.,	Flanagan,	Melchiorre,	Shugarts,
Barber,	Flinchbaugh,	Mentzer,	Siegel,
Bradley,	Gerard,	Moomaw,	Simon,
Brancato,	Haberlen,	Mooney,	Sinwell,
Brown, H. S.,	Hagerty,	Moran,	Smith, J. A.,
Brown, J. E.,	Haluska,	Moul,	Smith, W. G.,
Brownfield,	Hamilton, F. P.,	Munley,	Stank,
Brumbaugh,	Harkins,	Murrin,	Stevens,
Burke,	Harmuth,	Nagel,	Sumney,
Caputo	Hartman,	O'Keefe,	Tronzo,
Carson,	Hetrick,	Ominsky,	Tumelty,
Chervenak,	Hindman,	O'Neill,	VanSickle,
Coakley,	Hirsch,	Patterson, C.,	Weiss,
Cochran,	Holland,	Patterson, J. W.,	Welliver,
Cohen,	Holstrom,	Pearson,	Welsh,
Coleman,	Hoopes,	Pfaff,	Westrick,
Coolahan,	Kelso,	Piole,	Yourishin,
Decker,	Kilroy,	Powers,	Zappala,
Dent,	Kinney,	Reising,	Furman,
Diehl,	Klinger,	Rinn,	Speaker
Dilley,	Kobeiak,	Robinson,	

NAYS—85

Altenburg,	Gillette,	Nothnagle,	Stewart,
Atkins,	Greenstein,	Panton,	Stockham,
Baker, F. T.,	Habbyshaw,	Parks,	Stott,
Baldi,	Hamilton, R. S.,	Peters,	Surface,
Barnhardt,	Hermansen,	Phillips,	Sweeney,
Beadman,	Hoffner,	Reynolds,	Tahl,
Bernhard,	Horst,	Rhys,	Terry,
Blumberg,	Jackson,	Roan,	Trout,
Boose,	Jones,	Rooney,	Turner,
Boyd, R.,	Kane,	Root,	VanAllsburg,
Boyer,	Kelder,	Royer,	Wall,
Brennan,	Kenney,	Schrock,	Wasserman,
Cannon,	Linderman,	Serrill,	Weidemann,
Carr,	Longaker,	Shortz,	White,
Condon,	Mallen,	Shreiner,	Wickersham,
Cooper,	McCreary,	Simpson,	Winner,
Davies,	McDevitt,	Sloan,	Witkin,
Denning,	McKinney,	Snyder, F. E.,	Wood,
Duffort,	Merrell,	Snyder, J. L.,	Woodside,
Flynn,	Moore,	Sowers,	Yeakel,
Forrest,	Muir,	Sproul,	Zimmerman,
Gates,			

So the question was determined in the affirmative and the motion was agreed to.

Ordered, That the Clerk return the same to the Senate with the information that the House has concurred in certain of the amendments made by the Senate as follows:

(1) The third Whereas clause, found on page 2, which reads as follows: "Whereas, There is a deficit of three million six hundred thirty thousand dollars ($3,630,000) of cash to meet the allocations of the State Emergency Relief Board for the remainder of the month of May, one thousand nine hundred thirty-six; and"

(2) In the amendment to the last Whereas clause, on page 3, to wit: "[these moneys] this sum of three million six hundred thirty thousand dollars ($3,630,000)"

(3) To the strike-out of the Resolution commencing with line 1, on page 3, and ending with the end of line 9 on page 4.

(4) To the Resolution commencing with line 10 on page 4, and ending with the end of line 25 on page 4.

And has non-concurred in all other amendments made by the Senate.

QUESTION OF INFORMATION

Mr. TURNER. Mr. Speaker, I rise to question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. TURNER. Mr. Speaker, are we on resolutions?

The SPEAKER. The Chair advises the gentleman that we are on third reading calendar.

Mr. TURNER. I understood this morning that we did not take up resolutions?

The SPEAKER. We had taken up resolutions and the Chair announced that they would be filed with the Clerk the same as bills. We have reached bills on third reading on the calendar.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 15, entitled:

An Act transferring money from the Liquid Fuels Tax Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157

Achterman,	Downey, G. E.,	Lynch,	Schwab,
Alexander,	Downey, J. J.,	Male,	Serrill,
Allen,	Eberharter,	McDermott,	Shaw,
Andrews,	Eroe,	McDevitt,	Shepard,
Anthony,	Falkenstein,	McElroy,	Shortz,
Arnold,	Ferko,	McHenry,	Shugarts,
Aukerman,	Finnerty,	Melchiorre,	Siegel,
Baine,	Fitch,	Mentzer,	Simon,
Baker, J. J.,	Flanagan,	Moomaw,	Sinwell,
Baldi,	Flinchbaugh,	Mooney,	Smith, J. A.,
Barber,	Forrest,	Moore,	Smith, W. G.,
Barnhardt,	Gerard,	Moran,	Sowers,
Beadman,	Greenstein,	Munley,	Sproul,
Blumberg,	Haberlen,	Murrin,	Stank,
Boyd, R.,	Hagerty,	Nagel,	Stevens,
Boyer,	Haluska,	O'Keefe,	Stewart,
Bradley,	Hamilton, F. P.	Ominsky,	Stockham,
Brancato,	Hamilton, R. S.,	O'Neill,	Sumney,
Brennan,	Harkins,	Panton,	Surface,
Brown, H. S.,	Harmuth,	Patterson, C.,	Sweeney,
Brown, J. E.,	Hartman,	Patterson, J. W.,	Tahl,
Brownfield,	Hermansen,	Pearson,	Tronzo,
Brumbaugh,	Hetrick,	Peters,	Tumelty,
Burke,	Hindman,	Pfaff,	Turner,
Cannon,	Hirsch,	Piole,	VanSickle,
Caputo,	Holland,	Powers,	Wasserman,
Carr,	Holstrom	Reising,	Weiss,
Chervenak,	Hoopes,	Reynolds,	Welliver,
Coakley,	Jones,	Rhys,	Welsh,
Cochran,	Kelder,	Rinn,	Westrick,
Cohen,	Kelso,	Roan,	Wickersham,
Coleman,	Kenney,	Robinson,	Winner,
Condon,	Kilroy,	Rooney,	Witkin,
Coolahan,	Kinney,	Root,	Yeakel,
Davies,	Klingler,	Ruffennach,	Yourishin,
Decker,	Kobelak,	Sarraff,	Zappala,
Denning,	LaRue,	Scanlon,	Zimmerman,
Dent,	Long,	Schaeffer,	Furman,
Diehl,	Longaker,	Schrope,	Speaker
Dilley,	Lovett,		

NAYS—32

Altenburg,	Habbyshaw,	Muir,	Stott,
Atkins,	Hoffner,	Royer,	Terry,
Baker, F. T.,	Kane,	Schrock,	Trout,
Bernhard,	Linderman,	Shreiner,	VanAllsburg,
Boose,	McCreary,	Simpson,	Wall,
Flynn,	McKinney,	Sloan,	Weidemann,
Gates,	Merrell,	Snyder, F. E.,	White,
Gillette,	Moul,	Snyder, J. L.,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 25, entitled:

An Act imposing a temporary State excise tax on electric power and current generated manufactured and sold within this Commonwealth providing for the collection of the tax and the disposition of the revenue derived therefrom imposing certain costs on counties conferring powers and imposing duties on certain persons associations partnerships corporations and State departments and imposing penalties

On the question,

Will the House agree to the bill on third reading?

MOTION TO RECOMMIT

Mr. TROUT. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of a public hearing.

On the question,

Will the House agree to the motion?

Mr. EROE. Mr. Speaker, this motion was voted on yesterday on second reading and defeated. It was my intention to have this bill pass third reading and placed on the postponed calendar until some of the things in it could be satisfactorily ironed out. I ask the members of the House to vote down this motion to recomit.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. EROE. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 28, as follows:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" as last amended by the act approved the thirty-first day of May one thousand nine hundred thirty-three (Pamphlet Laws one thousand one hundred thirty) be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Rpresentatives of the Commonwealth of Pennsylvania in Gneral Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of March in each and every year make to the Department of Revenue a report in writing verified as required by law setting forth the full number of shares of the capital stock subscribed for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say for the calendar year ending December thirty-first one thousand nine hundred thirty-six at the rate of [four] eight mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares It shall be the duty of every bank or savings institution within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of [four] eight mills or five mills as the case may be on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the provisions of this act that have been subscribed for or issued and pay the same into the State Treasury through the Department of Revenue the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred thirty-six and thereafter

On the question,

Will the House agree to the bill on third reading?

Mr. HARKINS. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend section 1, page 3, line 9 by striking out after the word "or" and before the word "mills" the word: "[five]" and inserting in lieu thereof the word: "four"

The SPEAKER. Will the House give unanimous consent

to the insertion of the amendment at this time? Is there objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 3, entitled:

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class providing for the collection of such taxes by the county treasurers and providing for their compensation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS——192

Achterman,	Eberharter,	McCreary,	Shortz,
Alexander,	Eroe,	McDermott,	Shreiner,
Allen,	Falkenstein,	McDevitt,	Shugarts,
Altenburg,	Finnerty,	McElroy,	Siegel,
Andrews,	Fitch,	McHenry,	Simon,
Anthony,	Flanagan,	McKinney,	Simpson,
Arnold,	Flinchbaugh,	Melchiorre,	Sinwell,
Atkins,	Flynn,	Mentzer,	Sloan,
Aukerman,	Forrest,	Merrell,	Smith, J. A.,
Baine,	Furman,	Moomaw,	Smith, W. G.,
Baker, F. T.,	Gates,	Mooney,	Snyder, F. E.,
Baker, J. J.,	Gerard,	Moore,	Snyder, J. L.,
Baldi,	Gillette,	Moran,	Sowers,
Barber,	Greenstein,	Moul,	Sproul,
Barnhardt,	Habbyshaw,	Muir,	Stank,
Beadman,	Haberlen,	Munley,	Stevens,
Bernhard,	Hagerty,	Murrin,	Stewart,
Blumberg,	Haluska,	Nagel,	Stockham,
Boose,	Hamilton, F. P.	O'Keefe,	Stott,
Boyd, R.,	Hamilton, R. S.,	Ominsky,	Sumney,
Boyer,	Harkins,	O'Neill,	Surface,
Bradley,	Harmuth,	Panton,	Sweeney,
Brancato,	Hartman,	Patterson, C.,	Tahl,
Brennan,	Hefferon,	Patterson, J. W.,	Terry,
Brown, H. S.,	Hermansen,	Pearson,	Tronzo,
Brown, J. E.,	Hetrick,	Peters,	Trout,
Brownfield,	Hihdman,	Pfaff,	Tumelty,
Brumbaugh,	Hirsch,	Piole,	Turner,
Burke,	Hoffner,	Powers,	VanAllsburg,
Cannon,	Holland,	Reising,	Van Sickle,
Caputo,	Holstrom,	Reynolds,	Wall,
Carr,	Hoopes,	Rhys,	Wasserman,
Carson,	Jones,	Rinn,	Weidemann,
Chervenak,	Kane,	Roan,	Weiss,
Coakley,	Kelder,	Robinson,	Welliver,
Cochran,	Kelso,	Rooney,	Welsh,
Cohen,	Kenney,	Root,	Westrick,
Coleman,	Kilroy,	Royer,	White,
Condon,	Kinney,	Ruffennach,	Wickersham,
Coolahan,	Klingler,	Sarraf,	Winner,
Davies,	Kobelak,	Scanlon,	Wilkin,
Decker,	LaRue,	Schaeffer,	Wood,
Denning,	Linderman,	Schrock,	Woodside,
Dent,	Long,	Schrope,	Yeakel,
Diehl,	Longaker,	Schwab,	Yourishin,
Dilley,	Lovett,	Serrill,	Zappala,
Downey, G. E.,	Lynch,	Shaw,	Zimmerman,
Downey, J. J.,	Male,	Shepard,	Furman,

Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 21, entitled:

An Act imposing a temporary license tax for the privilege of operating maintaining or controlling within this Commonwealth a store or stores as herein defined prescribing the method and manner of collecting such tax and its disposition and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. KANE. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. Will the House give its unanimous consent to the reading of the amendments? Are there objections? The Chair hears none.

The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend sec. 2, page 2, line 9, by adding after the word "wholesale" the following: "but the word 'store' as used in this act shall nto be construed to mean or include any place of business at which the principal business conducted is that of selling, storing or distributing petroleum products"

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156

Achterman,	Downey, J. J.,	Lovett,	Schrock,
Alexander,	Eberharter,	Lynch,	Schrope,
Allen,	Eroe,	Male,	Schwab,
Andrews,	Falkenstein,	McCreary,	Shaw,
Arnold,	Ferko,	McDermott,	Shepard,
Atkins,	Finnerty,	McDevitt,	Shortz,
Aukerman,	Fitch,	McElroy,	Shreiner,
Baine,	Flanagan,	McKinney,	Shugarts,
Baker, F. T.,	Flinchbaugh,	Melchiorre,	Siegel,
Baker, J. J.,	Forrest,	Merrell,	Simon,
Barber,	Furman,	Moomaw,	Simpson,
Barnhardt,	Gates,	Mooney,	Sinwell,
Beadman,	Gerard,	Moran,	Sloan,
Bernhard,	Haberlen,	Moul,	Smith, J. A.,
Boose,	Hagerty,	Muir,	Smith, W. G.,
Boyd, R.,	Haluska,	Munley,	Snyder, J. L.,
Bradley,	Hamilton, F. P.,	Murrin,	Sowers,
Brancato,	Hamilton, R. S.,	Nagel,	Stank,
Brennan,	Harkins,	Nothnagle,	Stevens,
Brown, H. S.,	Harmuth,	O'Keefe,	Stott,
Brownfield,	Hartman,	Ominsky,	Sumney,
Brumbaugh,	Hermansen,	O'Neill,	Sweeney,
Burke,	Hetrick,	Patterson, C.,	Terry,
Cannon,	Hindman,	Patterson, J. W.,	Tronzo,
Caputo,	Hirsch,	Pearson,	Tumelty,
Carson,	Hoffner,	Pfaff,	VanAllsburg,
Chervenak,	Holland,	Phillips,	VanSickle,
Coakley,	Holstrom,	Piole,	Wall,
Cochran,	Horst,	Powers,	Wasserman,
Cohen,	Jackson,	Reising,	Weiss,
Coleman,	Kane,	Reynolds,	Welliver,
Condon,	Kelso,	Rhys,	Welsh,
Coolahan,	Kilroy,	Roan,	Westrick,
Cooper	Kinney,	Robinson,	White,
Davies,	Klingler,	Rooney,	Winner,
Decker,	Kobelak,	Royer,	Yeakel,
Dent,	LaRue,	Ruffennach,	Yourishin,
Diehl,	Linderman,	Sarraf,	Zappala,
Dilley,	Long,	Scanlon,	Furman,
Downey, G. E.,	Longaker,	Schaeffer,	

Speaker

NAYS—31

Altenburg,	Flynn,	Peters,	Turner,
Baldi,	Greenstein,	Root,	Weidemann,
Blumberg,	Habbyshaw,	Sproul,	Wickersham,
Boyer,	Hoopes,	Stewart,	Witkin,
Brown, J. E.,	Jones,	Stockham,	Wood,
Carr,	Kelder,	Surface,	Woodside,
Denning,	Moore,	Tahl,	Zimmerman,
Duffort,	Panton,	Trout,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

COMMITTEE MEETINGS

Mr. FLINCHBAUGH asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

Mr. SCHWAB asked and obtained permission for the Committee on Forestry to meet during the session of the House.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess for fifteen minutes to permit the Committee on Appropriations to meet in the House Caucus Room. Are there objections? The Chair hears none and declares a recess for fifteen minutes.

AFTER RECESS

The SPEAKER. (Roy E. Furman) in the Chair.

The SPEAKER. The time of recess having expired the House will be in order.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 22, entitled:

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally,

BILL POSTPONED

Mr. FLINCHBAUGH. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 19, entitled:

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment and collection of the tax, and appeals to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation, and providing penalties," by increasing the rate of tax for a limited period of time.

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally,

BILL POSTPONED

Mr. FINNERTY. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. EBERHARTER. Mr. Speaker, I desire to interrogate the gentleman who made the motion.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Finnerty, permit himself to be interrogated?

Mr. FINNERTY. I will, Mr. Speaker.

Mr. EBERHARTER. Mr. Speaker, I desire to ask the gentleman whether or not the sponsor of this bill, the gentleman from Philadelphia, Mr. Ominsky, requested that it be placed on the postponed calendar.

Mr. FINNERTY. Mr. Speaker, the gentleman is not present, and I could not get in touch with him, and that is the reason I asked that it be placed on the postponed calendar.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 26, as follows:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approval April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and by further modifying the method of computing the tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An

act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" as last amended by the act approved the thirty-first day of May one thousand nine hundred thirty-three (Pamphlet Laws eleven hundred thirty-two) be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred seventy-four and its supplements or any other act of Assembly heretofore or hereafter approved for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and incumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust company or as a trust company under any act of Assembly heretofore or hereafter approved shall on or before the fifteenth day of March in each and every year make to the Department of Revenue a report in writing setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Department of Revenue for the calendar year ending December thirty-first one thousand nine hundred thirty-six to assess such shares for taxation at the rate of [five] eight mills upon each dollar of the actual value thereof and thereafter at the rate of five mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits

[As is not invested in shares of stock of corporations liable to pay to the Commonwealth a tax on shares or

As is not invested in such portion of the capital stock of corporations liable to pay to the Commonwealth a capital stock tax as the capital stock of such corporation employed within this Commonwealth and liable to a capital stock tax bears to the total capital stock of such corporation or

As is not invested in such portion of the capital stock of corporations specifically relieved under the laws of this Commonwealth from the payment of a capital stock tax as the capital stock of such corporation employed within this Commonwealth and relieved from the payment of a capital stock tax bears to the total capital stock of such corporation]

[And] and dividing this amount by the number of shares

It shall be the duty of every such company within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That upon the payment of the tax fixed by this act into the State Treasur through the Department of Revenue the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation under the laws of this Commonwealth The procedure in case the Department of Revenue be not satisfied with the report made by any title insurance or trust company and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred thirty-six and thereafter

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally,

BILL POSTPONED

Mr. HARKINS. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 17, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question.

Shall the bill pass finally?

Mr. WITKIN. Mr. Speaker, I do not see the gentleman from York, Mr. Cohen, in the room, but Mr. Cohen advises me that although this bill provides for eleven million dollars, that it is the intention to pass this bill so that it be amended in the Senate to read three million six hundred thirty thousand dollars in accordance with the resolution that was passed. If that is a correct statement of the Democratic majority in this House, and if subsequenly they will concur with the amendments made by the Senate reducing the amount from eleven million dollars to three million six hundred thousand dollars—I think I correctly quote the gentleman from York, Mr. Cohen, and would like to ask if that is correct.

Mr. COHEN. Yes, Mr. Speaker.

Mr. WITKIN. With that assurance, Mr. Speaker, I ask the membership of the House to vote in favor of House Bill No. 17 as it will be amended and subsequently to vote for the amendment to three million six hundred thirty thousand dollars.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Achterman,	Eberharter,	McDermott,	Shortz,
Alexander,	Eroe,	McDevitt,	Shreiner,
Allen,	Falkenstein,	McElroy,	Shugarts,
Altenburg,	Finnerty,	McHenry,	Siegel,
Andrews,	Fitch,	McKinney,	Simon,
Anthony,	Flanagan,	Melchiorre,	Simpson,
Arnold,	Flinchbaugh,	Mentzer,	Sinwell,
Atkins,	Flynn,	Merrell,	Sloan,
Aukerman,	Forrest,	Moomaw,	Smith, J. A.,
Baine,	Furman,	Mooney,	Smith, W. G.,
Baker, F. T.,	Gates,	Moore,	Snyder, F. E.,
Baker, J. J.,	Gerard,	Moran,	Snyder, J. L.,
Baldi,	Gillette,	Moul,	Sowers,
Barber,	Greenstein,	Muir,	Sproul,
Barnhardt,	Habbyshaw,	Munley,	Stank,
Beadman,	Haberlen,	Murrin,	Stevens,
Bernhard,	Hagerty,	Nagel,	Stewart,
Blumberg,	Haluska,	Nothnagle,	Stockham,
Boose,	Hamilton, F. P.,	O'Keefe,	Stott,
Boyd, R.,	Hamilton, R. S.,	Ominsky,	Sumney,
Boyer,	Harkins,	O'Neill,	Surface,
Bradley,	Harmuth,	Panton,	Sweeney,
Brancato,	Hartman,	Patterson, C.,	Tahl,
Brennan,	Hermansen,	Patterson, J. W.,	Terry,
Brown, H. S.,	Hetrick,	Pearson,	Tronzo,
Brown, J. E.,	Hindman,	Peters,	Trout,
Brownfield,	Hirsch,	Pfaff,	Tumelty,
Brumbaugh,	Hoffner,	Phillips,	Turner,
Burke,	Holland,	Piole,	VanAllsburg,
Cannon,	Holstrom,	Powers,	VanSickle,
Caputo,	Hoopes,	Reising,	Wall,
Carr,	Jones,	Reynolds,	Wasserman,
Carson,	Kane,	Rhys,	Weidemann,
Castor,	Kelder,	Rinn,	Weiss,
Chervenak,	Kelso,	Roan,	Welliver,
Coakley,	Kenney,	Robinson,	Welsh,
Cochran,	Kilroy,	Rooney,	Westrick,
Cohen,	Kinney,	Root,	White
Coleman,	Klingler,	Royer,	Wickersham,
Condon,	Kobelak,	Ruffennach,	Winner,
Coolahan,	LaRue,	Sarraf,	Witkin,
Davies,	Linderman,	Scanlon,	Wood,
Decker,	Long,	Schaeffer,	Woodside,
Denning,	Longaker,	Schrock,	Yeakel,
Dent,	Lovett,	Schrope,	Yourishin,
Diehl,	Lynch,	Schwab,	Zappala,
Dilley,	Male,	Serrill,	Zimmerman,
Downey, G. E.,	Mason,	Shaw,	Furman,
Downey, J. J.,	McCreary,	Shepard,	Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 14, entitled

An Act transfering money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130

Achterman,	Dilley,	LaRue,	Ruffennach,
Alexander,	Downey, G. E.,	Long,	Sarraf,
Allen,	Downey, J. J.,	Lovett,	Scanlon,
Altenburg,	Eberharter,	Lynch,	Schaeffer,
Andrews,	Eroe,	Male,	Schrock,
Anthony,	Falkenstein,	McDermott,	Schrope,
Arnold,	Ferko,	McDevitt,	Schwab,
Aukerman,	Finnerty,	McElroy,	Shaw,
Baine,	Fitch,	McHenry,	Shepard,
Baker, J. J.,	Flanagan,	Melchiorre,	Shortz,
Barber,	Flinchbaugh,	Mentzer,	Shugarts,
Boose,	Gerard,	Moomaw,	Siegel,
Boyd, R.,	Haberlen,	Mooney,	Simon,
Bradley,	Hagerty,	Moran,	Smith, J. A.,
Brancato,	Haluska,	Munley,	Smith, W. G.,
Brennan,	Hamilton, F. P.,	O'Keefe,	Sowers,
Brown, H. S.,	Harkins,	Ominsky,	Sproul,
Brown, J. E.,	Harmuth,	O'Neill,	Stank,
Brownfield,	Hartman,	Patterson, C.,	Sumney,
Brumbaugh,	Hermansen,	Patterson, J. W.,	Surface,
Burke,	Hetrick,	Pearson,	Sweeney,
Cannon,	Hindman,	Perry,	Tronzo,
Caputo,	Hirsch,	Pfaff,	Tumelty,
Carson,	Holland,	Phillips,	VanSickle,
Chervenak,	Holstrom,	Piole,	Wasserman,
Coakley,	Hoopes,	Powers,	Weiss,
Cochran,	Jones,	Reising,	Welliver,
Cohen,	Kelso,	Reynolds,	Welsh,
Coleman,	Kenney,	Rhys,	Westrick,
Coolahan,	Kilroy,	Rinn,	Yourishin,
Decker,	Kinney,	Roan,	Zappala,
Dent,	Klingler,	Robinson,	Furman,
Diehl,	Kobelak,	Rooney,	Speaker

NAYS 50

Atkins,	Gillette,	Muir,	Trout,
Baker, F. T.,	Habbyshaw,	Nothnagle,	Turner,
Baldi,	Hamilton, R. S.,	Panton,	VanAllsburg,
Barnhardt,	Hoffner,	Peters,	Wall,
Bernhard,	Kane,	Serrill,	Weidemann,
Blumberg,	Kelder,	Simpson,	White,
Boyer,	Linderman,	Sloan,	Wickersham,
Condon,	Longaker,	Snyder, F. E.,	Winner,
Davies,	McCreary,	Snyder, J. L.,	Witkin,
Duffort,	McKinney,	Stewart,	Wood,
Flynn,	Merrell,	Stockham,	Woodside,
Forrest,	Moore,	Stott,	Yeakel,
Gates,	Moul,	Terry,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affrmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. BARBER, from the Committee on Appropriations, reported as committed, House Bill No. 40, entitled:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement, the First Courts of Law, and the First Capital within what is now Pennsylvania, and making an appropriation.

Mr. GERARD, from the Committee on Appropriations, reported as committed, House Bill No. 49, entitled:

An Act to amend sections four and five of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one) entitled "An Act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointments of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended", by providing for the payment to newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium.

Mr. STANK, from the Committee on Appropriations, reported as committed, House Bill No. 56, entitled:

An Act making an appropriations to the Department of Health to defray the cost of pumping the water from anthracite coal mines which have been flooded, directly or indirectly, by the high waters during March, one thousand nine hundred thirty-six.

Mr. BAINE, from the Committee on Ways and Means, reported as committed, House Bill No. 35, entitled:

An Act to provde funds in the present emergency providing for and legalizing lotteries to raise approximately eighty-five million dollars ($85,000,000) for such purpose creating a committee to conduct such lotteries conferring powers and imposing duties on certain State officers departments and agencies and prescribing the powers and duties of the board with reference thereto.

Mr. ZAPPALA, from the Committee on Appropriations, reported as committed, House Bill No. 32, entitled:

An Act making an appropriation to the Trustees of the Connellsville State Hospital at Connellsville, Pennsylvania, for the erection and equipment of a laundry and the erection of an ambulance garage.

Mr. JOHN J. BAKER, from the Committee on Appropriations, reported as committed, House Bill No. 39, entitled:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing, the Signing, the Ratification by Pennsylvania, and the Final Adoption and Promulgation, of the Constitution of the United States, to be held at Philadelphia, and elsewhere, on the fifteenth, sixteenth and seventeenth days of September, one thousand nine hundred thirty-seven, and subsequent anniversary dates, in connection therewith; and making an appropriation.

Mr. SOWERS, from the Committee on Appropriations, reported as committed, House Bill No. 50, entitled:

A supplement to the act, approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one), entitled "An act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended", making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

Mr. LaRUE, from the Committee on Appropriations, reported as committed, House Bill No. 54, entitled:

A Supplement to Act No. 57-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Act of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance", making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

Mr. DIEHL, from the Committee on Appropriations, reported as committed, House Bill No. 58, entitled:

A Supplement to act number seventy-seven-A, approved the twentieth day of July, one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-five Appropriation Acts, page seventy-one), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interests on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-five; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-five," providing for additional appropriations to certain departments, boards and commissions.

Mr. CHERVENAK, from the Committee on Ways and Means, reported as committed, House Bill No. 36, entitled:

An Act imposing a State emergency tax, payable by those herein defined as distributors, on fuel oil used or sold and delivered within the Commonwealth; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to give security, to file reports, and to retain certain records, imposing duties on retail dealers common carriers, and such distribtuors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation.

Mr. SARRAF, from the Committee on Appropriations, reported as committed, House Bill No. 29, entitled:

An Act to provide for the expenses of the extraordinary session of the Legislature assembled May fourth, Anno Domini one thousand nine hundred thirty-six, in pursuance of the proclamation of the Governor of the Commonwealth, dated April twenty-seventh, Anno Domini one thousand nine hundred thirty-six.

Mr. POWERS, from the Committee on Forestry, reported as committed, House Resolution No. 1.

ANNOUNCEMENTS BY THE CLERK

There will be a caucus of the Democratic members tomorrow morning at 10:30 o'clock.

The Committee on Labor will meet in the House Caucus Room tomorrow morning at 9:45.

There will be a short meeting of the Committees considering the amplification system in the hall of the House at 10:00 o'clock tomorrow morning. Attention of the following members is called to this meeting: Messrs. Sowers, Condon, John E. Brown, Coleman, and Moomaw.

All members of the House of Representatives who were candidates for public office at the primaries of April 28, 1936, must file their expense accounts not later than tomorrow, Wednesday, May 13, with the Clerk of the Court of Quarter Sessions of the county in which they were candidates. The Chief Clerk advises that there are blanks in the Chief Clerk's Office.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to announce that all the members who have not yet received their orders for stamps may receive the same by calling at the Office of the Chief Clerk.

ADJOURNMENT

Mr. PIOLE. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12.00 o'clock noon.

The motion was agreed to, and (at 6.40 P. M.) the House adjourned until Wednesday, May 13, 1936, at 12.00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., WEDNESDAY, MAY 13, 1936. No. 6.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 13, 1936

The House met at 12:00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend MARSHALL SHEPARD, a member of the House offered the following prayer:

Our Father, Who art in Heaven, hallowed be Thy Name. Thy kingdom come, Thy will be done, on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil, for Thine is the Kingdom, the Power, and the Glory forever. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. SHAW the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. TUMELTY. HOUSE BILL No. 66.

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions, eliminating fire and other hazards to safety at State institutions, providing for the purchase of safety and other equipment, the erection and construction of new buildings, and repairs, alterations and additions to, and replacement of, existing buildings and equipment.

Referred to the Committee on State Government.

By Messrs. WEISS & ANDREWS. HOUSE BILL No. 67.

An Act to promote flood control and the prevention of soil erosion, and, incidental therewith, to promote agriculture, by providing for cooperation by the Commonwealth of Pennsylvania, through the Department of Agriculture of the United States, in effectuating the purposes of, and carrying into effect, the provisions of the Federal "Soil Conservation and Domestic Allotment Act," approved the twenty-ninth day of February, one thousand nine hundred thirty-six, so as to enable agricultural producers to receive Federal grants-in-aid; defining the powers and duties of said department; creating the Pennsylvania Soil Conservation Board; and making an appropriation.

Referred to the Committee on Agriculture.

By Messrs. WEISS & ANDREWS. HOUSE BILL No. 68.

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and water conservation and the coordination of any Federal and State flood control program; and making an appropriation.

Referred to the Committee on Forestry.

By Messrs. WEISS & ANDREWS. HOUSE BILL No. 69.

An Act authorizing and directing the Department of Forests and Waters to investigate, survey and report on the location and availability for purchase of certain lands suitable for reforestation and flood control as the objective; and making an appropriation.

Referred to the Committee on Forestry.

By Messrs. WEISS & ANDREWS. HOUSE BILL No. 70.

An Act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for assessment of benefits against property benefited, and against municipalities, counties and townships, and for their collection; providing for appeals; conferring certain powers on municipalities, counties and townships, the Public Service Commission and the Department of Highways; and making an appropriation.

Referred to the Committee on Forestry.

By Messrs. WEISS & ANDREWS. HOUSE BILL No. 71.

An Act providing for the appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof; declaring void certain condemnations and appropriations of waters by municipalities, corporations, copartnerships, or persons; providing for the ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities, corporations, copartnerships, or persons, and appeals therefrom; conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto; providing for future condemnation and appropriations of waters by municipalities, corporations, copartnerships, or persons, and compensation therefor; and conferring powers and imposing duties upon the Water and Power Resources Board.

Referred to the Committee on Forestry.

By Messrs. NAGEL & GATES. HOUSE BILL No. 72.

An Act providing for and regulating the annual licensing of persons, copartnerships, associations and corporations engaging in the business of outdoor advertising as herein defined, and the issuing of permits therefor; levying an excise tax for the use of the Commonwealth; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. ZAPPALA. HOUSE BILL No. 73.

An Act to enable persons, associations, partnerships, and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or description; providing for bonds with confessions of judgments; regulating the assignment and release of such mortgages; and designating the operation and effect of the lien of such mortgages.

Referred to the Committee on State Government.

By Mr. HOLSTROM. HOUSE BILL No. 74.

A Joint Resolution proposing an amendment to section eight, article nine, of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. SIEGEL. HOUSE BILL No. 75.

A Supplement to Act No. 56-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Acts of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind," increasing the current appropriation for blind pensions in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same.

Referred to the Committee on Appropriations.

By Mr. DILLEY. HOUSE BILL No. 76.

An Act to amend section eight of the act, approved the nineteenth day of January, one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three—one thousand nine hundred thirty-four, Pamphlet Laws, two hundred eighty-six), entitled "An act making appropriations out of The State Stores Fund to the State Emergency Relief Board for direct relief, work relief, and expenses, including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments," by imposing a time limit within which counties, cities, boroughs, incorporated towns, townships, school districts and poor districts may obtain reimbursements for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects.

Referred to the Committee on Appropriations.

By Mr. HARKINS. HOUSE BILL No. 77.

An Act to further amend the act, approved the seventeenth day of June, one thousand nine hundred thirteen (Pamphlet Laws, five hundred seven), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by permitting the taxation, for State purposes, of property taxable for county purposes; by making further provision with regard to penalties; and by making certain information confidential and imposing penalties.

Referred to the Committee on Counties.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. BURKE AND EROE. Resolution No. 9.

In the House of Representatives, May 13, 1936.

Whereas, Under House Resolution No. 110, Serial No. 142, Printer's No. 502, a Joint Committee to Investigate the Distribution of Public Relief throughout the Commonwealth was duly appointed at the last regular session of this General Assembly; and

Whereas, In compliance with the said joint resolution, three members of the Senate and three members of the House were appointed to the said Joint Committee; and

Whereas, The said Joint Committee held certain meetings and directed certain investigations; and

Whereas, Three members of the Joint Committee signed a report of the Committee; and

Whereas, One of the three members of the Joint Committee signing the said report presented the report to the House of Representatives on Wednesday, May 6, 1936; and

Whereas, All of the members of the Joint Committee were not given a reasonable and fair opportuniiy to review the findings contained in the report before the report was submitted to the House of Representatives; and

Whereas, The report was released to the newspapers prior to the submission to the House of Representatives; therefore be it

Resolved, That the House of Representatives disavows the highly unethical procedure associated with the submission of the said report and deems the said procedure as an unbecoming attempt to form a partisan and distorted view of a great humane problem confronting our people.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

TAX SALES

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 12, 1936.

Whereas, The authorities of the City of Pittsburgh and other municipalities throughout the Commonwealth of Pennsylvania are advertising or about to advertise tax sales, and have declined the requests of taxpayers to further postpone said tax sales until legislation can be enacted by the General Assembly for the relief of delinquent taxpayers; and

Whereas, The Allied Boards of Trade of Allegheny County, composed of forty-eight constituent community organizations, the Pittsburgh Real Estate Board, the Allegheny County Real Estate Owners and Taxpayers League, Pennsylvania Tax Justice League, and Pennsylvania Property Owners Association and similar organizations throughout the Commonwealth are in favor of the continuation of any such tax sales so as to enable the Legislature now in Special Session to enact appropriate legislation; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly hereby directs the attention of the public authorities of the City of Pittsburgh and the public authorities of other municipalities throughout the entire Commonwealth of Pennsylvania to the fact that, pursuant to the Governor's call, bills are now before the General Assembly authorizing the abatement of penalties and interest on municipal and other local taxes permitting the payment of such delinquent taxes by installments and therefore urges the public authorities of the City of Pittsburgh and all other municipalities in the Commonwealth to adjourn any tax sale which, under existing law, such authorities have authorized to be held during the months of May and June, one thousand nine hundred thirty-six, until legislation may be enacted relative to the abatement of tax penalties and interest.

Resolved, That a copy of this resolution be forthwith transmitted by the Chief Clerk of this Senate to the mayor and to the city council of the City of Pittsburgh.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Municipal Corporations.

SENATE MESSAGE

HOUSE RESOLUTION No. 3

The Clerk of the Senate being introduced informed that the Senate recedes from its amendments noncurred in by the House of Representatives to Resolution No. 3, as follows:

In the House of Representatives, May 5, 1936.

Amend House Concurrent Resolution Serial No. 3, House History of May 11, Page 19; Senate History, May 11, Page 15, Serial No. 200, to read as follows:

Whereas, House Bill No. 14, authorizing the transfer from the Motor License Fund to the General Fund of amounts aggregating not more than five million five hundred thousand dollars ($5,500,000), for the purpose of providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 15, authorizing the transfer from the Liquid Fuels Tax Fund to the General Fund, between its effective date and June thirtieth, one thousand nine hundred thirty-six, of amounts aggregating not more than three million dollars ($3,000,000), for the purpose of providing funds for unemployment relief, and providing for the repayment thereof not later than May thirty-first, one thousand nine hundred thirty-seven, is in the Committee on Appropriations of the House of Representatives, and

Whereas, House Bill No. 17, appropriating these amounts among others, in the sum of eleven million dollars (11,000,000), to the State Emergency Relief Board for unemployment relief purposes, is in the Committee on Appropriations of the House of Representatives, and

Whereas, these bills are not possible of passage until they have been acted upon both by the House of Representatives and the Senate on three legislative days and there is not yet available sufficient data upon which to intelligently act upon said legislation and

Whereas, There is a deficit of Three Million six hundred thirty thousand dollars ($3,630,000) of cash to meet the allocations of the State Emergency Relief Board for the remainder of the month of May one thousand nine hundred thirty-six and

Whereas, the cost of administration of unemployment relief has enormously increased since the passage of the law providing for the creation of the State Emergency Relief Board out of all proportion to the additional numbers of unemployed upon the relief rolls and likewise the cost of administering unemployment relief has increased from the sum of fifty-five cents per case in the month of May one thousand nine hundred thirty-three to the sum of four dollars four cents per case in the month of February one thousand nine hundred thirty-six, and

Whereas, It is the sense of the General Assembly that the system of administering relief be changed so that relief shall be granted on the basis of need only and that the cost of administering relief shall be materially reduced to the end that the overwhelming burden of taxation may be lifted from our citizens, and

Whereas, the number of administrative employes has increased from two thousand seven hundred sixty-one during the month of June one thousand nine hundred thirty-two to seven thousand seven hundred thirty-four during the month of February one thousand nine hundred thirty-six, and

Whereas, By the Act of May twenty-six one thousand nine hundred thirty-three (Pamphlet Laws one thousand eighty-eight) the State Treasurer is authorized and directed from time to time whenever the Governor ascertains the necessity therefor to transfer upon warrant by the Auditor General upon requisition of the Governor funds from the Motor License Fund to the General Fund, and

Whereas, it is of vital importance to the Commonwealth of Pennsylvania, and to the unemployment relief situation, that [these monies] this sum of three million six hundred thirty thousand dollars ($3,630,000) be made available immediately for unemployment relief purposes, now therefore be it

[Resolved (if the Senate concur) that the General Assembly hereby authorize the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund from the Motor License Fund sums not exceeding five million five hundred thousand dollars ($5,500,000) and from the Liquid Fuels tax Fund sums not exceeding three million dollars ($3,000,000) and the General Assembly hereby pledges that it will pass without amendment House Bills Numbers fourteen and fifteen so providing validating the action of the Governor and the fiscal officers in making such transfers and the General Assembly further pledges that it will further pass without amendment House Bill Number seventeen appropriating said moneys among others to the State Emergency Relief Board for unemployment relief purposes and the General Assembly further pledges that it will do so without delay]

Resolved (if the Senate concur), that if the Governor the Auditor General and the State Treasurer shall in accordance with said act of May twenty-six one thousand nine hundred thirty-three (Pamphlet Laws one thousand eighty-eight) transfer to the General Fund such sum of money from the Motor License Fund in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board for the balance of the month of May one thousand nine hundred thirty-six the General Assembly hereby pledges itself that it will enact appropriate legislation at this session of the General Assembly specifically appropriating the sum of three million six hundred thirty thousand dollars ($3,630,000) to the State Emergency Relief Board for unemployment relief and to provide revenue by taxation or otherwise to repay said transferred moneys to said special fund

Resolved, That it is the sense of the General Assembly that appropriate legislation be enacted providing that the Senate shall elect a financial agent who shall not be a member of the Senate and the House of Representatives shall elect a financial agent who shall not be a member of the House of Representatives whose duty it shall be individually or collectively to demand and receive from time to time from the Executive Director of the State Emergency Relief Board for the use of the Senate and House of Representatives an itemized account of all moneys expended from the sum authorized to be made available for expenditure in accordance with this resolution the law enacted to carry the same into effect and any other law heretofore or hereafter appropriating moneys to the State Emergency Relief Board and expended subsequent to May one one thousand nine hundred thirty-six the agents so elected to be paid from appropriations made to the State Emergency Relief Board.

LEAVES OF ABSENCE

Mr. HETRICK asked and obtained leave of absence for himself for the balance of the week.

Mr. SIMON asked and obtained leave of absence for himself for the balance of the week.

Mr. STOCKHAM asked and obtained leave of absence for himself for the balance of the week.

Mr. MUIR asked and obtained leave of absence for himself for the balance of the week.

Mr. JAMES L. SNYDER asked and obtained leave of absence for himself for the balance of the week, on account of illness in the family.

Mr. WALL asked and obtained leave of absence for himself for the balance of the week.

Mr. TERRY asked and obtained leave of absence for himself for the balance of the week.

REPORT OF COMMITTEE TO INVESTIGATE RELIEF IN NORTHAMPTON COUNTY

Mr. SINWELL presented the report of the Legislative Committee to investigate relief in Northampton County.

The SPEAKER. The report will be noted in the Journal and printed in the Appendix to the Legislative Journal.

REPORTS FROM COMMITTEES

Mr. CHERVENAK, from the Committee on Labor, reported as committed, House Bill No. 55, entitled:

An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry, and its existing and newly created agencies; requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment, and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties.

Mr. GEORGE E. DOWNEY, from the Committee on Judiciary Local, reported as committed, House Resolution No. 8.

RESOLUTION No. 1

Mr. WEISS. Mr. Speaker, I desire to call up at this time Resolution No. 1, Printer's No. 33.

The resolution was read by the Clerk as follows:

Whereas, The recent floods in this Commonwealth and elsewhere brought loss of life and resulted in damage to public and private property, running into millions of dollars; and

Whereas, The adequate flood control measures are urgently needed, and cannot be wholly financed by the states and their local subdivisions; and

Whereas, Such problems are in many cases not local, but of an interstate character; therefore be it

Resolved, (if the Senate concur), That a joint legislative committee be created, composed of two Members of the Senate appointed by the President Pro Tempore of the Senate, and three Members of the House of Representatives appointed by the Speaker of the House, whose duty it shall be to personally urge upon the President and Congress of the United States the necessity of the immediate adoption of adequate Federal flood control measures, designed to eliminate future floods in this Commonwealth and elsewhere;

Resolved, That said committee shall make report to the General Assembly during its session convening May fourth, one thousand nine hundred and thirty-six.

On the question,

Will the House adopt the resolution?

Mr. H. S. BROWN. Mr. Speaker, I should like to interrogate the gentleman from Allegheny, Mr. Weiss.

The SPEAKER. Will the gentleman from Allegheny, Mr. Weiss, permit himself to be interrogated?

Mr. WEISS. I will, Mr. Speaker.

Mr. H. S. BROWN. Mr. Speaker, I should like to ask the gentleman from Allegheny, Mr. Weiss, just what does this resolution say.

Mr. WEISS. Mr. Speaker, this resolution is intended for nothing more than its moral effect by having this Assembly go on record in urging Congress to enact the present omnibus flood control bill, when Congress by its action now is intending to pickle this for the next year. There are civic bodies in the City of Pittsburgh, the County of Allegheny, and throughout the entire Commonwealth who are urging action now, and there are delegations leaving Pittsburgh this coming Monday. All that this resolution does is to ask Congress to take action now.

Mr. H. S. BROWN. Mr. Speaker, May I inquire of the gentleman if it is necessary to have a committee appointed to urge upon the President and the Congress of the United States the necessity for the immediate adoption of adequate Federal flood control measures?

Mr. WEISS. Mr. Speaker, the reason we have asked for the appointment of a joint committee is because I do not think the Legislature, which comprises both House and Senate should take action on its own volition without the concurrence of the Senate. That is the necessity of having a committee of both House and Senate.

Mr. ZAPPALA. Mr. Speaker, may I interrogate the gentleman from Allegheny, Mr. Weiss?

The SPEAKER. Will the gentleman from Allegheny, Mr. Weiss, permit himself to be interrogated ?

Mr. WEISS. I will, Mr. Speaker.

Mr. ZAPPALA. Does the gentleman from Allegheny, Mr. Weiss, realize that there was an administration measure introduced last night that covers this field very well?

Mr. WEISS. Mr. Speaker, I, together with the gentleman from Cambria, Mr. Andrews, introduced five administration measures covering in part a flood control program, that we should coordinate with the Federal Government in carrying out the provisions of the present omnibus flood control bill.

Mr. ZAPPALA. Does the gentleman realize, Mr. Speaker, that the Government has appropriated more than fifty million dollars, and that we have introduced a bill for that purpose?

Mr. WEISS. Mr. Speaker, we have introduced a bill, but the Federal Congress has not passed their omnibus flood control bill.

Mr. ZAPPALA. May I ask, Mr. Speaker, if the gentleman does not think it possibly would be better that he withdraw the resolution and let the bill go through?

Mr. WEISS. Mr. Speaker, the two have no connection with each other. In other words, if the Congress fails to enact the present flood control bill, all the legislation we introduce will be invalid and of no effect.

Mr. HARKINS. Mr. Speaker, may I interrogate the gentleman from Allegheny, Mr. Weiss?

The SPEAKER. Will the gentleman from Allegheny, Mr. Weiss, permit himself to be interrogated?

Mr. WEISS. I will, Mr. Speaker.

Mr. HARKINS. Mr. Speaker, I desire to ask the gentleman from Allegheny, Mr. Weiss, for the information of the members of this House whether or not it is contemplated that this committee should make a journey to Washington in order to encourage the proposition set forth in his resolution?

Mr. WEISS. Mr. Speaker, I think the resolution is very simple. It might be agreed between the members of the House and Senate to go to Washington and urge your Senators and the Congressmen from the various districts to urge upon the President the passage of the present omnibus flood control bill.

Mr. HARKINS. May I ask, Mr. Speaker, if the gentleman means personally?

Mr. WEISS. Certainly, Mr. Speaker.

Mr. HARKINS. Mr. Speaker, I would like to be informed by the gentleman from Allegheny, Mr. Weiss,

whether or not there is such a trip in contemplation, and whether or not the word personally in this resolution on Page 1 would mean that the expenses of this trip would be borne by the members personally or not?

Mr. WEISS. Mr. Speaker, we expect the members of this committee to pay their own expenses.

Mr. HARKINS. Mr. Speaker, I would like to ask the gentleman from Allegheny, Mr. Weiss, if he does not consider that it would be proper to so stipulate in the resolution?

Mr. WEISS. Mr. Speaker, if the gentleman from Allegheny, Mr. Harkins, is selected on the committee, I will be glad to advance the expenses to take him along.

Mr. HARKINS. Mr. Speaker, I desire to thank the gentleman from Allegheny, Mr. Weiss, for his kindness.

On the question recurring,

Will the House adopt the resolution?

The SPEAKER declared the nays appear to have it, whereupon, a division was called for, eighty-two members voting in the affirmative and twenty-four in the negative the question was determined in the affirmative, and the resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE MEETINGS

Mr. FLINCHBAUGH asked and obtained permission for the Committee on Ways and Means to meet in Room 324, during the session of the House.

Mr. EROE asked and obtained permission for the Committee on Municipal Corporations to meet in the Anteroom during the session of the House.

RESOLUTION

Mr. BLUMBERG offered a resolution and asked unanimous consent for it to be read for the information of the House.

The SPEAKER. Will the House give its unanimous consent for the immediate reading of the resolution for the information of the House? Are there objections?

Mr. BURKE. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted. The resolution will be filed with the Clerk under the rules.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 40, entitled:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement the First Courts of Law and the First Capital within what is now Pennsylvania and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 49, entitled:

An Act to amend sections four and five of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisors and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended," by providing for the payment to newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 56, entitled:

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from anthracite coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred thirty-six

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 35, entitled:

An Act to provide funds in the present emergency providing for and legalizing lotteries to raise approximately eighty-five million dollars ($85,000,000) for such purpose creating a committee to conduct such lotteries conferring powers and imposing duties on certain State officers departments and agencies and prescribing the powers and duties of the board with reference thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 32, entitled:

An Act making an appropriation to the Trustees of the Connellsville State Hospital at Connellsville Pennsylvania for the erection and equipment of a laundry and the erection of an ambulance garage

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 39, entitled:

An act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing, the Signing, the Ratification by Pennsylvania, and the Final Adoption and Promulgation, of the Constitution of the United States, to be held at Philadelphia, and elsewhere, on the fifteenth, sixteenth, and seventeenth days of September, one thousand nine hundred thirty-seven, and subsequent anniversary dates, in connection therewith; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 50, entitled:

A Supplement to the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one), entitled "An Act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of board of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended," making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 54, entitled:

A Supplement to Act No. 57-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Act of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance," making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 58, entitled:

A Supplement to act number seventy-seven-A, approved twentieth day of July, one thousand nine hundred thirty-five, (One Thousand Nine Hundred Thirty-Five Appropriations Acts, page seventy-one), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-five; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-five," providing for additional appropriations to certain departments, boards and commissions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 36, entitled:

An Act imposing a State emergency tax, payable by those herein defined as distributors, on fuel oil used or sold and delivered within the Commonwealth; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to give security, to file reports, and to retain certain records; imposing duties on retail dealers, common carriers, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 29, entitled:

An Act to provide for the expense of the extraordinary session of the Legislature assembled May fourth Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh Anno Domini one thousand nine hundred thirty-six

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1, as follows:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes and prohibiting the sale of real property for the non-payment of any such taxes for a certain period

The first section was read.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes for the tax year one thousand nine hundred and thirty-four and all previous year assessed against any real estate shall be abated by the authority levying the tax if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of this act twenty per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid on or before the thirty-first day of December one thousand nine hundred and thirty-six twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-seven twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-eight twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-nine and the final twenty per centum on or before the thirty-first day of December one thousand nine hundred and forty And provided That after the first installment shall have been paid the respective current taxes on such parcel or parcels of real estate for the subsequent years during such installment periods levied by such taxing authority shall be paid during the then current year and if such current taxes for any such year are not paid during such year then the penalties and interest abated on the installment due for such year if such installment has already been paid shall be added to the first remaining installment of unpaid delinquent taxes and be paid in the same manner as such installment

If any taxpayer availing himself of the provisions of this act shall fail to pay any installment of taxes as hereinbefore provided for the tax year one thousand nine hundred and thirty-four and all previous years as herein before provided then the penalties and interest due on such unpaid installment or installments shall not be abated

On the question,

Will the House agree to the section?

Mr. WOODSIDE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, line 9, by striking out the word "year" and insert "years"

Amend Sec. 1, page 2, line 4, by striking out the words "on or"

Amend Sec. 1, page 2, line 5, by striking out the heavy-faced brackets before and after the word "first"

Amend Sec. 1, page 2, line 5, by striking out the word "thirty-first"

Amend Sec. 1, page 2, line 6, by striking out the word "thirty-sex" and insert "thirty-six"

Amend Sec. 1, page 3, lines 10 and 11, by striking out the words "as herein before provided"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 Any taxpayer may anticipate the payment of such delinquent taxes for the tax year one thousand nine hundred and thirty-four and previous years at any time prior to April first one thousand nine hundred and thirty-seven by paying the entire amount of or the balance due on such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes levied for the year one thousand nine hundred and thirty-five or any subsequent year shall not be required

On the question,

Will the House agree to the section?

Mr. WOODSIDE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 2, page 3, line 16, by placing a heavy-faced bracket after the word "or" as follows: "]."

Amend Sec. 2, page 3, line 16, by striking out the word "November" and insert: "December."

Amend Sec. 2, page 3, line 17, by striking out the heavy-faced bracket after the word "thirty-six."

Amend Sec. 2, page 3, lines 17 and 18, by striking out the words "prior to April first one thousand nine hundred and thirty-seven."

Amend Sec. 2, page 3, line 22, by striking out the words "any subsequent year" and insert: "one thousand nine hundred and thirty-six."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third, fourth, fifth, sixth and seventh sections were separately read and agreed to as follows:

Section 3 This act shall be construed to apply to all taxes whether or not liens for such taxes have been returned for nonpayment or have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any part in said county and the taxpayer shall not be or become liable for the payment of any fees or costs incurred in the filing of satisfaction of such liens or in the prosecution of such proceedings except the actual prothonotaries fees or costs

Section 4 The benefits of this act shall extend to and accrue to any grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied anything in the permanent statutes of this Commonwealth to the contrary

For the purposes of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax

Section 5 Any taxpayer shall have the right to pay the deliquent taxes levied against any parcel or parcels of real estate without being required to pay the delinquent taxes levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision Upon the request of the taxpayer it shall be the duty of the proper officials charged with the duty of assessing property or with the levy and collection of taxes to separate the assessments and the taxes assessed against any two or more parcels of real estate in the same ward district or municipal subdivision

Section 6 Within thirty days after the effective date of this act the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes shall have prepared and mailed to each delinquent taxpayer a complete and correct statement of delinquent taxes due the county city borough town township school district or poor district for the year one thousand nine hundred and thirty-four and previous years including taxes liened or for which proceedings have been instituted for the collection thereof together with either a copy of this act or a complete synopsis of the terms of the act setting forth therein the benefits provided by the act and the necessary conditions required by the taxpayers in order to receive the same The cost of the preparation and mailing of such notices shall be paid by the tax levying authorities

Section 7 In order to receive the benefits of this act the taxpayer shall submit to the person authorized to receive such taxes a correct and complete statement of all delinquent taxes due on the parcel or parcels of real estate upon which he desires to pay under the terms of this act including liened taxes or taxes returned to the county treasurer Whereupon the person authorized to receive such taxes shall accept such statement and accept the payment tendered forthwith anything in the permanent statutes of this Commonwealth to the contrary but if the taxpayer shall submit any false or incorrect statement he shall become liable for the payment in the manner provided by law of all penalties and interest abated on the delinquent taxes paid

The eighth section was read as follows:

Section 8 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for non-payment of taxes before April first one thousand nine hundred and thirty-seven and any tax sale may be adjourned or readjourned as may be necessary for this purpose If any tax sale is adjourned or readjourned after advertisement no additional advertisement or notice shall be necessary for the adjourned or readjourned sale. No such adjournment or readjournment failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid but the lien of all such taxes shall be fully preserved until April first one thousand nine hundred and thirty-seven notwithstanding that the period fixed by existing law as the life of such a tax lien has expired.

On the question,

Will the House agree to the section?

Mr. WOODSIDE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 8, page 6, line 8, by striking out the word "April" and insert: "December."

Amend Sec. 8, page 6, line 9, by striking out the word "thirty-seven" and insert: "thirty-six."

Amend Sec. 8, page 6, line 17, by striking out the word "April" and insert: "December."

Amend Sec. 8, page 6, line 18, by striking out the word "thirty-seven" and insert: "thirty-six."

Amend Sec. 8, page 6, line 19, by striking out the misspelled word "exising" and insert: "existing."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The ninth, tenth and eleventh sections and title were separately read and agreed to as follows:

Section 9 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 10 All acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 11 This act shall become effective immediately upon final enactment

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes and prohibiting the sale of real property for the non-payment of any such taxes for a certain period.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 28, as follows:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" as last amended by the act approved the thirty-first day of May one thousand nine hundred thirty-three (Pamphlet Laws one thousand one hundred thirty) be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of March in each and every year make to the Department of Revenue a report in writing verified as required by law setting forth the full number of shares of the capital stock subscribed for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say for the calendar year ending December thirty-first one thousand nine hundred thirty-six at the rate of [four] eight mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares It shall be the duty of every bank or savings institution within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of [four] eight mills or four mills as the case may be on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the provisions of this act that have been subscribed for or issued and pay the same into the State Treasury through the Department of Revenue the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred thirty-six and thereafter

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. HARKINS. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. EROE, from the Committee on Ways and Means, reported as committed, House Bill No. 61, entitled:

An Act imposing an income tax for State purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania; defining taxable income and requiring filing of returns thereof; providing for the assessment, collection and lien of said tax; providing for administration and enforcement of the act by the Department of Revenue; conferring powers and imposing duties on certain persons, partnerships, associations, corporations, State officers, employes and departments; and imposing penalties.

Mr. O'NEILL, from the Committee on Ways and Means, reported as committed, House Bill No. 41, entitled:

An Act to amend section five of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations and limited partnerships; providing for the assessment and

collection of the tax, and appeals to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation, and providing penalties", by making further provisions relative to the filing of consolidated reports.

Mr. MELCHIORRE, from the Committee on Ways and Means, reported as amended, House Bill No. 42, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand eight hundred ninety-seven (Pamphlet Laws, one hundred seventy-eight), entitled "An act taxing certain stocks of building and loan associations for State purposes," by adding a new section providing for the filing of reports and imposing penalties; by increasing the rate of tax on full paid, prepaid, and fully matured or partly matured stock of building and loan associations; and by modifying the procedure for the settlement, collection, and payment of such tax.

Mr. MURRIN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 45, entitled:

An Act validating certain proceedings and elections of political sub-divisions had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Mr. BAINE, from the Committee on Ways and Means, reported as committed, House Bill No. 43, entitled:

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (Pamphlet Laws, four hundred twenty), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine", by increasing the rate of tax.

COMMITTEE MEETINGS

Mr. SCHWAB asked and obtained permission for the Committee on Forestry to meet in Room 324 during the session of the House.

Miss BRANCATO asked and obtained permission for the Committee on Cities to meet in the Conference Room during the session of the House.

REPORTS OF COMMITTEES

Mr. DILLEY, from the Committee on Forestry, reported as committed, House Bill No. 71, entitled:

An Act providing for the appropriation of certain waters of the Commonwealth to the Commnwealth for the benefit of the people thereof; declaring void certain condemnations and appropriations of waters by municipalities, corporations, copartnerships, or persons; providing for the ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities, corporations copartnerships, or persons, and appeals therefrom; conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto; providing for future condemnations and appropriations of waters by municipalities, corporations, copartnerships, or persons, and compensation therefor; and conferring powers and imposing duties upon the Water and Power Resources Board.

Mr. LaRUE, from the Committee on Forestry, reported as committed, House Bill No. 70, entitled:

An Act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for assessment of benefits against property benefited, and against municipalities, counties and townships, and for their collection; providing for appeals; conferring certain powers on municipalities, counties and townships, the Public Service Commission and the Department of Highways; and making an appropriation.

Mr. HALUSKA, from the Committee on Forestry, reported as committed, House Bill No. 68, entitled:

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and water conservation and the coordination of any Federal and State flood control program; and making an appropriation.

Mr. VAN SICKLE, from the Committee on Cities, reported as committed, House Bill No. 47, entitled:

An Act to amend section one of the act, approved the sixteenth day of May, one thousand nine hundred and thirty-five (Pamphlet Laws one hundred seventy-six), entitled "An act requiring cities of the second and third class to allow members of the police departments, twenty-four consecutive hours of rest each week, and fourteen days of vacation each year, except in emergency cases," by extending the provisions thereof to cities of the second class A.

Mr. POWERS, from the Committee on Forestry, reported as committed, House Bill No. 69, entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate, survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective; and making an appropriation.

Mr. HINDMAN, from the Committee on Judicial Local, reported as committed, House Resolution No. 2.

Mr. POWERS, from the Committee on Judiciary Local, reported as committed, House Resolution No. 6.

Mr. SCHWAB, from the Committee on Ways and Means, reported as committed, House Resolution No. 9.

Mr. O'KEEFE, from the Committee on Public Utilities, reported as committed, House Resolution No. 5.

ANNOUNCEMENTS BY THE CLERK

There will be a caucus of the Democratic members in the House Caucus Room tomorrow, at 9:00 A. M.

There will be a meeting of the Bi-Partisan Committee of Twenty-six of the House for the reduction of Real Estate Taxes on Tuesday, May 19, at 10:00 A. M., in the House Caucus Room.

There will be a meeting of the Committee on Education immediately after this session in the Conference Room at the rear of the House.

ADJOURNMENT

Mr. HINDMAN. Mr. Speaker, I move that this House do now adjourn until tomorrow at 10:00 A. M.

The motion was agreed to, and (at 1:24 P. M.) the House adjourned until Thursday, May 14, 1936 at 10:00 A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., THURSDAY, MAY 14, 1936. No. 7.

HOUSE OF REPRESENTATIVES

THURSDAY, May 14, 1936.

The House met at 10:00 o'clock A. M.
The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Rev. O. F. R. TREDER, pastor of St. James Episcopal Church, Bedford, Pa., offered the following prayer:

Almighty God, Our Heavenly Father, Who hast safely brought us to the beginning of this day. Defend us with Thy mighty Power, and grant us that in this day we do no sin, but that all our doings may be ordered by Thy Covenants and Righteousness in Thy Sight.

We pray Thee for the people of this Commonwealth in general and especially the Governor of this State, the members of the General Assembly and all in authority, that they in administering their duties may above all things seek Thy Honor and Glory, and that all of the people whose authority they bear may faithfully and obediently honor Thee, according to Thy Blessed Word and Promise.

Through Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday when, on motion of Mr. WELLIVER, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. ANDREWS, HALUSKA, CAPUTO, CHERVENAK, LaRUE, YOURISHIN, SMITH, MOOMAW, WESTRICK, ACHTERMAN, WEISS, MORAN, DENT, LYNCH, SUMNEY KOBELAK, SHUGARTS, DIEHL, ARNOLD, EBERHARTER, BAINE, BRADLEY and HINDMAN.

HOUSE BILL No. 78.

An Act providing for the imposition and collection of an emergency State tax on elective public offices; imposing powers and duties on the Department of Revenue; making an appropriation; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. ACHTERMAN. HOUSE BILL No. 79.

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty, one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-three, one thousand nine hundred and thirty-four, and one thousand nine hundred and thirty-five, and validating the liens of such taxes.

Referred to the Committee on Counties.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. JOHN E. BROWN.

(Concurrent) RESOLUTION No. 10.

In the House of Representatives, May 13, 1936.

Whereas, Certain persons are employed in administrative work by the State Emergency Relief Board who are the beneficiaries of pensions or retirement allowances; and

Whereas, The purpose of the appropriations for unemployment relief is to provide aid for those residents of the Commonwealth who are without means of support; therefore, be it

Resolved, That it is the sense of the House of Representatives that no person who is the beneficiary of a pension or retirement allowance sufficient to provide reasonable support should be employed by the State Emergency Relief Board, and that where such pensions or retirement allowances are deemed inadequate, that the amount received from such sources be deducted from the compensation of any person employed by the State Emergency Relief Board.

Resolved, That a copy of this resolution be transmitted to the State Emergency Relief Board by the Chief Clerk of this House.

Referred to the Committee on Judiciary Local.

By Mr. GILLETTE.

(Concurrent) RESOLUTION No. 11.

In the House of Representatives, May 13, 1936.

Whereas, There is a bill in Congress which carries an appropriation of $1,500,000,000 for continuation of WPA; and

Whereas, Under the present system of WPA several hundred million dollars of this appropriation will be used for administrative and overhead costs, thereby reducing the funds available for the workers who really need assistance; and

Whereas, There is overwhelming evidence that politics, and not relief, is the dominant factor in the WPA administration; and

Whereas, If the best interests of the general public shall be served, politics, excessive administrative costs, and waste and delays must be eliminated; and

Whereas, The locally elected officials of the various political subdivisions of the country, by virtue of their knowledge of local conditions, are in a better position to sponsor and administer works projects to provide employment for the citizens of their districts than any centralized Federal authority; and

Whereas, By eliminating the unnecessary administrative costs, and making all of the appropriation available for the unemployed, the present un-American labor rates and conditions could be eliminated, and a fair wage based upon the prevailing rate in each community for similar work could be paid; and

Whereas, An amendment to the bill to provide that the WPA fund be allocated on a per capita basis to each political subdivision to be administered and expended by the proper local officials would elminate delay, unnecessary administrative overhead costs, and provide a greater number of jobs; therefore be it

Resolved, That the Senate of Pennsylvania urges the President of the United States and Representatives in Congress to support an amendment to the $1,500,000,000 appropriation bill; to provide that the WPA funds be allo-

cated to each political subdivision on a per capita basis, to be used by the proper officials thereof to finance and administer work projects in their respective districts, to provide jobs for their citizens at the prevailing local labor rate; and that the allocaton to each political subdivision shall be at least ten dollars per capita; and that a further allocation of at least one dollar per capita be made to the various counties for work and direct relief; and to provide that the county commissioners shall by resolution appropriate at least fifty per cent. of the county allocation to the various poor districts for direct relief for citizens unable to work because of age or disability; and be it further

Resolved, That copies of this resolution be forwarded to the President of the United States, Senators and Representatives in Congress.

Referred to the Committee on Judiciary Special.

By Mr. BLUMBERG. (Concurrent) RESOLUTION No. 12.

In the House of Representatives, May 13, 1936.

Whereas, The most important and crucial problem before this Extraordinary Session of 1936 is that of relief for the unemployed, the destitute and needy, and

Whereas, It is the sense of the General Assembly that the maximum amount of relief possible under present circumstances should be afforded to this unfortunate class of our citizenship, and

Whereas, Under the terms of the agreement entered into by the Commonwealth of Pennsylvania and the United States Government in 1935, the Federal Government agreed to provide by work projects for all employables in the aforementioned class of citizenship and the State Government was to provide by direct relief for all unemployables, and

Whereas, The State Government has been compelled from the time of said agreement to the present to continue to provide for the employables among the needy by means of direct relief grants, despite the said agreement, and

Whereas, The Commonwealth of Pennsylvania is maintaining a large administrative agency operating under the State Emergency Relief Board for the distribution of direct relief at a present administrative cost of approximately $12,000,000 per year, and

Whereas, It has been impossible to determine the cost of administration of WPA projects in Pennsylvania, although it has been reported that same exceeds many times the high cost of administration of direct relief by the State Emergency Relief Board, and

Whereas, Allegations have been made and charges have appeared in the public press of the Commonwealth to the effect that the administration of WPA projects in Pennsylvania has been entirely political, that persons not entitled to relief and whose sole qualification is political activity have been given lucrative administrative positions and white collar jobs; that preferences exist to the detriment fo those in need of relief for the benefit of the political parasite, and that vast sums of money which should properly go to the unemployed, the destitute and the needy of this Commonwealth are being diverted to those not in need of relief who receive the political plums of WPA, and

Whereas, A direct relationship exists between the sum to be appropriated by the Commonwealth for direct relief and the number of persons properly employed on WPA projects, therefore be it

Resolved, (if the Senate concur) That the General Assembly of Pennsylvania request the State Administrator of WPA projects, Edward N. Jones, furnish to the General Assembly of Pennsylvania not later than May 19, 1936, the following information:

1. The total cost of administration of WPA projects in Pennsylvania, by counties, for the period beginning January 1, 1935 and ending May 1, 1936.

2. The number of administrative positions in WPA projects in Pennsylvania, by counties, and the salaries of same.

3. The names and addresses of those holding administrative positions in WPA projects in Pennsylvania, by counties, and the respective salaries.

4. The number, by counties, of those working on WPA projects in Pennsylvania not taken from the relief rolls of the State and the percentage of same to the gross number of employables on WPA projects in Pennsylvania.

5. The names and addresses, by counties, of those not taken from direct relief rolls of the State of Pennsylvania holding positions of County Administrator, supervisors, superintendents, secretaries, foremen, assistant foremen, time keepers and disbursing officers on WPA projects in the State and the respective salary of each.

6. The total amount allotted and spent on WPA projects in Pennsylvania, by counties, for the period beginning January 1, 1935 and ending May 1, 1936.

Referred to the Committee on Judiciary Special.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION No. 3

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 13, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution No. 3, pledging the General Assembly, under certain conditions, to enact appropriate legislation at this session appropriating $3,630,000 to the State Emergency Relief Board for unemployment relief etc.

GEORGE H. EARLE.

STATEMENT BY MR. HOOPES

Mr. HOOPES asked and obtained unanimous consent to make the following statement:

Mr. Speaker, we have been here nearly two weeks, we have heard plenty of long statements. I do not propose to take much of your time when you are anxious to get home, but I have a few things I would like to say.

I am in favor of promptly providing adequate relief for the unemployed, and I am perfectly willing, yes glad, to stay here as many weeks and as many days per week as may be necessary to do that, but the prospects of staying around here all summer boondoggling is not at all pleasing, in fact, it is thoroughly disgusting.

We are completing the second week of this session, and I think I am correct in stating that all we have actually done so far is to promise to give relief for eighteen days; in other words we passed a resolution,—we haven't yet passed the legislation. Our sessions have consistently been anywhere from a half hour to three hours late in assembling. Most of our time has been taken up in recesses taken to permit one or the other or both of the majority parties to hold caucuses.

The Senate adjourned on Tuesday; we are still here because the majority caucus decided yesterday it would be a nice political gesture for the House to stay in session until Thursday when the Senate had adjourned on Tuesday. If you are so anxious to advance the calendar which I understand is the argument as to why we are staying here, why don't you take up the bills on final passage postponed? They could have been passed yesterday,—some of them could have been passed Tuesday.

The important bills are not on the calendar this morning because some of them had not been brought in in time to be filed. I understand some of them have been brought into the House within the last few minutes.

If we had fewer caucuses and less political football while we were in session we could have gotten a whole lot further than we have. I think it is time we understood each other. Everyone knew this special session was coming long before it was called. It seems to me that at least the majority and the administration could have gotten together so as to know what they wanted to do, so that we could at least have put something through this House and gotten somewhere. Instead of that we are simply sitting around here waiting for the majority group to decide what it wants to do.

If this House is going to be kept in session for political reasons to build up campaign material for one party or another in the Presidential campaign, I propose to insist that at least a quorum of the members stay here with us. You have held up the session this morning for three-quarters of an hour in an endeavor to get a quorum. You may possibly have a quorum but it is very close, and there is no reason why we should have all these delays all the time. I think it is time that we have a showdown and an understanding one way or the other, and see if we cannot hold our meetings on time and get something done.

Therefore, Mr. Speaker, I suggest the absence of a quorum, and I move a call of the House.

POLL OF HOUSE

The SPEAKER. The Sergeant-at-Arms will close the doors and permit no one to enter except members.

The Clerk will proceed with the poll of the House and report the result to the Chair.

The Clerk polled the House.

The SPEAKER. The Clerk reports one hundred nineteen members present. The House will proceed with its regular business.

CALL FOR ROLL CALL

Mr. HOOPES. Mr. Speaker, I ask that the call of the House be made by roll call. I believe that is the way it should be done under the rules of the House.

The SPEAKER. The only time a roll call is necessary is when a roll call has been asked for. A roll call was not asked for and the House was polled by the clerks.

ORDER OF THE DAY

Mr. ANDREWS. Mr. Speaker, the Clerk having reported the presence of a quorum, I call for the order of the day.

The SPEAKER. The order of the day having been called for, we will now take up bills on first reading.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 55, entitled:

An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 61, entitled:

An Act imposing an income tax for State purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons partnerships associations corporations State officers employes and departments and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 41, entitled:

An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by making further provisions relative to the filing of consolidated reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 42, entitled:

An Act to amend the act approved the twenty-second day of June one thousand eight hundred ninety-seven (Pamphlet Laws one hundred seventy-eight) entitled "An act taxing certain stocks of building and loan associations for State purposes" by adding a new section providing for the filing of reports and imposing penalties by increasing the rate of tax on full paid prepaid and fully matured or partly matured stock of building and loan associations and by modifying the procedure for the settlement collection and payment of such tax

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 45, entitled:

An Act validating certain proceedings and elections of political subdivisions had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuant of such proceedings and elections

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 43, entitled:

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing the rate of tax

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 71, entitled:

An Act providing for the appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof; declaring void certain condemnations and appropriations of waters by municipalities, corporations, copartnerships, or persons; providing for the ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities, corporations, copartnerships, or persons, and appeals therefrom; conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto; providing for future condemnation and appropriations of waters by municipalities, corporations, copartnerships, or persons, and compensation therefor; and conferring powers and imposing duties upon the Water and Power Resources Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 70, entitled:

An Act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for assessment of benefits against property benefited, and against municipalities, counties and townships, and for their collection; providing for appeals; conferring certain powers on municipalities, counties and townships, the Public Service Commission and the Department of Highways; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 68, entitled:

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and water conservation and the coordination of any Federal and State flood control program; and making an appropriation.

And said bill having been re adat length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 47, entitled:

An Act to amend section one of the act, approved the sixteenth day of May, one thousand nine hundred and thirty-five (P. L. 176), entitled "An act requiring cities of the second and third class to allow members of the police departments, twenty-four consecutive hours of rest each week, and fourteen days vacation each year, except in emergency cases," by extending the provisions thereof to cities of the second class A.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 69, entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate, survey and report on the location and availability for purchase of certain lands suitable for reforestation and flood control as the objective; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. EBERHARTER. Mr. Speaker, I move that this House do now adjourn until Monday, May 18, 1936, at 9.00 P. M.

The motion was agreed to, and (at 11.08 A. M.) the House adjourned until Monday, May 18, 1936, at 9.00 P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., MONDAY, MAY 18, 1936. No. 8.

SENATE

MONDAY, MAY 18, 1936.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

We thank Thee, O God of the Universe, for this nation of ours, for her history and the proud place she today occupies among the kingdoms of the earth. May she retain her present place of honor throughout the years that lie ahead. Make us not only proud of her past but also jealous for her future.

As the sovereign State of Pennsylvania has long been the keystone in the Arch of Federation which makes one beautiful structure of our United States, may she continue to occupy her vital position. Inspire our law-makers, gathered in Special Session, to do their work faithfully and carefully, so that the keystone and the entire arch may be beautified and glorified by their labors.

Thus we pray in the name of the King of Kings. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HUFFMAN, the further reading was dispensed with, and the Journal approved.

LEAVE OF ABSENCE

Mr. ARON asked and obtained leave of absence for the Senator from Philadelphia, Mr. Trainer.

PETITIONS

PROTESTING AGAINST INCREASING THE TAX ON PERSONAL PROPERTY

The Chair cleared his table and laid before the Senate petition from the West End Building and Loan Association, York, protesting against increasing the tax on personal property.

Which was referred to the Committee on Finance.

PROTESTING AGAINST INCREASING THE TAX ON GASOLINE

The Chair also laid before the Senate petition from a resident of Philadelphia voicing his disapproval of the proposed additional tax on gasoline.

Which was referred to the Committee on Finance.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 14 (Senate Bill No. 22), entitled:

An Act transferring money from the Motor License Fund to the General Fund; and providing for subsequent return from the General Fund of the transferred money.

Which was committed to the Committee on Appropriations.

House Bill No. 17 (Senate Bill No. 23), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

Which was committed to the Committee on Appropriations.

JOINT COMMITTEE TO URGE THE IMMEDIATE ADOPTION BY THE PRESIDENT AND CONGRESS OF ADEQUATE FEDERAL FLOOD CONTROL MEASURES

He also presented extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Federal Relations.

In the House of Representatives, May 5, 1936.

Whereas, The recent floods in this Commonwealth and elsewhere brought loss of life and resulted in damage to public and private property, running into millions of dollars; and

Whereas, The adequate flood control measures are urgently needed, and cannot be wholly financed by the states and their local subdivisions; and

Whereas, Such problems are in many cases not local, but of an interstate character; therefore be it

Resolved (if the Senate concur), That a joint legislative committee be created, composed of two Members of the Senate appointed by the President Pro Tempore of the Senate, and three Members of the House of Representatives appointed by the Speaker of the House, whose duty it shall be to personally urge upon the President and Congress of the United States the necessity of the immediate adoption of adequate Federal flood control measures, designed to eliminate future floods in this Commonwealth and elsewhere;

Resolved, That said committee shall make report to the General Assembly during its session convening May fourth, one thousand nine hundred and thirty-six.

EMPLOYEES OF THE SENATE

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 18, 1936.

Resolved, That the following person be elected Page of the Senate to fill vacancy, as is provided for by Act of Assembly:

PAGE

Floyd R. Keener, 2553 N. Sixth Street, Harrisburg, vice Ray P. Rathfon, resigned.

APPOINTMENT BY CHIEF CLERK

In the Senate, May 18, 1936.

The PRESIDENT: The Chief Clerk announces the following Appointment:

COMPILING CLERK

William McFadden, 1143 N. Hancock Street, Philadelphia, vice John Cooper, resigned.

BILLS INTRODUCED

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 24 entitled:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing, the Signing, the Ratification by Pennsylvania, and the Final Adoption and Promulgation of the Constitution of the United States, to be held at Philadelphia and elsewhere on the fifteenth, sixteenth and seventeenth days of September, one thousand nine hundred thirty-seven, and subsequent anniversary dates in connection therewith; and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. Harris read in his place and presented to the Chair Senate Bill No. 25 entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens in the several cities of the third class, boroughs, and townships of the first class of this Commonwealth; and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor, and the proceedings for the collection of such assessments, claims, and liens.

Which was committed to the Committee on Municipal Government.

Also read in his place and presented to the Chair Senate Bill No. 26 entitled:

An Act to authorize cities of the third class, boroughs, and townships to sue out writs of scire facias on certain municipal claims, or to revive judgments on such claims, where more than five years have elapsed since said claims were filed or such judgments were entered or revived, and to reduce such claims to judgment, or to revive such judgment; and providing for the revival and collection of such judgments.

Which was committed to the Committee on Judiciary General.

QUESTION OF PERSONAL PRIVILEGE

Mr. EALY. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Somerset, Mr. Ealy, will state his question of personal privilege.

Mr. EALY. Mr. President, I desire to file with the Clerk and have entered on the record, a few brief, but very pertinent, statements with respect to unemployment relief, taken from the work on Economics, by Arthur Hadley, one time President of Yale University.

The PRESIDENT. Is there objection? The Chair hears none, and the statements will be entered in the Journal.

HISTORY REPEATS ITSELF

POOR RELIEF IN ENGLAND

and other observations taken from the work on ECONOMICS

By Arthur Hadley, one time President of Yale University

"The history of poor-relief in England divides itself into four periods. In the first period, lasting till 1600, the state confined its efforts to the suppression of pauperism leaving the care of the incapable and unfortunate to other agencies. The Reformation made some of these agencies inoperative; and during the second period, inaugurated by the Act of Elizabeth (1601) the parish authorities were charged with the duty of relieving the destitute. Every effort was made to prevent such relief from being abused. The tendency of the poor to migrate to parishes where they received the best treatment was met by the acts of settlement, which were framed to prevent people with precarious means of livelihood from changing their legal residence. The laxity of certain justices who ordered relief to be granted on inadequate grounds, was met by the imposition of the workhouse test (1713). Parishes were encouraged to build workhouses and to make residence in such workhouses a condition of relief. Pauperism was made as unpleasant as possible in order to reduce the burdens of the ratepayer. But in the latter part of the eighteenth century a different spirit began to prevail. The old practice was felt to be unnecessarily hard on the poor. The use of the workhouse as a test was abolished. It was made a place of support for the incapable. No one was to be sent to a workhouse if he could maintain himself elsewhere. By "Gilbert's Act" (1782) the guardians of the poor were charged with the duty of helping them thus to maintain themselves; in other words, of finding work for everyone who applied for it. Until they succeeded in finding work for him, the applicant was to be supported in his own home at public expense. The effect of this law on the prosperity of the English agricultural districts was terrible. It relieved any man who chose to avail himself of its provisions from the responsibility of seeking work. It gave the overseers more to do than they could possibly accomplish. They could not find employment for all who applied. They were compelled to support these applicants and their families in reasonable comfort. The burden of this support came indirectly on the industrious laborers. The condition of the man who lived on charity was in many districts made better than that of the man who supported himself by honest labor. Conspicuously was this the case with persons who had large families. The parish allowance for each child was so great as to constitute a premium on the increase of numbers. In certain districts the operation of the law not only crippled industry, but had most disasterous effects on public morality; practically abolishing female chastity among those classes to whom the ample parish allowance for the support of children constituted a temptation to vice. So great were these evils that in the year 1834 Pariament was compelled to reestablish the workhouse test. By this change the burden of pauperism, which had increased with such rapidity that it threatened to cripple English agricultural prosperity, was gradually lightened; but the southern and western countries of England have not yet recovered, either materially or morally, from the evils which were entailed upon by fifty years of liberal policy in the matter of poor-relief.

"In the interest of those who are willing and able to work it is absolutely indispensable to reduce the burden

of pauperism to a minimum. Any other policy not only puts unnecessary taxes upon the industrious, but tends to increase the number of paupers and diminish the number of those who are charged with the labor of supporting them."

WORK RELIEF

"There is a specious argument in favor of public works for the relief of those who are temporarily unemployed. People say that such work would have been done, sooner or later, in any event; that the unemployed must be helped in some shape or other; that even if those who are set to work upon these things do not earn the full amount of their wages, the little they may accomplish is better than nothing, as otherwise they would have to be wholly supported at public expense. They also add that employment on useful work of this kind preserves the self-respect of the laborer which the direct giving of charity tends to destroy. But this view of the matter is a somewhat dangerous one . There is reason to fear that public works arranged with this motive and object in view do more harm than good. In the first place, most public works cannot be constructed in the winter season, when destitution is greatest and the need of temporary relief most pressing. In the next place, the amount accomplished by laborers who are set to do such work without special training is greatly overestimated by those who have not had experience. It seems a simple matter to build a sewer, but it requires an amount of training for which the man who is given such work as a temporary means of relief has had neither the time nor the opportunity. In the third place, the seeming advantage from the construction of these works causes too many operations of the kind to be undertaken, and diverts to these operations a certain number of laborers who would gradually have found profitable and useful employment in lines for which they were more fitted. The net loss to the tax-payer from this large amount of ill directed labor is greater than that which would have resulted from the bestowal of a smaller amount of direct charity to the persons, who, by investigation and by the work test, had been found worthy to receive it. Finally, the preservation of self-respect to the laborer by this process is more apparent than real. If it is known that public works are being constructed for which laborers are employed on something better than a commercial basis, the pressure of these positions makes them an object of political wire-pulling. It is a false notion of self-respect which leads the man who can take money out of the public by chicanery to rate himself higher and be rated higher by society than the one who truthfully confesses to himself and others the real ground on which property is diverted to his support."

CAPITAL AND LABOR

"The disparity in the accumulations of different men is likely to become more marked as the amount of wealth in any community grows larger. There is always a number of people who stand at the zero point in the matter of accumulation. Some men drink and get rid of it almost as speedily. Some without either gambling or drinking are so shiftless that they refuse to work as long as they have a dollar in their pockets. Some, again, are unfortunate, through no fault of their own, and fall into the fate of the shiftless unless relieved by charity. If property were evenly divided to-day, there would soon be some men who had none and others who had a great deal. The successful gambler and the saloon keeper will benefit by the losses of their victims; the industrious or fortunate man will find himself gradually drawing ahead of the shiftless or unfortunate. The more capital there is in the community the greater these differences are sure to become. With the increasing wealth of modern nations there has inevitably been an increasing disparity between the accumulations of those who have most and of those who have least.

"But this does not always represent a difference in income. The income of the man who has saved nothing may be larger than that of the man who has saved a hundred or a thousand dollars a year. Nor does it represent a difference in enjoyment. The enjoyment of different classes and different individuals in the community is measured by their expenditure, not by their accumulations. The most careful calculations show, that side by side with the increase of accumulations and partly as its direct consequence, the proportion of enjoyment which goes to labor is becoming larger, and the proportion which accrues to capital relatively smaller. Just as increased numbers of laborers mean increased competition for employment, forcing the position of the laboring classes downward, so increased accumulations of capital mean increased competition for the servies of the laborers, forcing the relative income of the capitalists downward and that of the laborers upward. It is in large measure because of the enormous investments of capital and the resulting keeness of competition among employers, that the proportion of the public income going to the laborers has steadily increased."

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nomiations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Ella M. Ryan, Wilkinsburg.

CLEARFIELD COUNTY

William C. Nelson, Clearfield.

LAWRENCE COUNTY

Miss H. M. McCracken, New Castle.

PHILADELPHIA COUNTY

Charles G. Shubin, 2954 N, 22nd Street, Phila.

WASHINGTON COUNTY

Mrs. Margie Rossini, Charleroi.
Mrs. Ruthe I. Vickers, Finleyville.

GEORGE H. EARLE.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Rose M. Baker, 133 S. 19th St., S. S. Pittsburgh.
Anthony J. DeChesaro, 522 Larimer Ave., Pittsburgh.
Miss Lillian B. King, 1706 Law and Finance Bldg., Pittsburgh.
Miss Rachel E. Pannabaker, Crafton.

BERKS COUNTY

J. Walter Miller, Laureldale.

DAUPHIN COUNTY

Miss Kathryn M. Quickel, Middletown.

MONROE COUNTY

Mrs. Hazel B. Lauffer, Stroudsburg.

NORTHAMPTON COUNTY

Miss Miriam I. Brown, Easton.
Alfred A. McCabe, Easton.

PHILADELPHIA COUNTY

Dean Willis Liscom, 5200 Grays Ave., Philadelphia.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Harold Leisey, of Adamstown, Lancaster County, as Justice of the Peace in the Borough of Adamstown, Lancaster County, until the first Monday in January, 1938.

Bruce H. Dimmick, of Gaines, Tioga County, as Justice of the Peace in the Township of Gaines, Tioga County, until the first Monday in January, 1938.

GEORGE H. EARLE.

MEMBERS OF THE BOARD OF TRUSTEES OF THE MOTHERS' ASSISTANCE FUND OF JEFFERSON COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorothy Elliott Ow, of Reynoldsville, Jefferson County, for appointment as a member of the Board of Trustees of the Mothers' Assistance Fund of Jefferson County, vice Miss Lucille Marshall, of Reynoldsville, who declined appointment, until June 1, 1937, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

MEMBERS OF THE BOARD OF TRUSTEES OF OLD AGE ASSISTANCE FUND OF FULTON COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following.

Mrs. Grace Sheets, of McConnellsburg, Fulton County, for appointment as a member of the Board of Trustees of the Old Age Assistance Fund of Fulton County, vice Mrs. P. Neeson, of McConnellsburg, resigned, for a term of six years to compute from the date of confirmation, or until a Board of Trustees of Mothers' Assistance Fund is appointed.

Mrs. Amanda Lehman, of Amaranth, Fulton County, for appointment as a member of the Board of Trustees of the Old Age Assistance Fund of Fulton County (to fill a vacancy), for a term of six years to compute from the date of confirmation, or until a Board of Trustees of Mothers' Assistance Funds is appointed.

Mrs. Winafred Haines, of Saluvia, Fulton County, for appointment as a member of the Board of Trustees of the Old Age Assistance Fund of Fulton County, vice Mrs. Estelle L. Seylar, of McConnellsburg, resigned, for a term of six years to compute from the date of confirmation, or until a Board of Trustees of Mothers' Assistance Fund is appointed.

GEORGE H. EARLE.

MEMBERS OF THE MOTHERS' ASSISTANCE FUND OF CHESTER COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Marjorie Chandler, of 526 North Church St., West Chester, Chester County, for appointment as a member of the Board of Trustees of the Mothers' Assistance Fund of Chester County, vice Mrs. Mary Bonner Daniel Gay, of West Chester, who declined appointment, until June 1, 1939, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

MEMBERS OF THE BOARD OF TRUSTEES OF THE WERNERSVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Albert H. Smith, of Topton, Berks County, for appointment as a member of the Board of Trustees of the Wernersville State Hospital, vice Mrs. Stella Z. Livingood, of Robesonia, whose term expired, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

Mrs. Naomi H. Moyer, of Wernersville, Berks County, for appointment as a member of the Board of Trustees of the Wernersville State Hospital, vice Dr. Margaret Hassler, of Reading, whose term expired, for a term of four years to compute from the date of confirmation, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. J. H. Woodland, of Pottsville, Schuylkill County, for appointment as a member of the State Board of Optometrical Examiners, vice Dr. Chester H. Johnson, of Philadelphia, whose term expired, for a term of four years to compute from the date of confirmation.

GEORGE H. EARLE.

MEMBER OF STATE BOARD OF EXAMINERS FOR REGISTRATION OF NURSES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sister M. Laurentine, St. Francis Hospital, Pittsburgh, Allegheny County, for appointment as a member of the State Board of Examiners for the Registration of Nurses, vice Mrs. Mary C. Eden, of Philadelphia, resigned, for a term of six years to compute from the date of confirmation, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

RESOLUTION RELATIVE TO THE APPOINTMENT OF A COMMITTEE TO INVESTIGATE THE FUNCTIONING OF THE WORKS PROGRESS ADMINISTRATION IN PENNSYLVANIA

Mr. OWLETT. Mr. President, I call up for consideration Senate Resolution No. 1, Printer's No. 1.

The resolution was read as follows:

In the Senate, May 12, 1936.

Whereas, The Democratic Administration at Washington in establishing the Works Progress Administration promised the State of Pennsylvania, along with the other states, that all employables on the relief rolls at the time of the creation of said Administration would be given work relief; and

Whereas, The Works Progress Administration has been in operation in Pennsylvania for a considerable period of time; and

Whereas, There are still on the direct relief rolls in Pennsylvania upwards of one hundred and seventy thousand cases, a very large percentage of whom are employables; and

Whereas, The report of certain members of the Joint Legislative Committee Investigating Public Relief, has disclosed that the Works Progress Administration in Pennsylvania is functioning as an arm of the Guffey-Earle-Lawrence Democratic State Administration, and being used for the purpose of building up a political machine, rather than for the alleviation of unemployment; and

Whereas, The Governor of this Commonwealth has demanded that the Legislature impose an additional burden of seventy million dollars on our people to provide relief, largely for the employables, for the next nine months; and

Whereas, It is believed that an investigation of the Works Progress Administration as it is now functioning in Pennsylvania will disclose that the proper and economic administration thereof would provide for the most, if not all, of those now on the direct relief rolls, thus relieving the taxpayers of Pennsylvania from this additional burden which the Governor proposes to impose upon them; now therefore be it

Resolved, That the President Pro Tempore of the Senate is hereby authorized to appoint a committee of five members of the Senate, whose duty it shall forthwith be to make a searching and impartial investigation of the organization, administration and functioning of the Works Progress Administration in Pennsylvania, to ascertain, (a) whether the same, if administered in a proper and economical manner, would relieve this Commonwealth from further taxation for unemployment relief or materially lessen the same, (b) in what respect, if any, the present administration is abusing the powers, prerogatives and privileges imposed in it, and (c) to investigate such other facts and circumstances as may be deemed necessary in order to enable the General Assembly to measure the extent of any revenue it should raise to provide for those employables which could not be provided for through a proper administration of the Works Progress Administration;

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer any such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents, as the committee may deem necessary. Such subpoenas may be served upon any person, and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee, or to produce any papers, books, records, or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases;

Resolved, That said committee shall make a report to the Senate now in session as early as possible.

On the question,

Will the Senate agree to the resolution?

POINT OF ORDER

Mr. CAVALCANTE. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his point of order.

Mr. CAVALCANTE. Mr. President, the resolution just called up for consideration by the Senator from Tioga, Mr. Owlett, is out of order for the reason, First, that it authorizes the appointment of a committee to make a search and investigation into the organization and functions of an agency over which this Senate has no jurisdiction. Second, the resolution violates the Executive Proclamation convoking this Special Session. And, third, the resolution violates Article III, Section 25 of the Constitution of this Commonwealth.

The PRESIDENT. On the first two points raised by the Senator from Fayette, Mr. Cavalcante, the Chair will sustain both points. As to the third point, the Chair is not familiar with the legal matters involved in the resolution.

APPEAL FROM THE DECISION OF THE CHAIR

Mr. OWLETT. Mr. President, I desire to appeal from the ruling of the Chair.

The PRESIDENT. The Senator from Tioga, Mr. Owlett, appeals from the decision of the Chair.

The appeal from the decision of the Chair was read as follows:

"Mr. President. We appeal from the decision of the Chair in sustaining the first two points of order raised by Senator Cavalcante with reference to Senate Resolution No. 1.

"C. J. BUCKMAN
"G. MASON OWLETT
"F. T. FELDER
"G. WOODWARD
"CHAS. H. EALY"

The PRESIDENT. The President Pro Tempore of the Senate will take the Chair while this appeal is being disposed of.

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the Chair.

The PRESIDENT. The question is upon the appeal from the decision of the Chair. The Senators who vote "Aye" will vote to sustain the Chair; Senators who vote "No" will vote not to sustain the decision of the Chair.

The yeas and nays were required by Mr. LAW and Mr. CAVALCANTE and were as follows, viz:

YEAS—20

Baumer,	Law,	Reed,	Ruth,
Cavalcante,	McCreesh,	(Washington)	Shapiro,
Frey,	McGinnis,	Rice,	Sones,
Huffman,	Miller,	Roberts,	Thompson,
Kahle,	Pytko,	Rupp,	(Centre)
Lanius,	Rankin,		

NAYS—26

Aron,	Graff,	Pierson,	Staudenmeier,
Batchelor,	Harris,	Prince,	Thompson,
Bean,	Harvey,	Reed,	(Westmoreland)
Buckman,	Howell,	(Dauphin)	Woodward,
Chapman,	Mallery,	Salus,	Ziesenheim,
Coyne,	McClure,	Scott,	Homsher,
Ealy,	Owlett,	Sordoni,	Pres. Pro. Tem.
Gelder,			

So the question was determined in the negative.

The PRESIDENT. The decision of the Chair is therefore not sustained.

The PRESIDENT. (Lieutenant-Governor Thomas Kennedy) in the Chair.

The PRESIDENT. The resolution is now before the Senate.

On the question,

Will the Senate agree to the resolution

Mr. LAW. Mr. President, I move to amend the Senate Resolution No. 1, as follows:

Insert after the last "Whereas" clause, at Line 15, on Page 2, the following:-

"Whereas, the League of Nations has completely failed to function as an organization of International Government in the recent crisis between Italy and Ethiopia, and Whereas, by the reason of the said failure of the League of Nations to function, the peace and orderly government of the world has been gravely disturbed, with threat of serious difficulty and interference, with the economic, social and political structure of the Commonwealth of Pennsylvania."

In Line 18, on page2, being Line 3 of the "Resolved" clause, insert after the word "Senate", the following:-

"All of whom shall be Republicans."

And, insert, after the word "Administration," on page 3, the following:-

"And, also, to make a searching and impartial investigation of the organization, administration, and functioning of the League of Nations, to ascertain:—

(a) Whether same, if administered in a proper and proper economic manner, would relieve this Commonwealth from all taxation for any purposes whatsoever;

(b) In what respect the present administration is abusing its powers, perogatives, and privileges;

(c) To investigate anything else which the said Committee may deem advisable to investigate."

On the question,

Will the Senate agree to the amendment?

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his point of order.

Mr. SHAPIRO. Mr. President, inasmuch as this proposed amendment would change the purpose of the original resolution, it is out of order.

The PRESIDENT. The point of order raised by the Senator from Philadelphia, Mr. Shapiro, is well taken. The Chair rules that the amendment proposed would destroy whatever purpose and intent are contained in the original resolution,—if any.

And the question recurring,

Will the Senate agree to the resolution?

Mr. CAVALCANTE. Mr. President, I desire to make a few remarks on this resolution. I feel that at this very moment, throughout this Commonwealth and the entire United States, there seems to be a very keen enthusiasm in the hearts of the Republican Party as to the preservation of the Constitution and tenets proclaimed therein. At this time I call to the attention of the Republican membership of this Senate that the passage of this resolution would violate Article III, Section 25 of the Constitution but I think that we ought to consider this resolution seriously, and that we ought to spend a little time upon the provisions of the Constitution here tonight, and see that the Constitution is not violated.

Mr. SHAPIRO. Mr. President, last week a resolution was offered in this Senate dealing with the transfer of a certain number of dollars from one fund to another. An amendment was offered to the resolution,—to the recital clauses of the resolution—stating facts for which there was little, if any, justification. I moved that that resolution be not received—that the amendment be not received, rather,—on the ground that it was in contradiction to the original resolution, and would violate the intents and purposes of the resolution. The Chair sustained my point of order by a ruling that it was well taken. The Senate appealed from the decision of the Chair, and the decision of the Chair was not sustained.

Tonight a similar situation arises,—a resolution, offered last Tuesday, was called up for consideration by the Senator from Tioga. The purpose of that resolution appears to be an investigation of one subject matter, and the amendment that was offered has to do with another subject matter. I object to it on the ground that it should not be received, because it would change the purpose of the original resolution. The Chair sustained a point of order made by the Senator from Fayette, Mr.Cavalcante, which was to the same effect as my objection to the amendment; and the Senate appealed from the ruling of the Chair, and the Chair's decision was not sustained.

I wish to state my reasons, now, for objecting to the original resolution. Obviously, those of us who know anything about the law, must understand that we have no control over Federal governmental functions. The sole intent and purpose of this resolution is to investigate the Work Progress Administration, which is an arm of the Federal Government; and the conclusion is that the Committee shall make a report to the Senate, which is now in session, as soon as possible.

Now, this Session is limited specifically to certain purposes, mentioned in the Call. Its designation of any subject must be within the scope of the Call. It is obvious the relief question cannot be solved by an investigation of the Works Progress Administration. I think the framers of this resolution must know that even if they want to hide behind the fact, or the allegation they claim, that if they find out that the Federal Government, through the Works Progress Administration, is not employing as many people as it should—as it should or as it promised, and if the Federal Government insisted on keeping to its present course, there is nothing for us to do other than proceed in our present purpose, which is to see how much—or, as it now seems to be the aim, how little money shall be given for relief, and how we are to raise it.

If this Committee came back and reported—and everybody believed that report—that if the Federal Government employed another 10,000 or 110,000, putting them on the payroll of the Works Progress Administration,—if it did that the need for relief in Pennsylvania would be less than is claimed for it by those who know something about it,—I say, if that report were received, and believed, I would very facetiously ask, "So what!"

I therefore claim that this resolution certainly cannot have the purpose which appears on its face, but some other, ulterior motive. It is silly to waste time on this question. We are called here to decide how we are to raise money for relief,—we don't care whether $90,000,000 is necessarry or it is finally determined that $43,000,000, or $40,0000,000, is necessary,—the thing we are to decide and engage ourselves with primarily, without wasting time is, how much is really necessary, and where will

we get it: not this question on this type of a resolution.

Mr. THOMPSON (Centre). Mr. President, I desire to interrogate the sponsor of this resolution, the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, very gladly.

Mr. THOMPSON (Centre). Mr. President, will the sponsor of this resolution, the Senator from Tioga, Mr. Owlett, kindly direct me to the page in the so-called Horst Report wherein it discloses that the Works Progress Administration in Pennsylvania, as the Senator charges, is functioning as an arm of the Guffey-Earle-Lawrence Democratic State Administration.

Mr. OWLETT. Mr. President, I do not have on my desk or in my desk a copy of the Horst Report.

Mr. THOMPSON (Centre). Mr. President, I have one here that the Senator from Tioga, Mr. Owlett, may use.

Mr. OWLETT. Mr. President, I think it is unnecessary to argue the question; it is unnecessary to point out the entire number of instances, that have been brought to the attention of this Senate and the people of Pennsylvania, of the political activities of the W. P. A. in every county in Pennsylvania; and I know of no exceptions. The Works Progress Administration is used as an arm of the Guffey-Earle-Lawrence machine, to build up a political machine in Pennsylvania; and everybody in the State knows it. It is said that ten per cent of the employees do not have to be taken from the relief rolls of the State,—they are appointed by the local Democratic County Chairman. Letters from the Democratic leaders to the Works Progress heads recommending employees have been published in the papers all through this State, and it is a matter of common knowledge; and there are any number of instances brought to the attention of the Senate of Pennsylvania, in this Horst Report, of the political activities of the Works Progress Administration. I am sure if the Senator from Centre, Mr. Thompson, has read that report, he himself knows where those instances are contained therein.

Mr. THOMPSON (Centre). Mr. President, I have heard the sermonizing that the Senator from Tioga County, Mr. Owlett, on this matter before, I have just placed in his hands a copy of the Horst Report, and I would like to repeat my interrogation, since he has charged this in his resolution, and ask that he point out the pages in this Horst Report wherein he states these charges occur.

Mr. OWLETT. Mr. President, I think I have answered the Senator's question sufficiently, without more time. I cannot turn to the exact pages of this report, which cannot turn to the exact pages of this report, which contains some 161 pages, on which the references in connection with the W. P. A. employment occurred; but I repeat that if the Senator from Centre, Mr. Thompson, reads over that 161 page report, he will find any number of instances where the letters and evidences appear of the political activities of the Works Progress Administration.

Mr. President, I want to say further that we are told by the President, over the radio, Mr. Ickes and by dictator Hopkins, and by all the rest of the representatives of the Administration in Washington, that the Works Progress Administration would take care of all the employables in Pennsylvania. And what is the result? Instead of having the Works Progress Administration administered by the State Emergency Relief Board, which knew something about who the unemployed were,—because it was headed by Mr. Robert Johnson, who refused to play politics—they set up a separate administration headed by Mr. E. N. Jones, for the very purpose of making a political organization; and then, the result has been that the investigators of the direct relief in Pennsylvania, who have been faced with the loss of their jobs because of the transfer of people from the direct relief over to the works relief, have gone out and been offered almost a medal if they will get some more people on relief, to keep this up.

Now, when this Administration comes into this Senate and asks us to appropriate, from the people of Pennsylvania, $70,000,000,—to be taken out of taxes—to run this machine of their's for the next seven months, we are entitled to know why it is that the Works Progress Administration has not taken care of these unemployed, and why is it that we have to appropriate $70,000,000, when we were told that they were going to take care of it all by Federal funds.

There is not a man in this Senate that does not know, himself, that if the Works Progress Administration was not being run as it is, as a political machine, we would not have this unemployment problem at all before us. And this is the purpose of this resolution,—to find out, if we can; to throw the light of publicity on the activities of this political machine that has been created for the purpose of continuing this rule in Pennsylvania, that we have had an example of thus far.

Mr. THOMPSON (Centre). Mr. President, I still insist that the Senator from Tioga County, Mr. Owlett, is dodging my interrogation; and I would like to ask the Senator from Tioga County whether he has read this Horst Report.

Mr. OWLETT. Mr. President, I am glad to state to the Senator from Centre, Mr. Thompson, that I have read about half of it, and I found so much evidence thus far of rottenness in the direct relief and the Works Progress Administration I did not consider it necessary to read the rest of it.

Mr. THOMPSON (Centre). Mr. President, I wish to ask the Senator from Tioga, Mr. Owlett, further, this question: If he has read so much, why can he not point out these evidences of which he speaks,—point them out here on the flood of the Senate?

Mr. OWLETT. Mr. President, I think I have answered that question.

Mr. THOMPSON (Centre). Mr. President, I would just like to read a letter that came on my desk this evening,—at random; I do not know the author of this letter, the letter just happened to be among my mail this evening, and I would just like to read it in connection with the remarks of the Senator fromTioga County. It read as follows:

"Grampian, Pa., May 14, 1936.

Dear Senator:

I hear over the radio and in the Tory Press that W. P. A. is full of politics. I am a W. P. A. worker. Have been for six months under John Y. Rafferty of Grampian, Pa. Half of our men are Republicans, and not at any time has he or the foreman said one word to any of the men in any way about politics, or shown any partiality toward either side. I am a Democrat and I am proud of it. Yes, to be an EARLE Democrat, as he is the working man's friend, and we believe you are about 1,000 per cent better than H. B. Scott, and the Tory Senate in Harrisburg are playing their last game. You will go back to Harrisburg, I am sure, so will Roosevelt go to Washington. America

has wakened up. I appreciate what you have done so far, and any time you need any little bit of help, let me know.

"Yours respectfully

"H. S. RICHARDS."

I think that, from a man employed on a W. P. A. project, answers the rather trite sermonizing of the Senator from Tioga County.

Mr. OWLETT. Mr. President, I think the members of this Senate are very glad to know of one person that has not been approached on the W. P. A.

Mr. LAW. Mr. President, we have got a resolution here; it has to do with something ridiculous on the face of it. Here we are asked to investigate the actions of an agency of the Federal Government. When I proposed the amendments, it was not that I expected that they were in order; I was satisfied that they were not; but I thought perhaps, in view of the action of the membership last week in a somewhat similar case, they might decide to hold that they were in order, and do something about it, because if we have the power to investigate any alleged failures of W. P. A., we perhaps also have the power, and duty, to investigate the alleged failures of the League of Nations. It seems to me, when we investigate something of the Federal government, we are going beyond our power and duty and—but we are reducing our position here, as representatives of the people of Pennsylvania, to a position of absurdity.

There are a lot of inconsistencies,—for instance, the inconsistency between the action of last week and the action of this week, and the inconsistency generally, on the right, which I noticed in the recent remarks of the Senator from Tioga, Mr. Owlett, so that one would question whether the Senator from Tioga was supporting the direct relief set-up and opposing the W. P. A. He said first that W. P. A. was not employing men, and then he turns around and says the W. P. A. was employing men and that was putting the people who were administering direct relief out of work, and they were trying to bolster up direct relief.

Now, let us attend to our own business, and attend to it right.

I would like to see this resolution voted down. Let us attend to our own business, the business of the Commonwealth of Pennsylvania; and let Washington attend to its business. The people elect men to go to Washington, and elect others to come here; and I do not think that any of the representatives here should be trying to tell Washington what to do, nor do I believe in the representatives in Washington trying to dictate a course of conduct for us.

Mr. REED (Dauphin). Mr. President, I desire to state that I intend to vote for this resolution, because, in my opinion, no more important resolution can come before this body. For the present moment I am unwilling to vote for any taxes, because I do not know whether any taxes are needed; and the key to the whole situation is in this W. P. A. set-up. If President Roosevelt had kept his promise to absorb the employables on relief, we would have needed no Special Session of the Legislature of Pennsylvania.

But in answer to my friend, the Senator from Centre, Mr. Thompson, who seems to be unaware of the fact that there is politics in the W. P. A., I simply seek to call his attention to the fact that this situation seems to be known beyond State lines. I just want to quote from the Wall Street Journal of April 23, 1936,—from an article entitled "A Test of Sincerity" by Frank R. Kent: "The facts brought out concerning Mr. Edward N. Jones, State W. P. A. Administrator, are of a kind that can hardly be ignored. Evidence is presented to show that Mr. Jones is up to his neck in machine politics, that he makes his appointments purely on a political basis, that he permits political propaganda to be put in the pay envelopes of W. P. A. envelopes, that he is one of the men behind WE, THE PEOPLE, a publication designed exclusively for political porposes and which W. P. A. workers are pressed to support. But, if none of this were true,—if Mr. Jones were wholly aloof from machine politics,—if he were indeed a devotee of the merit system, still the number of people he put on the W. P. A. pay roll would seem a stunning total. It is reported by Mr. Paul Ward of the Baltimore Sun, after a thorough investigation, that Mr. Jones has on his payroll 270,251 persons. This is 26,000 more than the American Telephone and Telegraph Company, the world's largest corporation has in the whole of North America."

In view of charges of that kind, circulated throughout the nation, I should think that Mr. Jones would welcome the opportunity to come before a committee of the Senate and defend himself from these widespread charges that are being circulated. Certainly this Senate cannot vote intelligently on what the needs for relief in Pennsylvania are going to be months from now until we have accurate only way I know that we can get it is through passing information as to the activities of the W. P. A.; and the a resolution of this kind, and I hope the resolution will be adopted.

Mr. CAVALCANTE. Mr. President, will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated upon his remarks?

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated?

Mr. REED (Dauphin). Mr. President, certainly.

Mr. CAVALCANTE. Mr. President, what has the Senator from Dauphin, and his colleagues of this Senate, done to assist the President and his administration to make a success of the W. P. A., in order to accomplish the purposes which the Senator from Dauphin said the W. P. A. was to accomplish?

Mr. REED (Dauphin). Mr. President, in answer to the Senator from Fayette, Mr. Cavalcante, I do not know that the Senate of Pennsylvania has had any opportunity. The whole W. P. A. set-up occurred after we adjourned the regular session. We are perfectly willing to cooperate, but how on earth can we cooperate if you are going to vote against a resolution that gives us a chance to investigate?

Mr. CAVALCANTE. Mr. President, does the Senator from Dauphin, Mr. Reed, consider this resolution a resolution in aid of the purposes intended by the President, or is the resolution put forth for the purpose of criticising and condemning and finding fault?

Mr. REED (Dauphin). Mr. President, I have no intention of condemning the purposes of the W. P. A., but according to information which I have received, it may or may not be true, I question whether it is fulfilling its purpose, and I am unwilling to cast any vote to put taxes on the people of Pennsylvania when I do not know

whether or not it is necessary to do so. The only way we can find out is to have this investigation.

Mr. THOMPSON (Centre). Mr. President, I would like to interrogate the Senator from Dauphin, Mr. Reed.

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated?

Mr. REED. Mr. President, with pleasure.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Dauphin, Mr. Reed, prefer to take the word of the Wall Street Journal in preference to the word of the citizens of Pennsylvania?

Mr. REED (Dauphin). Mr. President, I will answer the question of the Senator from Centre by saying that I do not take the word of the Wall Street Journal, I am simply giving evidences of the widespread quotations which are going all over the country, and I would think that my friend, the Senator from Centre, would like to have the matter investigated and have Mr. Jones given an opportunity to prove that those statements are not true.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Dauphin, Mr. Reed, agree with the statement of the Wall Street Journal that there has been a "stunning total,'" as the Wall Street Journal puts it, of people employed in the State of Pennsylvania by the W. P. A.

Mr. REED (Dauphin). Mr. President, I will answer the Senator from Centre by saying that the quotation was not from the editorial policy of the Wall Street Journal, but from Mr. Frank R. Kent, who, I believe, is a Democrat.

Mr. THOMPSON (Centre). Mr. President, does not the Senator from Dauphin believe that the statements of Frank R. Kent, voiced in the Wall Street Journal, apparently approved by their editorial staff, is in direct contradiction of the statements contained in the Owlett resolution, namely, that there have not been sufficient people put to work by the W. P. A. in Pennsylvania.

Mr. REED (Dauphin). Mr. President, I am very glad to answer the Senator from Centre by saying that I do not see the contradiction. I gave a good many figures last Tuesday to show that there were a great many people who are on W. P. A. who never were on relief, and I think that those questions can only be answered by an investigation. I hope that Mr. Jones can clear himself, and we want to see that he has a very good opportunity to come before that Committee to do it.

Mr. SHAPIRO. Mr. President, I am concerned with the politics of the W. P. A. at the present moment, but I am much concerned about the wording of this resolution. I am concerned about whether or not this resolution can first solve the problem or help to solve it; and secondly whether it is effectual, whether it can be done. I notice in the resolution on page two, one of the purposes is to investigate "in what respect, if any, the present administration is abusing the powers, prerogatives and privileges imposed upon it." That seems to be rather a wide investigation of governmental activities, which have nothing to do with the purpose of the resolution. I then notice in the resolution the provision that "the said Committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer questions."

I assume that everyone here, even the sponsor of the resolution, will admit that without that power the purpose cannot be served. I am greatly concerned with what the Senator from Dauphin, Mr. Reed, has said, that he will not vote for any taxes until he finds out just what part W. P. A. can play in the relief of the taxation that may be necessary. Therefore, if we are going to investigate or appoint a Committee who will have no power to act, we will simply be delaying the time when the Senator from Dauphin will be able to vote on these questions. For that reason I would like to interrogate the Senator from Tioga Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will.

Mr. SHAPIRO. Mr. President, will the Senator from Tioga, Mr. Owlett, state whether or not the power to subpoena given by this resolution will be effective against any government official?

Mr. OWLETT. Mr. President, I believe it will be.

Mr. SHAPIRO. Mr. President, does the Senator from Tioga believe that the State of Pennsylvania itself, or through its agencies, has the power to subpoena any officer or employe of the Federal Government to compel him to bring books and records which deal with Federal matters, before a Committee of the Senate?

Mr. OWLETT. Mr. President, I believe that this Committee, if appointed by this Senate, will have the power to subpoena before it Mr. E. N. Jones and the other employes of the Works Progress Administration in Pennsylvania, and I believe that they will have that power because of the fact that upon the proper administration of the W. P . A. depends the amount of money that we must take from the taxpayers of Pennsylvania to care for direct relief, because insofar as the Works Progress Administration functions properly, just to that extent is Pennsylvania and her taxpayers relieved from that much tax, and just so far as the Works Progress Administration is improperly administered just so far as it is run as a political machine, just so far as they make appointments on the basis of whether a man is a ward leader, or a precinct leader, instead of on the basis of merit, just to that extent it requires more money from the taxpayers of Pennsylvania.

Mr. President, I cannot believe, in answer to the interrogation, that Mr. E. N. Jones, or anybody else in this administration, who profess such a great interest in our people, are unwilling to come before a Committee of this Senate and lay the facts before us, so we will have them. If these charges are true, the people are entitled to know, and if they are not true, as my colleague from Dauphin has well stated, they ought to welcome the opportunity of proving the lack of truth.

Mr. SHAPIRO. Mr. President, I still feel that I should have an answer to my question. I am not interested in whether or not a man must have the confirmation or approval of the ward leaders to get a job.

That is nothing new to me, I have been in politics twenty-five years. I have listened to Republicans telling Democrats what to do, and Democrats telling Republicans what to do, it is nothing new. There always was and there always will be politics in appointments. I am not concerned about the direct relief in politics, because I read from the report signed by Senators; "The administration and distribution of direct relief have been relatively free from politics due in a large measure to the high character of the men chosen as executive directors of the S. E. R. B. The two men referred to are Mr. Johnson and Mr. de

Schweinitz. I am not concerned with the fact that this is an effort to find out something which will enable us to determine how much money is necessary for direct relief in Pennsylvania. I repeat my question to the Senator from Tioga, Mr. Owlett, by asking it in this form: Is it not true that Mr. Jones is an employed officer of the Federal Government, appointed by the Federal Government?

Mr. OWLETT. Mr. President, I would like to reply to that and interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I will be glad to.

Mr. OWLETT. Mr. President, is it not true that Mr. E. N. Jones was designated by Mr. Joseph F. Guffey, United States Senator from Pennsylvania, as the head of the Works Progress Administration in Pennsylvania?

Mr. SHAPIRO. Mr. President, I have never had any conversation with the gentleman, so I could not say, and, therefore, would not undertake to say, what he did or did not do, but you know, however, that even in the Republican times, the Senators not only suggested who should be appointed to Federal offices, but also to the office of the Judiciary of the United States.

Mr. OWLETT. Mr. President, I would like to ask further if it is not a fact that Mr. Joseph F. Guffey is one important factor in the Democratic Administration in Pennsylvania?

Mr. SHAPIRO. Mr. President, I was under the impression that the Republicans did not think he was of any importance at all.

Mr. OWLETT. Mr. President, I would like to ask further if it is not a fact that this Administration has asked the Legislature of Pennsylvania to levy upon the people of our State some $80,000,000 of new taxes, 70% of which is to go for the relief of the unemployed, and that at the same time have been operating the same organization asking for lower taxes, and I would like to ask the Senator from Philadelphia, Mr. Shapiro, if it is not a fact that the same organization has been conducting the affairs of the Works Progress Administration through Mr. E. N. Jones.

Mr. SHAPIRO. Mr. President, in answer to that—of course, I hope the Senator from Tioga will not sit down until he has answered my question—I am answering his to help him answer mine. According to the reports I have been reading from, this SERB has been functioning independently and to the satisfaction of the people, except instead of having nine per cent overhead, they should have a six per cent overhead. A further answer to that question, is that it has not only been said by the Governor of this State, but also by an impartial Committee an investigation has been made which satisfies me, until other facts to the contrary are produced that there will be at least $75,000,000 needed to carry through the work of the Relief Board until the end of January, 1937. I have also heard from Republicans that there will be $43,000,000 needed, provided that the Federal Government gives $30,000,000, but that does not answer my question, which is, is Mr. Jones an appointed officer of the Federal Government, or of the State?

Mr. OWLETT. Mr. President, The Senator from Philadelphia, Mr. Shapiro, is much closer to the Democratic Administration than I am. I have very few contacts with that Administration.

I do want to call the Senator's attention, however, to one further matter, at the risk of taking a little more time on this. It has been charged by my various colleagues on the left that the WPA administers solely Federal money. I think everyone in this room knows that the WPA spends no Federal money for anything but labor, the materials all furnished by the sponsors of projects.

I have before me a communication from my colleague, Dr. Woodward, of Philadelphia, he calls attention to the fact right now is a WPA project, known as Project No. 11-4997, in Fairmount Park. That project is spending—there is being spent on that project by WPA—$3085.95, contributed by the City of Philadelphia, and that is being spent by the Works Progress Administration. It happens in this case, that through the generosity of Dr. Woodward, who has contributed to the City of Philadelphia, as he is interested in this Fairmount Park Project, the money—and the City is, in turn, contributing that amount to this project; but the fact remains that under those facts here is the WPA spending a Pennsylvanian's money along with the Federal money on this project.

Now, I say, members of this Senate, that we have a right, and it is our duty as Senators, when we are called upon to appropriate money and levy taxes, to investigate as to how this money is to be spent, the money of our own people here in Pennsylvania, and that is the purpose of this resolution.

Mr. SHAPIRO. Mr. President, I still insist, I am entitled as a member of this Senate to have the sponsor of this resolution, for myself as well as for the other Senators, an answer to my question, whether or not he believes, as a lawyer, in view of the constitutional provision that no State can pass any law, nor can in any wise interfere with governmental functions, whether he will state as a lawyer, that this Senate has any rights and powers over the officers and employes of the Federal Government, such as will enable them to issue subpoenas and get information which they say is necessary for the purpose of answering the questions before the Senate.

Mr. OWLETT. Mr. President, I thought I made my answer clear. I believe that the Senate of Pennsylvania has the right to create an investigating committee and subpoena employes of the WPA before it and demand the production of books and papers, because upon the administration of that project depends the amount of money that we must have from the people of Pennsylvania.

Mr. SHAPIRO. Mr. President, I am satisfied to have the Senator from Tioga on record with that answer.

Mr. LAW. Mr. President, I would like to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will.

Mr. LAW. Will the Senator from Tioga, Mr. Owlett, state whether he proposes a recess of the Session of this Senate for any period of time to permit this Committee to function and obtain the necessary information on which to base the taxes?

Mr. OWLETT. Mr. President, of course, a recess is granted by the whole Senate and that would be a matter for the Senate to pass upon. So far as I am concerned, I would feel that it would be our duty to commence functioning immediately. Does that answer the Senator's question?

Mr. LAW. Mr. President, I would like to ask the

Senator from Tioga, whether he proposes then to hold meetings of this Committee during the session of the Senate and to have the Senate remain in session during the entire lengthy investigation?

Mr. OWLETT. Mr. President, I repeat again that is a matter for the Senate to determine and not I.

MOTION TO LAY ON THE TABLE

Mr. CAVALCANTE. Mr. President, I now move that this resolution be laid on the table until the Senator from Tioga finds out whether Mr. Jones is a Federal or State employee.

The PRESIDENT. The motion has not been seconded.

Mr. McCLURE. Mr. President, I do not think I should sit here and withhold any information from the Senator from Centre, Mr. Thompson. He asked the Senator from Dauphin, Mr. Reed, if he would prefer to take the word of the Wall Street Journal in preference to that of a citizen from Pennsylvania. Probably the Senator from Centre County will take my word that within the last two or three months a foreman working for the WPA took between eighteen and twenty-five men to our registration bureau in our county seat in a group and insisted that they change their registration to the Democratic Party from the Republican Party. If the gentleman would like to have any further proof, I could introduce him to people in our county who have reliable information and will be glad to confirm what I have told him. This is not the only instance of the kind which has happened in our county, I believe it has happened a number of times.

When the Republican group of this Senate endeavors to seek information concerning the amount of relief necessary, an effort is always made by our Democratic friends to make a joke out of the resolution. This was very forcibly brought to the attention of the Senate tonight when the Senator from Mercer, Mr. Law, attempted to amend the resolution offered by the Senator from Tioga. The Republicans of this body are seriously minded. We must have information before we can arrive at the amount of money necessary to relieve distress in our State. This resolution is only an effort to do that and nothing more. There must be something else in the minds of our Democratic friends here tonight when they so strenuously opposed this resolution, which is only for information. Later in the Session, no doubt, if this resolution passes, we will know why we have this opposition tonight.

Mr. THOMPSON (Centre). Mr. President, I know from the remarks of the Senator from Delaware, Mr. McClure, that the W. P. A. foreman referred to in Delaware County was not accused of exercising any undue influence over the twenty-five men he took to the polls, or to the registrar, when they changed their politics. Even if that had occurred, I am quite sure that the Senator from Delaware County will agree with me that that W. P. A. foreman had had a different kind of precedent in exercising his political activities in Delaware County than he would have had in most counties in Pennsylvania.

Mr. McGINNIS. Mr. President, I am opposing this resolution because I do not think it is offered in good faith. I am glad, however, to realize that our good Republican friends who have lived in machine politics all their lives are now seeing the light and become abhorred at anything that smacks at politics. Most of them have lived under Penrose, but there was no machine politics under dear old Penrose, I am sure, and yet now, when the people of the United States have elected the President, Congress and the Senate Democratic, and they have passed laws, and because they are not liked by some of our reformed Republicans of the "old guard" leaders in Pennsylvania, they are up in arms. I feel that our Federal Government has been very fair with Pennsylvania in the Emergency Relief in Pennsylvania. It has benefited under this Democratic administration in the Nation and State, and it was amusing here tonight to hear Senator Owlett saying that the Emergency Relief is being managed all right by Republicans—and there was a hint—and I think he said so in so many words, that if the W. P. A. in Pennsylvania was turned over to Pinchot Republicans, and if they were handling the Emergency Relief, it would be all right, perfectly all right; but as a matter of fact the people of the United States have voted the Republicans out in the United States and in Pennsylvania, and I think that our Governor has been extremely fair in allotting money furnished by a Democratic Congress, Senate and President to this State to be administered by Republicans, I know Penrose would never have done that—and the W. P. A. Act provides that ten per cent. of the administrators and the supervisors do not have to be taken off relief, and it is perfectly fair and honorable that our Administration should have the right to pick a few men to administer the W. P. A. in Pennsylvania. I cannot see anything wrong in it. The Republican Party has done it all its life, and when they were in power they never gave a Democrat a job. They saw to it that every man on the payroll was a good Republican. Do you know that in our State Administration today in Pennsylvania, although there is a Democratic Governor in Pennsylvania, and so far as the Governor is concerned, the appointive power, and yet today, under the Democratic rule, half the men on our payrolls in Pennsylvania today are Republicans, yes, I would say half. So that we have this condition: In the Emergency Relief in Pennsylvania today we have a State Government manned by Republicans, at least to a half. Now, you certainly ought to be fair enough to leave a few administrative positions for the Democratic Party, and I say to you that the people are satisfied with just what the Democratic Party is doing in the State and Nation. The registrations show it and the primaries show it in every State of this Union, so when we are pleasing the people so thoroughly, why not go on as we are doing, and instead of beclouding the issue by a resolution that we know is not intended to seek any sort of information.

Mr. McCLURE. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. McGinnis.

The PRESIDENT. Will the Senator from Allegheny, Mr. McGinnis, allow himself to be interrogated?

Mr. McGINNIS. Mr. President, I will.

Mr. McCLURE. Mr. President, The Senator has spoken of Penrose and machine politics, etc. Does the Senator consider W. P. A. workers a political appointment?

Mr. McGINNIS. Mr. President, not at all, if they are taken off the relief rolls, and I want to say to you that I firmly believe that it is perfectly fair, it is managed in a perfectly honest manner, and there is nobody taken off the relief rolls except in a fair, impartial and non-political manner.

Mr. THOMPSON (Centre). Mr. President, I would like to interrogate the Senator from Philadelphia, Dr. Woodward.

The PRESIDENT. Will the Senator from Philadelphia, Dr. Woodward, allow himself to be interrogated?

Mr. WOODWARD. Mr. President, I will.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Philadelphia, Dr. Woodward, by contributing in excess of the sum of three thousand dollars towards a W. P. A. project, mean thereby to put the stamp of approval upon the Works Progress Administration?

Mr. WOODWARD. Mr. President, in my neighborhood I have no criticism to offer about the W. P. A. operation. It is not contributed as a matter of criticism.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Allegheny, Mr. McGinnis, if he considers this money that the W. P. A. is spending is Mr. Roosevelt's money (Democratic) money, or whether ten per cent. does not come from Pennsylvania?

Mr. McGINNIS. Mr. President, Oh, no; I am very glad to admit that the money is not the Senator's money nor the President's, it is just a plain ordinary man's money. Of course, I will admit that the Democrats in power have milked a lot more money out of the "powers that be," and for that reason there is a lot more to spend.

Mr. OWLETT. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. McGinnis.

The PRESIDENT. Will the Senator from Allegheny, Mr. McGinnis, allow himself to be interrogated?

Mr. McGINNIS. Mr. President, I will.

Mr. OWLETT. Mr. President, I would like to ask the Senator if it is not a fact that he held a position in Allegheny County under a Republican Administration.

Mr. McGINNIS. Mr. President, yes, I was Assistant County Solicitor of Allegheny County, but in those days they elected a Democratic Commissioner and two Republican Commissioners, and they were so eager to get in that they fell out, and one of the Republican Commissioners became a Democrat and went along with our Democratic Commissioner, and out of five or six candidates for Solicitor, they picked one Democratic Solicitor and I happened to be the lucky one.

Mr. KAHLE. Mr. President, I would like to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will.

Mr. KAHLE. Mr. President, I would like to ask the Senator why does this resolution call for an investigation of W. P. A. only? Why does it not also ask for an investigation of the Relief Board?

Mr. OWLETT. Mr. President, I am sure that the Republican members of this Senate would be glad to vote for such a resolution also, if the Senator desires to introduce one. This resolution has to do with the W. P. A.; it has nothing to do with the S. E. R. B. I for one would be glad to vote for an investigation of the S. E. R. B. too.

Mr. KAHLE. Mr. President, the reason I asked this question is this: that the Relief Board that is in power today in Clarion County is composed of eleven Republicans and one Democrat. Now, we Democrats have abided by that in Clarion County and have not caused a great deal of disturbance. We are willing to go along and we have not asked for changes and so on, and are glad to go along, and here it seems the Senators are satisfied with a set-up of that kind, the set-up when Pinchot was in power, when he was Governor, and today they want to investigate the W. P. A. only, and I am going to vote against it for the reason that it does not investigate both.

And the question recurring,

Will the Senate agree to the resolution?

The yeas and nays were required by Mr. SHAPIRO and Mr. REED (Dauphin) and were as follows, viz:

YEAS—27.

Aron,	Gelder,	McClure,	Scott,
Batchelor,	Graff,	Owlett,	Sordoni,
Bean,	Harris,	Pierson,	Staudenmeier,
Bennett,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Reed,	(Westmoreland)
Chapman,	Howell,	(Dauphin)	Woodward,
Coyne,	Mallery,	Salus,	Ziesenheim,
Ealy,			

NAYS—21.

Baumer,	Law,	Reed,	Rupp,
Cavalcante,	McCreesh,	(Washington)	Ruth,
Frey,	McGinnis,	Rice,	Shapiro,
Huffman,	Miller,	Roberts,	Sones,
Kahle,	Pytko,	Rodgers,	Thompson,
Lanius,	Rankin,		(Centre)

So the question was determined in the affirmative.

APPOINTMENT OF COMMITTEE

The PRESIDENT. The Secretary will announce the names of the Committee created by the adoption of the resolution.

The SECRETARY. The President Pro Tempore appoints the following Committee under the terms of Senate Resolution No. 1; The Senator from Tioga, Mr. Owlett, the Senator from Dauphin, Mr. Reed, the Senator from Philadelphia, Mr. Scott, the Senator from Schuylkill, Mr. Staudenmeier, and the Senator from Cambria, Mr. Baumer.

BILL INTRODUCED

Mr. REED (Washington). Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED, read in place and presented to the Chair Senate Bill No. 27, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania."

Which was committed to the Committee on Constitutional Changes.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for twenty minutes.

Mr. CAVALCANTE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

MEMORIALIZING CONGRESS TO ENACT LEGISLATION PROHIBITING EMPLOYES FROM ENGAGING IN POLITICS.

Mr. ARON. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON offered the following resolution which was twice read:

In the Senate, May 18, 1936.

Whereas, Many allegations are being made in the press that Federal employes are actively engaging in politics through political clubs, by canvassing and soliciting voters, and by acting as watchers at the polls; and

Whereas, All persons employed by the Works Progress Administration are Federal employes who have been given work because they are without means of support, and should not be required to surrender their political freedom in order to secure this type of work; and

Whereas, The Honorable John B. Kelly, Secretary of Revenue of the Commonwealth of Pennsylvania, is quoted, by the Philadelphia Evening Bulletin of April 29, 1936, in commenting on the victory of Congressman Michael Stack in his fight for renomination, as having said:

"Added to this, he got 1200 WPA jobs for his people in the last two months. We didn't know he was going to free lance it until he had a good start on us."

Whereas, This reputed statement implies that these 1200 WPA workers were used for political purposes; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania respectfully memorializes Congress of the United States to enact legislation, as soon as may be, prohibiting Federal employes, who are working on United States relief projects, from engaging in politics or being used for political purposes, and prohibiting them from being members of political clubs or from canvassing or soliciting voters or acting as watchers at election polls;

Resolved, That a copy of this resolution be transmitted to the Senate and to the House of Representatives of the United States by the Chief Clerk of the Senate.

Mr. ARON. Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. ROBERTS. Mr. President, I object.

The PRESIDENT. The Chair hears objections.

The Resolution is referred to the Committee on Federal Relations.

AUTHORIZING THE APPOINTMENT OF A COMMITTEE TO INVESTIGATE RELIEF

Mr. REED (Washington). Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED offered the following resolution which was twice read:

Whereas, it is a matter of general knowledge that there are many worthy men, women and children in Pennsylvania, through necessity, on relief in this Commonwealth; and

Whereas, a Special Session of the General Assembly of the Commonwealth of Pennsylvania has been called for the purpose of providing needed funds for the care of these unfortunate men, women and children now on relief in Pennsylvania, and

Whereas, in compliance with the call of the Governor for such Special Session, the members of this Senate have now been in session for upwards of three weeks without giving the people of Pennsylvania any noticeable constructive results; and

Whereas, it appears that it will be for the interest and welfare of all the people of Pennsylvania, that prompt and efficient action be taken to complete the purposes of the call of the Governor;

Now, therefore, be it Resolved; that in order to promptly effectuate the purposes of the call of the Governor so that the worthy unfortunate men, women and children, shall be provided for, without being subjected to any further political bickering whatever, the President of this Senate at once appoint a committee of five members thereof, three of whom shall be Republicans and two of whom shall be Democrats, which committee shall at once consider the subject of relief and determine the minimum amount required to finance relief in Pennsylvania for the period ending January 31, 1937, and upon arriving at the sum required to outline and suggest a program of taxation to provide such necessary funds, under its program, and thereafter immediately report its findings to this Senate.

Mr. REED (Washington). Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. ZIESENHEIM. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

The Resolution is referred to the Committee on Judiciary General.

HOUSE MESSAGE

PUBLIC SERVICE COMMISSION TO MAKE AN INVESTIGATION WITH REGARD TO ISSUING TICKETS TO SCHOOL PUPILS IN ALLEGHENY COUNTY

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows:

In the House of Representatives, May 11, 1936.

The cost of transportation of pupils to the school districts in Allegheny County is a matter of grave concern to its citizens; and it is believed that it is far greater than the circumstances require; therefore be it

Resolved (if the Senate concur), That the Public Service Commission of Pennsylvania is hereby requested to make an investigation, through its existing facilities, with the view of ascertaining whether, on the basis of valuation and income, or on any other basis, the street railway companies operating in Allegheny County may be required to issue tickets for school pupils only, at a rate not to exceed twenty-five cents (25c) per week.

The PRESIDENT. Is there objection to immediate consideration?

Mr. BUCKMAN. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

The resolution is referred to the Committee on State Government.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow afternoon at two o'clock.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:33 P. M. until tomorrow afternoon, May 19, 1936 at 2 o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, May 18, 1936

The House met at 9:00 P. M.
The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend P. F. McGee, Rector of St. Patrick's Cathedral, Harrisburg, Pa., offered the following prayer:

Almighty God, bless this session and these representatives of the people here assembled. Give them wisdom in their deliberations, that they may act according to enlightened reasoning. Give them understanding, that they may see and act for the common good of all. In their interpretation and enactment of law may they always be guided by the Supreme Law of Thy Commandment which assures justice and peace and happiness to all who dwell within the confines of this great Commonwealth. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, May 14, 1936.

The Clerk proceeded to read the Journal of Thursday, May 14. 1936.

Mr. SIMON. Mr. Speaker, I move that the further reading be dispensed with and the Journal be approved.

On the question,

Will the House agree to the motion?

Mr. HOOPES. Mr. Speaker and members of the House, I rise to oppose this motion. I realize that it is a very unusual procedure but it is certainly not more unusual that the procedure that we had in this House last Thursday, and I rise at this time upon this motion to discuss what happened in this House, because in my opinion the Journal does not truly represent what did happen, and the proper time to discuss it is when we have before us a motion to approve the Journal.

The Journal shows on page 164 that I rose and asked permission to make a statement, was granted that consent, and made the statement. It then shows on page 165 at the conclusion of my remarks that I stated: "Therefore, Mr. Speaker, I suggest the absence of a quorum, and I move a call of the House." I repeat those last words that I read from the printed Journal,—" "And I move a call of the House."

I not only suggested the absence of a quorum, but I moved that a call be made. The Speaker then directed the Clerk to make a poll without calling the roll, and the Clerk announced that there was a certain number in excess of a quorum present. I then rose to make the point that we were entitled to a roll call on a call of the House. The words that I used, Mr. Speaker, as shown by the Journal, are: "Mr. Speaker, I ask that the call of the House be made by roll call." Then the Speaker ruled that I was too late in asking for the roll call.

The point which I wish to make is it was not necessary for me to ask for a roll call after I had moved that a call of the House be made.

In support of that I want to call the attention of the House to the House rules and the decisions thereon.

House Rule No. 11 provides as follows:

"If, at any time during the session of the House, a question shall be raised by a member as to the presence of a quorum, and it shall be shown that a quorum is not present it shall be the duty of the Speaker to announce the result of the roll call and note the absentees, after which the absentees shall be again called."

The rest of the rule is not pertinent for the purposes I have in mind at this time. It has been suggested by those who support the ruling of the Speaker that because it was not shown that a quorum was not present, it was not the duty of the Speaker to announce the result of the roll call and note the absentees, but I would like to inquire how you are going to announce the result of a roll call if there wasn't any roll call, how are you going to note the absentees if there wasn't any roll call.

The rule does not say that if it shall not be shown that a quorum is not present that then the roll shall be called and the result of the roll call announced, but it promptly says that the result of the roll call shall be announced. You could not announce what we did not have. So, I submit that on that showing alone it would be sufficient to justify the point which I made.

But further, in support of that, I call attention that if this rule is not clear on the question of how the call is to be made that in the preceding rule dealing with the question of a quorum, it says that the roll of the members shall be called by the Clerk.

I also call the attention of the members to the decisions of the House, as reported in the official publication "Rules and Decisions on Points of Order," page 72, Decision No. 60: "The Speaker decided that when a call of the House is made, and a quorum appears to be present, it is the duty of the Speaker to order the vote to be again taken. The House sustained the decision." I ask you how you can again take the vote if you haven't called the roll.

Taking Decision No. 61, "Under a question of information concerning members not answering to a call of the House when present in the House, the point of order was raised that when a session of the House was called and a member is present when the roll is called to ascertain the presence of a quorum, that gentleman should be reported whether he votes or not."

Both of those decisions clearly indicate that the intent of the rule was that the roll shall be called, and I submit that the term, "Call of the House" means that you call all the names of the members of the House and give them a chance to answer it.

But I am willing to support this argument still further. Rule 89 of this House reads:

"The rules of parliamentary practice comprised in Jefferson's Manual shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the House."

There is certainly nothing in the standing rules of the House which says that the roll shall not be called when a call of the House is asked for.

I believe that I am justified in stating that Jefferson's Manual would cover the matter when the rule is in point. If you will turn to Jefferson's Manual, in the official publication put out by Congress, Section VII, Paragraph 304, page 121, we find "On the call of the House, each person rises up as he is called, and answereth; the absentees are then only noted, but no excuse to be made till the House be fully called over. Then the absentees are called a second time, and if still absent, excuses are to be heard."

Mr. Speaker, I submit that that rule is clear and un-

mistakable, that a call of the House means that the members' names shall be called and the members given an opportunity to answer, and that was not done. In addition, I not only suggested the absence of a quorum, I not only asked that a call of the House be made,—I made a motion,—I believe under Rule 11 it was not necessary for me to make a motion—and if the Speaker had proceeded to direct that a call of the House be made in the manner in which the rules clearly indicate, namely by roll call, it would not have been necessary to put the motion, but if he was not going to do that he certainly was bound to recognize the motion and submit it to the membership of the House. It was the duty of the Speaker first to direct that the call be made, and if he failed to do that, to put the question on the motion.

I again refer to Jefferson's Manual, Section 3, Paragraph 297, page 117, wherein it states: "It is a breach of order for the Speaker to refuse to put a question which is in order."

I submit that the question was in order and that it was a breach of procedure not to put the question as it was made. But, Mr. Speaker, and members of the House, that is only the beginning of what happened here last Thursday. When I rose and asked in a respectful voice to be recognized by the Chair, in a voice which I believe was heard by the Speaker,—I do not believe that the Speaker will stand up to-night and contend that he did not hear me, although the majority floor leader several times suggested that that would be a possible explanation of why I was not recognized, but I doubt seriously if the Speaker will take that position because I think that the members of the House who were here will all agree that my voice was loud enough to be heard, as I not only addressed myself from my desk but I walked to the microphone and used that in an effort to make sure that I would be heard. I stated that I was rising to a point of order. Now, I submit for the Speaker to refuse to recognize me on a point of order was indeed a very serious breach of parliamentary procedure, because if that is the rule, why then, there is no way whatever to protect the rights of members, and, through them, the rights of their constituents. Each and every member of this House is entitled to be heard when he rises to address the Chair, unless someone else is addressing the House at the same time, and then it is the duty of the Speaker to decide which one is entitled to recognition. But I submit that for some moments after I asked for recognition, no one else did.

Again I refer to Jefferson's Manual, Paragraph 348, page 144, which provides as follows: "When a member stands up to speak, no question is to be put, but he is to be heard unless the House overrules him."

To be sure, the majority have a right to take parliamentary steps to suppress a nuisance, and if the majority of this House decided that the person who is now addressing them constituted a nuisance and deserved to be suppressed, there are parliamentary methods to doing it. But, there is a difference between doing it by parliamentary methods, and by using a steam roller, and refusing to recognize a member who rises to make a point of order. Instead of recognizing me they proceeded to go right straight through the first reading calendar. I want to call to the attention of the members of the House that I wanted to raise not only one but several points of order. The first point of order was one which I have already stated, namely that a call of the House must be by a roll call. There is no authority in the rules for a count by the Clerk. If that point or order had been recognized, under Decision 160, again referring to the official decisions of this House, I had a right to discuss that point of order and to state my reason for it.

Decision 160 reads:

"A point of order having been raised that amendments to a bill were unconstitutional and was being debated when another point of order was raised that the gentleman is debating the point of order which he has raised and therefore is out of order until the Chair has given his decision. The Speaker decided the point of order not well taken as a gentleman has a right to give his reasons for raising a point of order and refer to authorities."

I was denied recognition to state the point of order. So, of course, I had no opportunity to state my reasons in support of it.

A further point of order which I certainly would have raised on the question of first reading bills was that the bills were not on the desks of the members. I ask you, members of the House, how are we to know that the bills are printed if they are not on our desks, and recognition is refused to a member to raise a point of order that they are not on the desks and that they are not printed. This is a very definite violation of the rules of this House. House Rule No. 35 definitely provides for this situation. It reads: "No bill shall be considered unless referred to a committee, returned therefrom and printed for the use of the members, as required by the Constitution."

Article 3, Section 2 of our Constitution, which after all, I believe is the supreme law of this Commonwealth, very definitely provides that no bills shall be considered, unless referred to a committee, returned therefrom, and printed for the use of the members. They make answer that they were printed, but I ask you, members of the House, how are we going to know that they are printed if they are not before us and the members are denied recognition to raise a point of order,—how are we to find out. If that procedure is to be permitted, I submit that there is nothing to stop the majority of this House from riding rough shod over all the rights of the minority, and proceeding to force bills contrary to the Constitution, contrary to the laws of the Commonwealth, and contrary to the rules of this House. The only protection that the members of this House have is having a point of order raised and properly answered by the Speaker. If we are denied that right, there is nothing to stop the majority from riding rough shod over all the rights of the members.

I could have raised another point of order, one which is never used, but which I believe to be perfectly sound. There are no practical reasons why in most cases by unanimous consent it is not carried out, but when a question of the violation of the rights of members is involved, I submit that the Constitution clearly provides that the bill shall be read at length. The bills were not so read and I was denied the right to raise a point of order, and that question is a violation of the rights of the members of this House. If we permit such procedure to go unchallenged then we are inviting the majority to ignore the rights of the minority. I believe, at least I have understood, that the majority of this House have a great deal of respect for Thomas Jefferson. In fact, he is referred to as the patron saint of the Democratic party. Thomas Jefferson wrote a publication known as Jefferson's Manual.

It was prepared by him for his own guidance as President of the United States Senate during his term as Vice-President, and it is so good that it is still recognized as the standard authority on parliamentary procedure, and is recognized in Rule 89 of this House as the guide to be followed in matters not covered by our rules.

I want to read Section one of this work. Mr. Jefferson starts out by quoting from Mr. Onslow, whom he refers to as the ablest among the speakers of the House of Commons. He "used to say, 'it was a maxim that he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority, against the attempts of power.'"

That is the end of the quotation from Mr. Onslow. I continue with Mr. Jefferson's words, and I appeal to the Democratic members of the House to pay close attention to what their patron saint has to say: "So far the maxim is certainly true, and is founded in good sense, that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is too often apt to suggest to large and successful majorities.

"And whether these forms be in all cases the most rational or not is really not of so great importance. It is much more material that there should be a rule to go by than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the members. It is very material that order, decency, and regularity be preserved in a dignified public body."

There is very little that I can add to Mr. Jefferson's words on that most important subject. He covers it very fully and very much to the point. I submit that if the minority in this House, and I now address myself to the minority, that if the minority in this House is to be protected from steam roller methods, the time to do it is now, before it goes any further. If a minority of one can be steam rollered in violation of the rules of the House, in the way that it was done here last Thursday, I submit that there is nothing to stop them from steam rollering in a similar manner a minority of ninety. If that sort of tactics is to be justified and upheld in this House, then we cease to be a parliamentary body.

I believe in democracy spelled with a small "d;" I believe in the principles of representative government, and I believe that it is fundamental that each and every member of this House has a right to the floor, to be recognized to raise a point of order, to state his reasons for raising it, and to have that point of order ruled upon by the Speaker. If that rule is not to be carried out, then there is no limit to what we can do. Our forefathers bled and died for rights such as those.

Patrick Henry said: "Give me Liberty or give me Death." We wouldn't have any liberty in this House of Representatives if that sort of tactics is to be carried out.

I want to go just a little bit further. I have heard it charged that certain actions of the Democratic Federal Administration in concentrating power in the Executive was a tendency towards Fascism. Some of us have looked with considerable alarm upon the conduct of another Democrat down in Louisiana, but in the words of Sinclair Lewis, "We thought it cannot happen here," but unfortunately last Thursday a dictatorship was set up in this House of Representatives. If we are going to tolerate that sort of procedure I submit that we will not long be a House of Representatives. We will be merely a House of rubber stamps.

Perhaps, after all, the Democratic majority are not Jeffersonians. It is certainly quite obvious that they are not acquainted with Jefferson's Manual of parliamentary procedure. Perhaps, after viewing their attitude towards the spoils system and Jackson Day dinners, they are Jacksonians rather than Jeffersonians.

I submit to the members of this House that the issue before us here to-night is whether we are going to have a government of rules, a government of laws, from laws and rules which have been fixed by the House, and which we know in advance what they are, or whether we are going to be governed by the capricious decisions of the majority or of the Speaker. That is the issue before us. That is a vital issue. I beg you to so consider it and not to ignore the question merely because it happens to be raised by a Socialist minority of one. I submit to you that this is an issue that goes to the very fundamental liberties of the American people, and the rights of their represntatives to be heard on the floor of this House. If we are to overrule that right, then we might as well abolish the House and set up a dictatorship in name as well as in theory. I do not believe in that; I do not want that; I want to continue that Democratic-Republican form; I do not want a dictatorship. Therefore, I appeal to the members of this House not to approve the Journal in the form in which it is, because it does not set forth what happened here the other night or the other afternoon in anything like correct detail. It does not show what was done to the rights of the minority in the proceedings of this House at that time, and now is our chance and opportunity to refuse to approve these proceedings here and now. If we approve them, then at any future time that question may be raiesd, and somebody is likely to rise to a point of order and say, "Well, you approved it a few minutes ago or last week, and you have no right now to change it."

I submit that we should not only vote against the motion to approve the Journal of this House, but we should take steps to vacate all the proceedings on first reading bills last Thursday, for the reason that they were unconstitutionally considered, and that they were not printed and before us, as required by the Constitution, that we did not have a chance to raise a point of order on the method of procedure.

For these reasons I feel that this thing is important, and I am urging it upon you, so that you will consider it, that you will take steps to see to it that this mistake is corrected, and to the majority of this House, in clos-

ing, I want to say one thing more. I think you want those bills which were passed on first reading to stand the test in the Courts. You certainly do not want them to be brought before the Courts and to have them thrown out on a technicality that they were not properly considered in this House. I submit, in view of the fact that that question has been raised on the floor of this House, that there is a very good chance that that question might be raised, and the proper thing for us to do is to vacate those proceedings as to first reading bills last Thursday, which will put these bills back on first reading, then we can repass them and there will be no question about their constitutionality on that score.

I appeal to the members of the House to consider this question as one of the most weighty matters that has appeared before this body in many years, certainly the most important that has appeared before it at this session, and to vote that this Journal be not approved, and, Mr. Speaker, I ask for a roll call.

The SPEAKER. The Chair is firmly of the opinion that the conduct of this House at last Thursday's session relative to the procedure on first reading bills was in strict accordance with the provisions of the Constitution and the rules of the House.

Jefferson's Manual, quoting from Hind's precedents of Congress, states "That the Chair may determine the presence of a quorum in such manner as he deems accurate and suitable when no record vote is ordered. If the absence of a quorum had been disclosed, a quorum of record would have been required before the House could proceed to business.

Rule 19 of the House provides that all bills are printed on pink paper for the use of the Members as soon as introduced.

Article III, Section 2 of the Constitution reads as follows: "No bill shall be considered unless referred to a committee returned therefrom, and printed for the use of the Members."

A question of order was raised in this House in the session of 1911 that there were no calendars or bills in the desks of the Members; therefore legislative business could not be conducted. The House itself decided the point of order not well taken.

Rule 43 of the House provides: When bills on first reading are in order, the Speaker shall take up the calendar and announce each bill in its order, which he did.

It has been the practice of the House, as it should be, not to consider bills on second reading, third reading or final passage until they are on the desks of the Members, but never so far as we are able to learn has this question been raised on first reading bills.

Every member knowns bills have been frequently read for the first time when they have been printed only in pink and were not on file.

The facts are every bill on Thursday on the first reading calendar was printed both in pink and in white. They were all on the floor of this House, ready for filing. The reason why they were not filed was that two or three bills did not reach the sergeant-at-arms room until about the time we were ready to convene, which made it impossible to pick complete sets to place in the members' files.

The Chair is unable to find any rule of the House or constitutional provision which has been violated by reason of the bills on the first reading calendar of Thursday, May 14th, being passed before they were placed in the files of the members.

Mr. ZIMMERMAN. Mr. Speaker and ladies and gentlemen of the House, it is not my intention to become involved in this debate; in fact, it is just the opposite. I would like to say in a spirit of complete friendliness for my friend, the gentleman from Berks, it is my opinion that he should not be too harsh upon the majority party of this House, particularly so when he bears in mind that the head of the Democratic party was kind enough to voluntarily put aside the platform of the Democratic party, and adopt the one sponsored by the party that the honorable genleman from Berks has the honor to represent in this House.

The SPEAKER. Is the call for the roll call seconded?

Mr. COHEN. Mr. Speaker, I second the call.

On the question recurring,

Will the House agree to the motion?

Mr. WITKIN. Will the Speaker please state the question.

The SPEAKER. The question is on the approval of the Journal of last Thursday's session. Those voting aye vote to approve the Journal; those voting nay vote for disapproval.

The yeas and nays were required by Mr. HOOPES and Mr. COHEN and were as follows:

YEAS—176

Achterman,	Falkenstein,	Mason,	Shortz,
Alexander,	Ferko,	McCreary,	Shreiner,
Allen,	Finnerty,	McDermott,	Shumaris
Altenburg,	Fitch,	McDevitt,	Siegel,
Andrews,	Flanagan,	McElroy,	Simon,
Anthony,	Flinchbaugh,	McHenry,	Simpson
Arnold,	Flynn,	McKinney,	Sinwell,
Atkins,	Forrest,	Melchiorre,	Sloan,
Aukerman,	Gates,	Mentzer,	Smith, W. G.
Baine,	Gerard,	Merrell,	Snyder, F. E.,
Baker, F. T.,	Gillette,	Moomaw,	Snyder, J. L.,
Baker, J. J.,	Habbyshaw,	Mooney,	Sprout,
Baldi,	Haberlen,	Moore,	Stank,
Barber,	Hagerty,	Moran,	Stevens,
Barnhardt,	Haluska,	Moul,	Stewart,
Bernhard,	Hamilton, F. P.,	Muir,	Stockham,
Boose,	Harkins,	Munley,	Stone,
Boyer,	Harmuth,	Murrin,	Stott,
Bradley,	Hartman,	Nagel,	Sumney,
Brancato,	Hefferon,	Nothnagle,	Surface,
Brennan,	Hetrick,	O'Keefe,	Sweeney,
Brown, H. S.,	Hindman,	Ominsky,	Tahl,
Brown, J. E.,	Hirsch,	O'Neill,	Trout,
Brownfield,	Hoffner,	Panton,	Tumelty,
Brumbaugh,	Holland,	Patterson, C.,	Turner,
Burke,	Holstrom,	Patterson, J. W.,	VanAllsburg,
Cannon,	Horst,	Peters,	VanSickle,
Carr,	Jones,	Phillips,	Wall
Carson,	Kane,	Piole,	Wasserman,
Chervenak,	Kelder,	Powers,	Weidemann,
Coakley,	Kelso,	Reising,	Weiss,
Cochran,	Kenney,	Rinn,	Welliver,
Cohen,	Kilroy,	Roan,	Welsh,
Coleman,	Kinney,	Rooney,	Westrick,
Condon,	Klingler,	Royer,	White,
Coolahan,	Kobelak,	Ruffenach,	Wickersham
Davies,	LaRue,	Sarraf,	Winner,
Decker,	Linderman,	Schaeffer,	Witkin,
Dent,	Long,	Schrock,	Wood,
Diehl,	Longaker,	Schrope,	Woodside,
Dilley,	Lovett,	Schwab,	Yeakel,
Downey, G. E.,	Lynch,	Serrill,	Zappala,
Downey, J. J.,	Male,	Shaw,	Zimmerman,
Eberharter,	Mallen,	Shepard,	Furman,
			Speaker

NAYS—6

Caputo,	Hoopes,	Tronzo,	Yourishin
Hermansen,	Pfaff,		

So the question was determined in the affirmative and the Journal was approved.

LEAVES OF ABSENCE

Mr. Weiss asked and obtained leave of absence for Mr. ROBINSON on account of illness.

Mr. Piole asked and obtained leave of absence for Mr. PEARSON on account of illness.

Mr. Duffort asked and obtained leave of absence for Mr. ROBERT BOYD until tomorrow morning.

RESOLUTIONS

SYMPATHY EXTENDED ON DEATH OF HON. A. MITCHELL PALMER

Mr. ACHTERMAN offered the following resolution which was twice read, considered and unanimously adopted by a rising vote:

In the House of Representatives, May 18, 1936.

Pennsylvania has lost a distinguished citizen in the death of Honorable A. Mitchell Palmer. He represented his district and this Commonwealth in Congress of the United States, was Attorney General of the United States during the administration of President Woodrow Wilson, alien property custodian during the World War period, and a leader in his political party.

In his public career he served the people of his community and the State and Nation with distinction and his passing leaves a void that must remain unfilled, therefore be it

Resolved, That this House extend its profound sympathy to the members of the family of Honorable A. Mitchell Palmer; that this resolution be spread upon the Legislative Journal; and that a copy be sent to the family of the Honorable A. Mitchell Palmer by the Chief Clerk of this House.

RESOLUTION No. 9

Mr. BURKE. Mr. Speaker, I desire to call up at this time Resolution No. 9, Printer's No. 50.

The resolution was read by the Clerk as follows:

Whereas, Under House Resolution No. 110, Serial No. 142, Printer's No. 502, a Joint Committee to Investigate the Distribution of Public Relief throughout the Commonwealth was duly appointed at the last regular session of this General Assembly; and

Whereas, In compliance with the said joint resolution, three members of the Senate and three members of the House were appointed to the said Joint Committee; and

Whereas, The said Joint Committee held certain meetings and directed certain investigations; and

Whereas, Three members of the Joint Committee signed a report of the Committee; and

Whereas, One of the three members of the Joint Committee signing the said report presented the report to the House of Representatives on Wednesday, May 6, 1936; and

Whereas, All of the members of the Joint Committee were not given a reasonable and fair opportuniiy to review the findings contained in the report before the report was submitted to the House of Representatives; and

Whereas, The report was released to the newspapers prior to the submission to the House of Representatives; therefore be it

Resolved, That the House of Representatives disavows the highly unethical procedure associated with the submission of the said report and deems the said procedure as an unbecoming attempt to form a partisan and distorted view of a great humane problem confronting our people.

On the question,

Will the House adopt the resolution?

Mr. BURKE. Mr. Speaker and members of the House, the subject matter of this resolution concerns the procedure that was followed in this House in submitting a report or a so-called report of a joint committee appointed at the regular session to investigate the administration of relief.

I introduced this resolution because I believe that the conduct of those who engineered the filing of the report was highly improper, not only in violation of the rules of this House, not only in contravention to the precedents of this House, but was entirely out of line with all sense of decency.

The Committee appointed at the last session:

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, the gentleman from Philadelphia, Mr. Burke, under the rules of this House has no right to attack the integrity of any member of this House or any member of the Senate, and in making the statement that the filing of a report violated all rules of decency, he is violating the privilege accorded to him as a member of the House.

The SPEAKER. Will the gentleman from Philadelphia yield for just a moment? The Chair is of the opinion that the gentleman has up to this point cast no personal reflections upon any member of this House or of the Senate, but he wishes to state to the gentleman that he must guard himself in any statements that he makes that might cast personal reflections upon members of either body.

Mr. WITKIN. Mr. Speaker, may I ask the Speaker to direct the stenographer to repeat the statement just made by the gentleman from Philadelphia, Mr. Burke, being of the opinion that when it is repeated, the Speaker will of necessity come to the conclusion that the remarks of the gentleman from Philadelphia will impugn not only the integrity of the members of this House but also of the members of the Senate, when he says that it is a violation of the rules of decency.

I know, Mr. Speaker, of no imputation that is stronger against anyone than to accuse them of lack of decency. The gentleman from Philadelphia has directly stated "lack of decency" to a member of this House and to a member of the Senate. If that is not an imputation against the personal integrity of a member of the House or a member of the Senate, then I know of no comment that could possibly be an imputation or a personal reflection upon a member of the Senate or a member of the House.

Mr. BURKE. Mr. Speaker, I have no desire to be offensive or to violate the rules of this House, and I desire to amend or strike out the word "decency" and to substitute therefor the words "legislative propriety."

The SPEAKER. The gentleman will proceed.

Mr. BURKE. Members of the House, this legislative committee, immediately after it was organized, held several hearings in Harrisburg, one in Pittsburgh, and one in Philadelphia, and at those meetings the committee examined the officials of the Emergency Relief Board and the various county relief boards to find out how the relief organization operated in their particular cities.

The committee also employed an investigator who was to do some field work, and I suppose in the ordinary course of events bring his field work to the committee.

Now, during the year 1936, the committee did no work until about the seventeenth of April, at which time they heard several witnesses and at which time it was sug-

gested that the committee should convene very shortly to receive some recommendations, to be submitted to this session of the Legislature. A meeting was called for April 24th, different matters touching upon the administration of relief were discussed, and also recommendations were discussed. At this meeting there was one matter of petty partisanship that was brought out, of which I never had any knowledge as a member of the committee, it was never brought to me, and I in fact attended every meeting but three, and when I suggested that these petty political matters be sricken from the record. no one, who was a member of the committee, seemed to have any knowledge thereof or to assume any responsibility for the authorship.

At the same meeting, when it was suggested that the committee should convene the week following to further study recommendations, I suggested that the committee defer any meetings until the first week of the session, at which time all of the members would be present and they could study the material which was brought to the committee. My suggestion was adopted, no member of the committee present dissented from that suggestion. I next received a letter on May first, which enclosed some recommendations, which were discussed, and the letter set forth that it would be wise for the committee to convene as early as possible and the day was set at May 4th, at 2:00 o'clock P. M., one-half an hour before the Democratic Party caucused, and I think that everybody had knowledge of the fact that the Democratic Party had called a caucus for 2:30 o'clock. So, I bent every effort to be present at 2:00 o'clock, and no member of the committee was there. On the evening of May 4th, I was advised by the Chairman that a meeting would be held on May 5th at 9:30, and that that time was convenient to the Republican senators. Well, the next morning I found myself tied up and I was unable to be present, but I was reliably informed that the five members present were asked to sign the report and that even some of the members, who later signed the report, temporarily refused to do so because—

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, the gentleman from Philadelphia has no right to discuss that which took place in committee.

The SPEAKER. This is an instance where the proceedings of a committee have been reported to the House and is, therefore, a proper subject of debate.

The point of order is not well taken. The gentleman will proceed.

Mr. BURKE. Mr. Speaker, I was informed that some of the members of that joint committee at first refused to sign the report on the ground that they had not seen the material that was contained in the report. I was further advised that a copy of the report was not available for their inspection.

After the report was signed by three members of that committee, on May 5th, the next day, on the floor of this House, about six feet from where I now stand, about 10:30 in the morning, I was told that the report had to be filed on May 6th. It was filed very shortly after 10:30, and later, when I returned to Philadelphia. I was told why it had to be filed: Because there was given to the Evening Public Ledger on May 5th a copy of that report, which was never submitted to me for my signature, and the material contained in it, of which I had no knowledge, was read by the people of Philadelphia before I had a chance to see it. I think that the members of this House, be they Democrats, Republicans, or Socialists, should resent such action on the part of the committee, and I say that such conduct comes with ill grace from a party that lately asked for a public holiday, and then, in the very next breath, commits political prostitution.

Now, there is another phase to this report, which is of much more moment than any hurt that might be visited on me, and I discerned this fact after all the smoke of the preliminary report had cleared away.

When the members of this House in the last session voted to delegate to a committee of six the power to study the momentous problem of relief, you exercised a proper and legitimate legislative function. The members of this House properly realized that such a study would entail a great amount of time and that a committee, knowing the problem was important, should have some first hand, honest, impartial study made of the relief question, and I use those adjectives because they are contained in the original resolution.

An investigator was appointed to assist the committee, and I found out after the report was filed, as the result of investigations of my own, that this investigator had worked for the Auditor General until August 1st, 1935. I found out that he had received in the Auditor General's Department a salary of two thousand dollars a year. He got a leave of absence to work as an investigator for the committee and he was hired at the rate of three thousand dollars a year. There is one thousand dollars, members of this House, that would have supported thirty Pennsylvania families for one month. Now, I can say, honestly, that seventy-five percent of the material contained in that report never came before this committee. It was assembled by the investigator who was playing the part of Mr. Baldwin's boondoggler on whom a thousand dollar premium was placed so they could do a splendid political job.

I say to the members of this House, I say to the minority of this House, you may have your political fiddle to play but public money is not to be used to pay the fiddler, I ask every fair-minded member of this House—I do not appeal on the grounds of partisanship, but if you are fair, if you want the records of this House, if you want the minds of the members of this House set right on the conduct that should be observed, on the disposition that should exist between members, irrespective of their party, you must vote "aye" on this resolution.

Mr. HORST. Mr. Speaker, Resolution No. 9, introduced by Representatives Burke and Enroe, members of this House, provides, "that the House of Representatives disavows the highly unethical proceedure associated with the submission of the said report (referred to in the Resolution) and deems the said proceedure as an unbecoming attempt to form a partisan and distorted view of a great humane problem confronting our people."

This statement is based on the assertion embodied in the

whereas clause, which says "All of the members of the Joint Committee were not given a reasonable and fair opportunity to review the findings contained in the report before the report was submitted to the House of Representatives."

This is a mis-statement of fact. The Chairman of the Joint Legislative Committee to Investiagte Unemployment Relief in Pennsylvania has endeavored at all times to keep all members of the Committee informed of factual evidence developed by the Committee's investigator. Reports of hearings and of field surveys were sent to members as rapidly as available facilities allowed.

The Committee's proceedure seemed to be perfectly agreeable to all members of the Committee up to the time when the State Emergency Relief Board saw fit to take $50,000 out of relief funds to finance the activities of a Citizen's Committee appointed by the Governor. From then on attendance of the members who did not sign the report were irregular and their interest lagged. It was even suggested by some of the members that the legislative committee should cease functioning.

Monthly meetings of the Committee were held during 1935. At the December 6th meeting the Committee suggested that further meetings of the Committee be postponed until such time as the Chairman saw fit to call it. With the Special Session in the offing a meeting of the Committee was called on April 17th. At this meeting a general outline of the Preliminary Report was discussed. Those present were Senators Ealy and Bean and Representative Burke and myself.

Another meeting of the Committee was called on April 24th, at which time the summary of the report was discussed. Changes in the summary were made at the suggestion of members present. Mr. Burke objected to references in the report to politics affecting relief. It was agreed to take out of the report and the summary, all references to names of political parties but not the evidence relative to political activity. At this meeting the Chairman pressed for another meeting of the Committee on May 1. The Committee decided to meet on May 4th, to close the report.

Present at this meeting were Senator Ealy and Representative Burke and myself. Senator Bean not being able to be present at the meeting arranged to review the report prior to the next meeting.

On May 1st, the following letter was sent to each member of the Committee:

"Dear Committee Member":

I am calling a meeting of the Joint Legislative Committee to investigate Public Relief in Pennsylvania, in Room 302, Capitol Building at 2 o'clock P. M. Standard time, Monday, May 4th, 1936.

This meeting is called to determine definitely the recommendations which the Committee desires to offer to the Special Session in a preliminary report.

The factual part of the report discussed at the last two meetings of the Committee is now being mimeographed for presentation to the Session by Wednesday, May 6th. The recommendations will be attached to the report.

If you cannot be present at this meeting, would you wire me at Palmyra, Pa., please?

I am enclosing a copy of the proposed recommendations discussed at our last Committee meeting.

Sincerely yours,

MILES HORST, Chairman."

In spite of this letter it was asserted by the two sponsors of this resolution in a newspaper release on May 6th, that "Joseph D. Burke, one of the Democratic members of the Committee, was given an explicit pledge, that the report would not be submitted until May 11th. That is contrary to fact.

The meeting on May 4th was recessed until 9:30 Tuesday morning, May 5th. Every member of the Committee was personally notified of this recess by the Chairman.

At the meeting on Tuesday morning, there were present Senators Ealy, Bean and Rodgers and Representatives Eroe and myself. The Committee began work on the recommendations at once. Senator Rodgers left the meeting at 10:30. Changes in the recommendations were suggested and embodied. At 12 noon the Committee recessed until 2 P. M. Only Senators Ealy and Bean and myself reported. Absent members were contacted but none of those who did not sign the report would appear. Three members present decided to close the report and present it to the Legislature as announced previously.

The Chairman apprised the members not signing the report of the action taken. An effort was made Tuesday evening to have these members file their own recommendations and embody them in the report, and for this purpose retained the Committee's office force until 10 P. M.

It was evident Mr. Speaker and Members of the House, that practically the entire concern of the members of the Committee who failed to sign the report was to block it and delay placing the information it contained before the General Assembly and the people of Pennsylvania. And they did this in spite of the fact that members of both sides of the House and Senate were calling for the report.

Now, Mr. Speaker, several assertions have come from the floor of this House relative to this report. It was stated that an investigator was appointed by this Committee when it started its work beginning August 1st. The fact of the matter is there were two investigators appointed. One was suggested by the Republican members of the committee and the committee asked the Democratic members of this committee to suggest another man, which they did, and he was promptly appointed. The salaries of these two men were fixed by the members of the committee, and if I recall correctly, the six members of the committee were present at that meeting.

Reference was also made to the striking out of petty political matters. It seems to me that a report of any investigating committee would have come to this house with poor grace after all the remarks that were heard on the floor of this House during the session of nineteen thirty-five. As you well remember, there were thirteen county investigating committees appointed to look into the matter of relief and relief administraton, and one of the most common criticisms that was heard was the critcism leveled against the then director, Mr. Johnson, on the ground that there was politics in relief.

POINT OF ORDER

Mr. BURKE. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. BURKE. Mr. Speaker, the contents of the report are not before this House. The resolution pertains to the procedure that was followed in the filing of the report.

The SPEAKER. The Chair has just ruled on that question and states that the gentleman is in order. The gentleman will proceed.

Mr. HORST. Mr. Speaker and members of the House, the statement was made that the report was signed by the Republican members because it was convenient for the Republican members to be there. I believe that every fair minded man on that committee will agree with me that throughout the time in which this committee was functioning, I went out of my way in all kinds and manners of means and ways to accommodate the members of that committee. I did not know that there was a Democratic caucus announced for Monday afternoon, when the notice was sent out. I did not know it until I read it in the papers a day or two later, and I then immediately made arrangements to recess the meeting of the committee on Monday afternoon and to call for a meeting on Tuesday morning at nine-thirty.

The statement has been made that members of the committee refused to sign the report. What occurred, to the best of my knowledge, is that no member refused to sign it but that the report was held back by the members refusing to attend the meeting or refusing to come anywhere near the committee rooms.

Now, then, I would like to say a word to you members of the House concerning the availability of this material, about which much has been said. There was not a single meeting of the committee where the material and all the material in that report, that was then prepared up to that point, was not available. We had two copies of the report on the table in the committee room, right around which the members of that committee sat at the meeting of April 17th, at the meeting of April 24th, and at the meeting of May 5th. It was available.

Mr. Burke has referred to the matter of the summary. We went through the summary, and if you will study the summary of that report you will find that every item of any consequence in that report is referred to in the summary. We went over that whole summary on that date of April 24th, and during the whole time there was a copy right there on the desk, to which any member of that committee could have referred at any time, but there was no question raised on the part of any member of the committee.

So, then, members of the House I submit that the conduct of this committee could not have been carried on in a fairer way than I tried to carry it on, and I ask you to vote down this resolution.

Mr. WITKIN. Mr. Speaker and members of the House, may I first say to the gentleman from Philadelphia, Mr. Burke, that where a report is filed by an investigating committee that those who disagree with that report have a perfect right, under the rules of the House, to file a minority or to file another report. So, when the gentleman from Philadelphia complains about this report being the will of only three members of the House and directs attention to the fact that he has failed to file another report concerning that which was investigated, his failure to file such a report must be looked at in the light of the facts.

Personally, I do not blame him for not filing another report, because as I read this report, he has the best reason in the whole world for not filing another one.

There are affidavits of record in this report, affidavits taken by responsible citizens of this State as to what transpired with respect to relief. I listened to the gentleman from Philadelphia, Mr. Burke, and I marvelled at the fact that not once during his entire remarks did he say a single word imputing falsehood to those affidavits.

For example, when in this report they set forth some of the cases on relief and call the attention of the House and the Senate to those instances, they are backed up by affidavits. Mr. Burke does not dispute those affidavits; at least he hasn't disputed them. I defy him to dispute them. I defy him to file a report challenging the truthfulness of those statements. For your edification may I just refer to a few cases? Case number 3122 supported by affidavits—

POINT OF ORDER

Mr. COHEN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from York will state his point of order.

Mr. COHEN. Mr. Speaker, the question under discussion here is Resolution No. 50. In none of the whereas clauses is any attempt made on the part of the sponsor of the resolution in any way to delve into the facts and materials presented in the report. It is not a proper subject of discussion at this time.

Mr. SPEAKER. The report of the committee is not now before the House for discussion. It is merely the procedure involved in submitting this report. The Chair feels that the point of order is well taken, and the gentleman will confine his remarks to the resolution before the House.

Mr. WITKIN. Mr. Speaker and members of the House, I shall read from the resolution itself and then I will contradict that which is contained in the resolution.

The resolution, Mr. Speaker, on page two reads as follows:

"Resolved, That the House of Representatives disavows the highly unethical procedure associated with the submission of the said report and deems the said procedure as an unbecoming attempt to form a partisan and distorted view of a great humane problem confronting our people."

In order that the members of this House may know whether or not the report referred to in this resolution is distorted and in order that they may know whether or not those who signed the report presented a distorted view and to contradict the very words of the resolution, which is before this House, being now discussed and upon which liberty was granted to my friend from Philadelphia to speak thereupon, I want to say to the members of this House that the verbiage in this resolution is incorrect, because I say to you that the report is not a distorted view. It is not distorted because the report deals with particular cases, the particular cases being supported by particular affidavits. The report charges certain irregularities, it charges certain frauds, it charges certain commissions of acts by those in charge of relief, and they are supported by affidavits. As an example I shall refer to a few of the cases. I know that my friend from York, Mr. Cohen, is very anxious to keep out of the record at this time the particular cases, but when you charge us with distortion, the only way we can prove that there is no distortion is to give you the facts.

The affidavits which are contained in the report prove that in case number 3122, this man owned a home—

POINT OF ORDER

Mr. BURKE. Mr. Speaker, I rise to a point of order.

Mr. SPEAKER. The gentleman from Philadelphia will state his point or order.

Mr. BURKE. First of all, Mr. Speaker, I would like to state my position—

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

Mr. SPEAKER. The gentleman from Philadelphia will state his point or order.

Mr. WITKIN. The bentleman, in arising to a point of order, is not permitted to state his position. He must confine himself to stating his point of order.

Mr. BURKE. Mr. Speaker, after the Chair made its ruling—

Mr. WITKIN. Mr. Speaker, I ask for a ruling on my point of order. The gentleman has not been recognized.

The SPEAKER. The gentleman from Philadelphia, Mr. Burke, will state his point of order.

Mr. BURKE. Mr. Speaker, the gentleman is discussing the factual material in the report and not the resolution.

I arise to a point of parliamentary inquiry, Mr. Speaker.

Mr. SPEAKER. The Chair has already ruled that the report of the committee is not before the house for discussion. The point of order of the gentleman from Philadelphia is well taken.

QUESTION OF INFORMATION

Mr. WITKIN. Mr. Speaker, I arise to a question of information.

Mr. SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. WITKIN. Mr. Speaker, do I understand the ruling of the Chair to be that I cannot contradict by reference to the report itself the statements contained in the resolution, which we are now considering and which refers to a distorted view of a great humane problem confronting our people, "and am I not permitted to refer to that very clause and to dispute the correctness thereof in order that the House, in voting upon this resolution, may have before it all the facts so as to determine whether or not the report is distorted or whether it speaks the truth, the whole truth and nothing but the truth.

The SPEAKER. For the information of the gentleman from Philadelphia, the Chair wishes to read the last resolved clause in the resolution:

Resolved That the House of Representatives disavows the highly unethical procedure associated with the submission of the said report and deems the said procedure as an unbecoming attempt to form a partisan and distorted view of a great humane problem confronting our people

The question involved in the resolution is the procedure; the procedure of the committee and not the report of the committee. The gentleman will proceed.

APPEAL FROM DECISION OF CHAIR

Mr. WITKIN. Mr. Speaker, I appeal from the decision of the Chair.

The SPEAKER. Is the appeal seconded?

Mr. TURNER. I second the appeal.

The SPEAKER. The appeal has been seconded by the gentleman from Delaware, Mr. Turner.

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. Andrews to take the Chair.

MR. ANDREWS IN THE CHAIR

The SPEAKER. Will the gentleman from York, Mr. Cohen, and the gentleman from Philadelphia, Mr. Witkins, please come up to the desk?

On the question,

Shall the ruling of the Chair stand as the decision of the House?

APPEAL FROM DECISION OF CHAIR WITHDRAWN

Mr. WITKIN. Mr. Speaker, as a result of an arrangement entered into at the Speaker's desk, I withdraw my appeal from the decision of the Chair.

The SPEAKER (Roy E. Furman) in the Chair.

RESOLUTION TABLED

Mr. COHEN. Mr. Speaker, I move that the resolution be laid on the table for the purpose of amendment.

The motion was agreed to.

RESOLUTION No. 5

Mr. HOLLAND. Mr. Speaker, I desire to call up at this time Resolution No. 5, Printer's No. 47.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 13, 1936.

Whereas The cast of transportation of pupils to the school districts in Allegheny County is matter of grave concern to its citizens; and it is believed that it is far greater than the circumstances required; therefore be it

Resolved (If the Senate concur), That the Public Service Commission of Pennsylvania is hereby requested to make an investigation, through its existing facilities, with the view of ascertaining whether, on the basis of valuation and income, or on any other basis, the street railway companies operating in Allegheny County may be required to issue tickets for school pupils only, at a rate not to exceed twenty-five cents (25 cents) per week.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

Mr. McCREARY offered a resolution and asked unanimous consent for its immediate reading for the information of the House.

The SPEAKER. Will the House give its unanimous consent for the immediate reading of the resolution for the information of the House? Are there objections?

Mr. EBERHARTER. Mr. Speaker, I object to the reading of the resolution.

The SPEAKER. The Chair hears objection and consent is not granted.

Mr. WITKIN. Mr. Speaker, it has been the custom in this House during this session when a resolution is introduced that it be read for the information of the House, and then objection can be made to its consideration. This is the first time that I recall in this House that a gentleman who introduces a resolution can not have it read for the information of the House. It seems to me that the gentleman from Allegheny, Mr. Eberharter, ought to permit the resolution to be read and then if he objects to its consideration at this time, it is entirely agreeable to this side of the House, but I ask the gentleman from Alle-

gheny to withdraw his objection to the reading of the resolution. A man has a right to have his resolution read merely for information.

The SPEAKER. The Chair wishes to make the following statement.

House Rule No. 84 provides that resolutions which are not privileged shall be introduced by filing them with the Clerk. This rule precludes introducing such resolutions from the floor except by unanimous consent or by a suspension of the rule.

After a resolution is filed it is referred to committee and the full text of the resolution is printed in the Legislative Journal for the information of the members, and also in the House History.

The rule was adopted by this House at the beginning of the 1935 session at the suggestion of our former Speaker, the Honorable William G. Sarig. The definite objective was to save the time of the House required to read a resolution and to prevent their consideration before giving the membership time to know what they are voting on.

Mr. WITKIN. Mr. Speaker, I yield for the moment to the gentleman from Erie, Mr. McCreary.

Mr. McCREARY. Mr. Speaker, I simply wish to ask that that be read for the information of the House and not for their consideration at this time. May I further say, Mr. Speaker, that there are some figures connected with that that will be presented to the House tomorrow morning at the opening of the session; figures that go to explain that resolution. All I asked for was to have it read for the information of the House tonight.

The SPEAKER. The Chair wishes to advise the gentleman from Erie that in order to have this resolution read, the rule would have to be suspended or we must have unanimous consent to have the resolution read. There were objections, and the Chair has no other alternative than to have the resolution filed with the Clerk first according to the rules.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TURNER. How is the House to know, Mr. Speaker, whether it will give its unanimous consent to have the resolution read when it does not know what is in the resolution.

The SPEAKER. For the information of the gentleman from Delaware, Mr. Turner, this question is merely a question of procedure. In order to advise the membership of the House of the contents of the resolution it would be necessary to get the unanimous consent of the House to have this resolution read or to suspend the rules which govern the filing of resolutions.

MOTION TO SUSPEND RULE

Mr. WITKIN. Mr. Speaker, I move that the rule 84 referred to by the Speaker be suspended for the purpose of having the resolution read for the information of the House.

On the question,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker and members of the House, if we are going to stay here and accomplish anything, there ought to be some degree of cooperation on matters that are not of such great moment as to require objection. This side of the House has not offered any objections to the unanimous consent to have statements made, nor to have resolutions read, nor to have matters considered. We do not want to do that; we do not want to get into the position of where we are simply going to stay here and take up the time and waste the time of the House, but we expect similar courtesy from the other side of the House. When you offer,—you may laugh, but you cannot point to a single instance in this Special Session of the Legislature where we refused to give you unanimous consent for the purpose of having a resolution read, and I defy every one of you, individually and collectively, members or non-members who are influential in this House, to point to a single instance where we refused to give you consent to have a resolution read. And now, if you are going to do it, we are going to take up the time of the House and we are going to move to suspend the rule every time, and if you think it is better politics to have us make these motions and vote them down and gag us, O. K. with us, but you are going to signify by your vote each and every time that that move predominates in this House. The gentleman from Erie offered a resolution. I haven't the slightest idea what is in that resolution. It may be good or it may be bad. He doesn't ask to have it considered; he wants it read. The gentleman may have a motive for having it read tonight; I do not know, but there is such a thing as common courtesy in this House, and where a member thinks it is important enough to him or to his constitutents to have it read for the information of the House, you are not going to save time by refusing unanimous consent, and we are going to ask for suspension of the rules and a verification of the roll call. If you want that, it is O. K. with us, but you are going to be here for an awfully long time doing it. Mr. Speaker, I ask for a roll call.

Mr. EBERHARTER. Mr. Speaker and members of the House, this Rule No. 84 was adopted at the last general session of the Assembly. It has been in vogue and effect for quite some time. It was adopted for a very definite purpose, and that purpose was to save the time of the members of this House so that the members of this House would get down to doing the business that we are here for, and that was true last year, and I submit that if it was true last year, that we should get down to business, it is all the more true in this special session when we are here for a very definite purpose, and if we take the time to read these resolutions, it doesn't benefit any member of this House to have these resolutions read. The rules provide that this resolution will be printed tomorrow. Every member will get a copy of that resolution, can read it and digest it and get what is in it, and there is no gag rule to this whatsoever and if Mr. Witkin wants to keep us here in session, I think it is very unfair for him to take that attitude. When these resolutions are printed they are available to the public and they are available to the members of the House. Insofar as unanimous consent to the reading is concerned, I serve notice that if they are not privileged resolutions I shall object to them.

Mr. WITKIN. Mr. Speaker, I should like to interrogate the gentleman from Allegheny, Mr. Eberharter.

The SPEAKER. Will the gentleman from Allegheny, Mr. Eberharter permit himself to be interrogated?

Mr. EBERHARTER. Mr. Speaker, I will.

Mr. WITKIN. Mr. Speaker, the gentleman from Allegheny has stated, has he not, that this resolution will be printed tomorrow and be available to every member of the House; is that correct?

Mr. EBERHARTER. That is correct, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, will the gentleman from Allegheny tell me under what rule of the House can this resolution come to print tomorrow, when I call his attention to the fact that resolutions are not printed until they are reported out of committee except in the Legislaive Journal and the History. Answer that.

Mr. EBERHARTER. The resolution will be printed in the Legislative Journal tomorrow, or at least the day after and is available to every member of the House and is available to the public.

Mr. WITKIN. Mr. Speaker, may I further interrogate the gentleman from Allegheny, Mr. Eberharter?

The SPEAKER. Will the gentleman from Allegheny, Mr. Eberharter, permit himself to be interrogated?

Mr. EBERHARTER. I will, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, does the gentleman then admit that his statement that it will be available tomorrow is incorrect.

Mr. EBERHARTER. Mr. Speaker, I wouldn't say that statement is incorrect, because the Journal may be printed tomorrow.

Mr. WITKIN. Mr. Speaker, does the gentleman from Allegheny have any precedent that the Journal is available to the members until at least one week after we leave here during the preceding week? Does the gentleman know that the Legislative Journal will not be printed tomorrow or the next day and will not be available to the members of this House for at least one week or possibly more?

Mr. EBERHARTER. Mr. Speaker, in answer to the gentleman from Philadelphia, I have not been a member quite as long as he has and I cannot say from my experience of the past that the Legislative Journal will be printed to-morrow or the next day, but it will be in a short time, just as soon as the mechanics of printing can be gone through.

Mr. WITKIN. Mr. Speaker, so the gentleman agrees with me, possibly by reason of the fact that he has not been a member as sufficiently long, that it is quite possible and probable that this resolution will not be available to any members of this House in print until at least next Monday night.

Mr. EBERHARTER. Mr. Speaker, there is a probability that it may not be, depending upon the action of the committee. If this is a proper resolution and has the approval of the majority of the committee to which it is referred, it will be available within a day after it is reported out to the House by the committee.

Mr. WITKIN. Mr. Speaker, didn't the gentleman from Allegheny say that this resolution would be available tomorrow or the day after?

Mr. EBERHARTER. Mr. Speaker, the printed copy will be available the day after tomorrow.

POINT OF ORDER

Mr. YOURISHIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. YOURISHIN. The question before the House, Mr Speaker, is the suspension of a rule and not what is going to happen to a resolution.

The SPEAKER. The point of order is well taken. The question before the House is the suspension of Rule No. 84 for the specific purpose of having a resolution read for the information of the House.

Mr. WITKIN. Mr. Speaker, I take it by your ruling that I am unable to continue my interrogation in order to prove by the statement of the gentleman from Allegheny, Mr. Eberharter, himself that this statement made to this House is incorrect. Having been limited and refused the opportunity of continuing that interrogation, I want to answer the gentleman from Allegheny, Mr. Eberharter, by saying that in this House for generations back it is the custom, and should be followed strictly, that no member ought to make a statement that either purposely or carelessly or negligently is incorrect. The gentleman from Allegheny's argument would be persuasive if it were true; if this resolution were available for print to-mororw morning, he would be right, and the motion to suspend ought not to govern, but the gentleman from Allegheny knows or should know, and where he should know he should not carelessly state facts which are incorrect. This resolution in the ordinary course of events won't be ready for this House until at least next week. It may be that this discussion will have the printer do a rush job and have it ready to-morrow. If it does then it will be a good thing for the gentleman from Erie, Mr. McCreary, but no Legislative Journal has come out the next day or the day after, and it usually comes out a week after. I object to the gentleman from Allegheny making a statement on the floor of the House telling the membership,—when he tells them we must take his word, because I believe that we ought to take the word of another member up here. He has no right to tell the membership of this House a fact which is actually incorrect. I say to the membership of this House that you ought to vote to suspend the rule if for no other reason than the fact that the gentleman from Allegheny is incorrect, and subsequently admits that it may not get out next Monday unless your printer is ordered to get it out to-night in order to set a precedent, and I hope he does.

Mr. PFAFF. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Witkin.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Witkin, permit himself to be interrogated?

Mr. WITKIN. Mr. Speaker, I will.

Mr. PFAFF. Mr. Speaker, will the gentleman from Philadelphia, Mr. Witkin, tell the House when he approached the sponsor of the resolution, whether he ascertained the contents from the sponsor or one of his colleagues who also spoke to Mr. McCreary?

Mr. WITKIN. Mr. Speaker, the gentleman is asking me to divulge a personal conversation with the gentleman from Erie, Mr. McCreary. Although it is not proper and although he should not ask the question because what I say to a fellow member ad. lib. or at side confidences should not be necessary for the information of the House to-night. But I will reply to the question by saying that when I got over to the gentleman from Erie, Mr. McCreary, in the first place I had difficulty in getting there because the gentleman from Delaware, Mr. Turner, occupied most of the room in front of the gentleman from Erie, Mr. McCreary, and then after I did get in I

saying that when I got over to the gentleman from Erie, because I directed the question at him and I shot back to my chair to get back here to get the floor, because the Republicans have to be careful not to miss opportunities to get the floor. So I say to the gentleman from Philadelphia that the gentleman from Erie, Mr. McCreary told me nothing about the resolution, and I know nothing about the resolution.

The SPEAKER. The question is on the motion to suspend.

Mr. WITKIN. Mr. Speaker, I ask for a roll call.

Mr. PETERS. Mr. Speaker, I second the call.

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. WITKIN. Mr. Speaker, the Speaker in stating the question said in order to suspend the rules for the purpose of introducing and having read—as I understand it, the resolution was permitted to be introduced and was to be filed, and this motion was merely for the purpose of having it read, and not for the purpose of having it introduced.

The SPEAKER. The Chair is in error, and it is for the purpose of having it read for the information of the House.

The yeas any nays were required by Mr. WITKIN and Mr. PETERS.

Mr. WITKIN. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—79

Altenburg,	Greenstein,	Moore,	Stott,
Atkins,	Habbyshaw,	Muir,	Surface,
Baker, F. T.,	Hamilton, R. S.,	Nothnagle,	Sweeney,
Baldi,	Hefferon,	Parks,	Tahl,
Barnhardt,	Hermansen,	Peters,	Terry,
Beadman,	Hoffner,	Phillips,	Trout,
Bernhard,	Horst,	Roan,	Turner,
Blumberg,	Jones,	Royer,	VanAllsburg,
Boose,	Kane,	Schrock,	Wall,
Boyer,	Kelder,	Serrill,	Wasserman,
Brennan,	Kenney,	Shortz,	Weidemann,
Cannon,	Kinney,	Shreiner,	White
Carr,	Linderman,	Simpson,	Wickersham,
Condon,	Longaker,	Sloan,	Winner,
Davies,	Mallen,	Snyder, F. E.,	Witkin,
Duffort,	Mason,	Snyder, J. L.,	Wood,
Flynn,	McCreary,	Sowers,	Woodside,
Forrest,	McDevitt,	Sproul,	Yeakel,
Gates,	McKinney,	Stewart,	Zimmerman,
Gillette,	Merrell,	Stockham,	

NAYS—106

Achterman,	Downey, G. E.,	LaRue,	Sarraf,
Alexander,	Downey, J. J.,	Long,	Scanlon,
Andrews,	Eberharter,	Lovett,	Schaeffer,
Anthony,	Falkenstein,	Lynch,	Schrope,
Arnold,	Ferko,	Maple,	Schwab,
Baine,	Finnerty,	McDermott,	Shaw,
Baker, J. J.,	Fitch,	McElroy,	Shepard,
Barber,	Flanagan,	McHenry,	Shugarts,
Bradley,	Flinchbaugh,	Melchiorre,	Siegel,
Brancato,	Gerard,	Mentzer,	Simon,
Brown, H. S.,	Haberlen,	Moosmaw,	Sinwell,
Brown, J. E.,	Hagerty,	Mooney,	Smith, J. A.,
Brownfield,	Haluska,	Moran,	Smith, W. G.,
Brumbaugh,	Hamilton, F. P.,	Moul,	Stank,
Burke,	Harkins,	Munley,	Stevens,
Caputo,	Harmuth,	Murrin,	Sumney,
Carson,	Hartman,	Nagel,	Tronzo,
Chervenak,	Hetrick,	O'Keefe,	Tumelty,
Coakley,	Hindman,	Ominsky,	VanSickle,
Cochran,	Hirsch,	O'Neill,	Welliver,
Cohen,	Holland,	Patterson, C.,	Welsh,
Coleman,	Holstrom,	Patterson, J. W.,	Westrick,
Coolahan,	Hoopes,	Pfaff,	Yourishin,
Decker,	Kelso,	Piole,	Zappala,
Dent,	Kilroy,	Powers,	Furman,
Diehl,	Klingler,	Reising,	Speaker
Dilley,	Kobelak,	Ruffenach,	

So the question was determined in the negative and the motion was not agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 40, entitled:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement the First Courts of Law and the First Capital within what is now Pennsylvania and making an appropriation

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Public Instruction is hereby authorized and directed to act for and on behalf of the Commonwealth of Pennsylvania in arranging a suitable commemoration of the aforementioned inspiring events

In performing its duties under this act the Department of Public Instruction shall have power to appoint such committee or committees of representative citizens as it may find desirable the same however to include the Governor the Lieutenant Governor the President Pro Tempore of the Senate the Speaker of the House and the President and Secretary of the Pennsylvania Federation of Historical Societies and shall cooperate with similar commissions of the States of Delaware New Jersey or Maryland and with the Pennsylvania Federation of Historical Societies and other historical associations including the Swedish Colonial Society the Swedish Tercentenary Commission and with the respective Governments of the United States Sweden and Finland

Section 2 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for use in carrying out the purposes of this act

Section 3 This act shall become effective immediately upon its final enactment

The preamble was read as follows:

Whereas The landing of the ships Kalmar Nyckel and Fogel Grip on the Delaware in March one thousand six hundred thirty-eight thereby establishing the Colony of New Sweden on land water included in the Royal Grant to William Penn vests this Tercentenary of the first white permanent settlement within the bounds of Pennsylvania with a peculiar relation to the Commonwealth and

Whereas Pennsylvania's state sovereignty in reality began with Johan Printz who under plenary power reposed in him by the Swedish Crown planted her first capital under permanent government on Tinicum Island (now in Delaware County) and was himself her first Chief Executive or Governor here were her first law courts and here three years later was consecrated to the Glory of God and the practice of Sweden's historic Church the first building of any branch of the Church universal within Pennsylvania's bounds and

Whereas Through varying vicissitudes this settlement was continued under English rule the founding Swedes were held in high esteem and during the Duke of York's government on the Delaware three of his six councilors were native Swedes while all the justices of the earliest English tribunal on the soil of Pennsylvania the Upland Court were Swedes save one and

Whereas The establishment of Penn's government under Colonel William Markham at Upland now Chester on August third one thousand six hundred eighty-one was followed by the coming of the great Quaker himself in October one thousand six hundred eighty-two and upon

his arrival there began a coalition in government unique in the annals of colonization and New Sweden merged into his Holy Experiment of a hoped-for perfect democracy in the province of Pennsylvania and the counties of New Castle Kent and Susser-on-Delaware which counties later became the sister State of Delaware and

Whereas Under the tolerant religious and civil principles bodied forth in the Proprietary's Bill of Rights New Sweden and Pennsylvania lived on under the latter's name and although Penn's English Irish Welsh and German colonists were among the last great group to settle in the thirteen original states such was the character or quality of our forefathers and so beneficent their government that both New Sweden and its successor Pennsylvania were the only colonies that not only lived at peace with the Indians and with neighboring colonies but developed quickly into the greatest richest and most populous province among the original thirteen colonies and Philadelphia early became the greatest city of this young America and Pennsylvania soon was recognized as truly the keystone in the great arch of states and

Whereas This General Assembly is mindful both of this goodly heritage of faith of character and of the achievements of our forefathers in founding the civilization upon which our Commonwealth is based and the honorable pride of our citizens therein and

Whereas the General Assembly by earlier acts and The Administrative Code of one thousand nine hundred and twenty-nine has created the Pennsylvania Historical Commission to represent the Commonwealth in such matters

On the question,

Will the House agree to the preamble?

Mr. CLIFF PATTERSON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend preamble, page 2, line 1, by striking out the word "late" and insert "later"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the preamble as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement the First Courts of Law and the First Capital within what is now Pennsylvania and making an appropriation.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 49, as follows:

An Act to amend sections four and five of the Act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" by providing for the payment in newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met it is hereby enacted by the authority of the same That section four and five of the Act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" are hereby amended to read as follows

Section 4 No county shall receive its allotment of the State appropriation available for any year under the method of distribution provided by this act unless such county [has accepted the provisions of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) as amended and] has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year [No county shall receive any sum from the State under sections two and three of this act unless such county shall appropriate a like sum for the same purpose] or such other amount if any as the Department of Welfare shall determine in the manner provided by law

Section 5 Out of the amount hereinbefore appropriated there shall be set apart for the counties not organized under the Mothers' Assistance System on the first day of June one thousand nine hundred and thirty-four a sum equal to the amount that would be their allocation if the amount available for Mothers' Assistance were allocated to counties on the basis of population The amount thus allocated to any unorganized county shall be [divided by the State Treasurer into two equal parts and one such part shall be available for each] available during the second fiscal year of the biennium to such county after it becomes organized as required by law Any unorganized county organizing during the [first or] second fiscal year of the biennium shall be required to match only such portion as would have been available for the [months of] [the year or] second fiscal [period remaining after such acceptance] year had such county been organized at the beginning of the fiscal period

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 56, entitled·

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from anthracite coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred thirty-six

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six hundred thousand dollars ($600,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Health to defray the cost of pumping the water from anthracite coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred thirty-six including the purchase and installation of pumps motors and other equipment the purchase of electric power and all necessary incidental expenses

On the question,

Will the House agree to the section?

Mr. DENT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1 line 7 by including after the word "anthracite" and before the word "coal" the following: "and bituminous."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

Mr. VAN SICKLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 1, line 7, by inserting after the word "from" the following: "slate quarries and."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

Mr. COLEMAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1, line 4, after the word "of," strike out the words and figures "six hundred thousand dollars ($600,000)" and insert in lieu thereof the following: "seven hundred thousand dollars ($700,000)."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 This act shall become effective immediately upon its final enactment

The title was read as follows:

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from anthracite coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred thirty-six.

On the question,

Will the House agree to the title?

Mr. DENT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the title by including after the word "anthracite" the following "and Bituminous."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

Mr. VanSICKLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 2 of title, by inserting after the word "from" the following: "slate quarries and."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 39, as follows:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing the Signing the Ratification by Pennsylvania and the Final Adoption and Promulgation of the Constitution of the United States to be held at Philadelphia and elsewhere on the fifteenth sixteenth and seventeenth days of September one thousand nine hundred thirty-seven and subsequent anniversary dates in connection therewith and making an appropriation

Whereas The Congress of the United States has created the United States Constitution Sesquicentennial Commission to provide for a suitable commemoration on behalf of the Nation of the One Hundred Fiftieth Anniversary of the Framing Signing Ratification Adoption and Promulgation of our Federal Constitution to be held at Philadelphia and elsewhere on the fifteenth sixteenth and seventeenth days of September one thousand nine hundred thirty-seven and on the subsequent appropriate anniversary dates and

Whereas Pennsylvania is more deeply concerned in the public commemoration of those exalted events than any other State not alone by reason of the services of her eight distinguished sons in the original Constitutional Convention but as well because she provided her Capitol the old State House of Pennsylvania now known as the Hall of Independence as the scene for those epoch-making actions extending her hospitality therefor to the Governors and peoples of the then confederated United States and

Whereas It is desired to make of said celebrations memorable occasions of national reunion and

Whereas To commemorate these momentous events Pennsylvania again should offer to the Government of the United States and to the entire Nation invitations to the same inviting the entire Nation to rejoice where the Constitution was born and should herself as the Keystone State commemorate the birth of our Government under law on the soil of this Commonwealth and

Whereas Fifty years ago on the occasion of the Centennial Celebration of the Constitution Pennsylvania by the act approved the third day of June one thousand eight hundred eighty-seven (Pamphlet Laws three hundred thirty-eight) provided a suitable commemoration for the Commonwealth and extended its hospitality to the Government of the United States to the Governors and peoples of the other States of the Union and of foreign governments providing a suitable appropriation therefor and

Whereas the General Assembly by earlier acts has created the Pennsylvania Historical Commission to represent the Commonwealth in such matters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Public Instruction is hereby authorized and directed for and on behalf of the Commonwealth of Pennsylvania to arrange for the participation of the Commonwealth of Pennsylvania in any national celebration of the aforementioned historical events.

In performing its duties under this act the Department of Public Instruction shall appoint such committee or committees of representative citizens as it may find desirable the same however to include the Governor the Chief Justice of the Supreme Court the Lieutenant Governor the President Pro Tempore of the Senate and the Speaker of the House and shall cooperate with the United States Sesquicentennial Commission and county municipal or other authorized committees or commissions including the Pennsylvania Federation of Historical Societies and other historical associations

Section 2 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for use in carrying out the purposes of this act

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 50, as follows:

A Supplement to the act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisr and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the current appropriation for assistance to certain mothers made to the Department of Welfare by the act to which this is a supplement the sum of six hundred thousand dollars ($600,000) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Department of Welfare for expenditure during the biennium ending the thirty-first day of May one thousand nine hundred thirty-seven for assistance to poor and dependent mothers in the manner provided by the act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws eight hundred ninety-three) and its amendments except as otherwise provided by this act The sum hereby appropriated shall be set aside as an emergency reserve fund to be distributed upon written application of the Secretary of Welfare to applicants who may be approved as eligible for assistance under the act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws eight hundred ninety-three) and its amendments Provided That the application of each such applicant has been approved and presented to the Department of Welfare by the Board of Trustees of the Mothers' Assistance Fund of the county wherein the applicant resides and the board certifies that there are not available to such county out of moneys already appropriated and allocated to it sufficient moneys to provide assistance to such applicant

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 54, as follows:

A Supplement to act number fifty-seven-A approved the nineteenth day of July one thousand nine hundred thirty-five (Appropriation Act of one thousand nine hundred thirty-five Page forty-one) entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance" making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the current appropriation for old age assistance made to the Department of Welfare by the act to which this is a supplement the sum of one million seven hundred fifty thousand dollars ($1,750,000) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Department of Welfare for expenditure during the biennium ending the thirty-first day of May one thousand nine hundred thirty-seven for old age assistance in the manner provided by law except as otherwise provided by this act The sum hereby appropriated shall be set aside as an emergency reserve fund to be distributed upon written requisition of the Secretary of Welfare to applicants who may be approved as eligible for assistance under existing law Provided That the application for each such applicant has been approved and presented to the Department of Welfare by the Board of Trustees of the Mothers' Assistance Fund of the county wherein the applicant resides and that the board certifies there is not available to such county out of moneys already appropriated and allocated to it sufficient moneys to provide old age assistance to such applicant

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 58, as follows:

A Supplement to act number seventy-seven-A approved the twentieth day of July one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-five Appropriation Acts page seventy-one) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-five" providing for additional appropriations to certain departments boards and commissions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or so much thereof as may be necessary be and the same are hereby specifically appropriated to the several departments hereinafter named

EXECUTIVE DEPARTMENT

To the Department of Agriculture

For the payment of salaries wages or other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the State Farm Products Show Commission for the payment of premium awards for exhibits at the State Farm Products Show and for the maintenance of the State Farm Show Building and the grounds surrounding it including the shelter and care of refugees in such building the sum of five thousand nine hundred twenty-seven dollars and seventy cents ($5,927.70)

To the Department of Health

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health Board and other boards the sum of five thousand eight hundred three dollars and seventy-eight cents ($5,803.78)

To The Department of Labor and Industry

For the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation referees the members of the Industrial Board a deputy secretary and other employes for the payment of general expenses necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees and the Industrial Board and for the purchase of artificial appliances for and the payment of maintenance costs of physically handicapped persons in training and all other expenses necessary to carry out the provisions of the rehabilitation acts the sum of one hundred fifty-nine thousand four hundred sixty-one dollars and twenty-six cents ($159,461.26) Of this amount one hundred thirty-four thousand six hundred sixty-six geted for the purpose of matching Federal funds availdollars and twenty-six cents ($134,666.26) shall be budable under the Federal Social Security Act or other Fedcost of preparation of plans designs and specifications ineral acts for vocational rehabilitation purposes

To the Department of Military Affairs

For the purpose of placing at the disposal of the Governor and making the same available for replacement or repair such military stores and supplies issued to the Commonwealth of Pennsylvania by the Federal government as may be destroyed or damaged in whole or in part by fire flood storm or any other unavoidable cause for the payment of transportation pay of officers and enlisted men horse hire subsistance quartermaster stores and other proper and necessary expenses incident to field service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurrection riot tumult or disorder or the prevention of the same and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States and for the payment of mileage and lawful expenses of commissioners to take the vote of Pennsylvania soldiers in Federal or State service when in the field on active duty for the payment of any and all expenses incident to furnishing men material and equipment to relieve unemployment or draught conditions throughout the State or when a disaster occurs for payment of claims against the Commonwealth of Pennsylvania for damages incurred by the operation or training of the Pennsylvania National Guard as provided by law for the payment of all necessary expenses including annual allowances for maintenance and armory rent individual pay officers' annual allowances passenger and freight transportation telegrams telephone toll charges subscriptions to The Pennsylvania National Guardsmen for distribution to officers and men of the Pennsylvania National Guard the expenses of operating and maintaining automobiles and other motor equipment the payment of mileage charges to the Department of Property and Supplies for the use of automobiles and other expenses necessary for the maintenance training government discipline and equipment for the Pennsylvania National Guard for the payment of claims made by the War Department based upon approved reports of survey covering loss damage or destruction of Federal property for the payment of salaries of members of the Armory Board of the State of Pennsylvania and inspectors for the payment of salaries wages or other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the Armory Board of the State of Pennsylvania for the maintenance and repair of armories and for the expenses of inspection of armories the sum of four hundred thousand dollars ($400,000)

To the Department of Property and Supplies

For the purchase of supplies including medicines medical surgical laboratory chemical biological and electrical supplies military stores and supplies stationery and office supplies for the purchase of food and forage and other animal foods for the purchase of furniture and equipment including office chemical laboratory medical surgical biological and electrical equipment furniture furnishings utensils military and police equipment fire arms and other accoutrements artificial appliances fire protection and fire fighting equipment for the purchase of animals poultry seedlings and transplants for the purchase of legal and other books periodicals maps charts manuscripts pamphlets exchanges records lantern slides archaeological and historical markers and for the purchase of all other materials supplies or equipment as set forth in the schedules of the Department of Property and Supplies or for which requisition is made but the want of which was not anticipated at the time of the making of said schedules for the cost of repairing office equipment for the cost of miscellaneous services for the payment of rental charges for telephones and other patented leased office devices for the payment of the cost of printing and printing processes such as binding ruling lithographing color printing and engraving for the purchase of paper envelopes cloth and other substances on which printing is done cuts electrotypes dies stamps and other printing and binding supplies as may be required for the Executive Mansion and the several administrative departments boards and commissions of the State government except the Department of Highways the Department of Banking and the Department of Revenue to the extent to which appropriations for these purposes shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Board of Fish Commissioners the Board of Game Commissioners the State

Farm Products Show Commission the Pennsylvania Liquor Control Board the Milk Control Board the State Workmen's Insurance Board the department administrative boards or commissions having control of State institutions or supervision over or the duty of planting for State parks harbors or canals for the payment of the cost of making tests of materials supplies and equipment whether purchased by the Department of Property and Supplies directly or as purchasing agency for the payment of the cost of preparation of plans designs and specifications including necessary tests or borings and the preparation of same required for the performance of the work of the Department of Property and Supplies (when said cost is not otherwise provided for) including those to be purchased or altered at the expense of a fund other than the General Fund and for the payment of expenses incident to condemnation proceedings in the event such expenses are not provided for in any act of the General Assembly authorizing the acquisition of land for the Commonwealth the sum of two hundred seventy-eight thousand two hundred ninety-nine dollars and seventy-five cents ($278,299.75)

For the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of legal books periodicals maps pamphlets for the purchase of all other materials supplies and equipment for the costs of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws for the payment of costs of printing the Pennsylvania State Manual and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the Legislature in accordance with law the sum of one hundred thousand dollars ($100,000)

To The Department of Public Instruction

For the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine the sum of one million dollars ($1,000,000)

To The Department of Revenue

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses necessary for the proper conduct of the work of the department for the payment of costs of filing liens for the purchase of tax stamps for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of six hundred thousand dollars ($600,000) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes.

To The Pennsylvania State Police

For the payment of salaries wages or other compensation of the State Police Force a deputy superintendent and other employes for the payment of general expenses necessary for the proper conduct of the work of the Pennsylvania State Police for medical attendance and hospital charges not covered by insurance for members of the State Police Force injured in the line of duty and for the maintenance and operation of a radio broadcasting station the sum of nine thousand dollars ($9,000)

To the Department of Welfare

For the repair of flood damage to the grounds and buildings of the Western State Penitentiary at Pittsburgh including the repair and replacement of equipment the sum of one hundred thousand dollars ($100,000)

For the repair of flood damage to the grounds and buildings of the Danville State Hospital including the repair and replacement of equipment the sum of three thousand one hundred dollars ($3,100)

For the repair of flood damage to the buildings housing the prison industries shops at the Western State Penitetiary Pittsburgh including the repair and replacement of prison industries equipment the sum of one hundred fifty thousand dollars ($150,000)

For the repair of flood damage to the grounds and buildings of the Pennsylvania Industrial School including the repair and replacement of equipment the sum of twenty-six thousand dollars ($26,000)

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BROWNFIELD. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of amendment.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 36, as follows:

An Act imposing a State emergency tax payable by those herein defined as distributors on fuel oil used or sold and delivered within the Commonwealth providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to give security to file reports and to retain certain records imposing duties on retail dealers common carriers and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation

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Section 1 Short Title Be it enacted by the Senate and

House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authortiy of the same That this act shall be known and may be cited as "The Fuel Oil Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other State territory or foreign country or dependency

"Dealer" Any person as herein defined engaged in the retail sale of fuel oil

"Department" The Department of Revenue of this Commonwealth

"Distributor" Any person as herein defined who or which

1 Produces refines prepares blends distils manufactures or compounds fuel oil in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein

2 Imports or causes to be imported from any other state or territory of the United States or from a foreign counry fuel oil for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original package receptacle or container

3 Imports or causes to be imported from any other state or territory of the United States fuel oil for his own use in the Commonwealth of Pennsylvania or for sale and delivery therein after the same have come to rest or storage therein whether or not in the original package receptacle or container

4 Purchases or receives fuel oil in the original package receptacle or contained in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

5 Purchases or receives fuel oil in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein from any person who has imported the same from any other state or territory of the United States in case such fuel oil has not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

6 Receives and in any manner uses or distributes fuel oil in the Commonwealth of Pennsylvania on which the tax provided for in this act has not been previously paid

"Fuel Oil" All fuel oil which is exempt from taxation and not subject to the tax imposed on liquid fuels by the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" and its amendments

"Magistrate" A magistrate alderman justice of the peace or other officer having the powers of a committing magistrate in this Commonwealth

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Secretary" The Secretary of Revenue of this Commonwealth or his duly authorized deputy or representative

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Fuel Oil Permit Bond or Deposit of Securities (a) On and after the effective date of this act it shall be unlawful for any distributor to continue to engage in or thereafter to begin to engage in the use or sale and delivery of fuel oil within this Commonwealth unless a fuel oil permit or permits shall have been issued to him as hereinafter prescribed

Penalty Each day in which any distributor shall engage in the use or sale and delivery of fuel oil within this Commonwealth without a fuel oil permit or permits as required by this act shall constitute a separate offense and for each such offense such distributor shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of two thousand dollars ($2,000) and costs of prosecution or undergo imprisonment for not more than two years or both in the discretion of the court

(b) Every person desiring to operate as a distributor shall file an application for a fuel oil permit or permits with the department The application for a fuel oil permit or permits shall be made upon a form prescribed prepared and furnished by the department and shall set forth the name under which the applicant transacts or intends to transact business the location of his place of business within this Commonwealth and such other information as the department may require If the applicant has or intends to have more than one place of business within the Commonwealth the application shall state the location of each place of business If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for purposes of identification The application shall be signed and verified by oath or affirmation by the owner if a natural person in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority

Upon approval of the application and the bond hereinafter required the department shall grant and issue to each distributor a fuel oil permit for each place of business within the Commonwealth set forth in his application Fuel oil permits shall not be assignable and shall be valid only for the distributors in whose names issued and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the places for which issued All permits shall expire on the thirty-first day of May next succeeding the date upon which they are issued unless sooner suspended surrendered or revoked for cause by the secretary

(c) A fuel oil permit shall not be granted and issued until the person applying therefor has filed with the department a surety bond payable to the Commonwealth of Pennsylvania in such amount as shall be fixed by the department except that the amount shall never be less than one thousand five hundred dollars ($1,500) Every such bond shall have as surety a duly authorized surety company to be approved by the department conditioned that the distributor will faithfully comply with the provisions of this act during the effective period of his permit The department may require any distributor to furnish such additional acceptable corporate surety bond as shall be necessary to secure at all times the payment by him to the Commonwealth of all taxes penalties and interest due under the provisions of this act If any distributor shall fail to file such additional bond within ten days after written notice from the department the de-

partment may forthwith suspend or revoke the permit or permits issued to him and collect all taxes penalties and interest due by him For the purpose of determining whether an existing bond or bonds are sufficient the department may at any time by written notice require any distributor to furnish a financial statement in such form as it may prescribe Upon failure of any distributor to furnish a financial statement within thirty (30) days of such written notice the department may forthwith suspend or revoke the permit or permits issued to him and shall collect all taxes penalties and interest due by him

Any surety on a bond furnished by a distributor as provided herein shall be released and discharged from any and all liability to the Commonwealth accruing on such bond after the expiration of sixty (60) days from the date upon which such surety shall have lodged with the department a written request to be released and discharged but this provision shall not operate to relieve release or discharge the surety from any liability already accrued or which shall accrue before the expiration of the sixty (60) day period The department shall promptly upon receiving any such request notify the distributor who furnished the bond and unless the distributor shall on or before the expiration of the sixty (60) day period file with the department a new bond with corporate surety approved by and acceptable to the department the department shall forthwith cancel the distributor's permit or permits Whenever a new bond shall be furnished by a distributor as aforesaid the department shall cancel and surrender the old bond of the distributor as soon as it and the Department of Justice shall be satisfied that all liability under the old bond has been fully discharged

(d) Permits issued under the provisions of this act may be renewed annually before the first day of June upon an application as aforesaid being made to the department but no permit shall be renewed until the applicant shall file with the department a new surety bond in such amount as shall be fixed by the department and conditioned that the distributor will faithfully comply with the provisions of this act

(e) Nothing contained in this act shall require the filing of any application or bond or the possession and display of a fuel oil permit for the use or sale and delivery of fuel oil in interstate or foreign commerce not within the taxing power of the Commonwealth or for the use of fuel oil by the United States government

(f) Any person required by the provisions of this section to file a surety bond may in lieu thereof deposit with the State Treasurer bonds of the United States or of the Commonwealth of Pennsylvania the par value thereof to be of the amount of the surety bond required of such person The treasurer shall issue to such person a certificate of such deposit which he shall file with the Department of Revenue Such securities deposited with the State Treasurer shall be held as a guarantee that the holder of the permit shall faithfully comply with the provisions of this act during the effective period of his permit The said securities shall be retained by the State Treasurer for a period of sixty (60) days after the termination of the permit of such person whether by his own act or by action of the department and such securities shall not be released from any liability to the Commonwealth already accrued or which shall accrue before the expiration of the sixty (60) day period At the end of such sixty (60) day period the said securities shall be returned to their owner only if all claims of the Commonwealth guaranteed by such deposit have been fully satisfied

Penalty Any person assigning or attempting to assign a fuel oil permit or who shall fail to display conspicuously his permit at the place for which it is issued shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for not more than ten days

Section 4 Imposition of Tax Exemptions and Deductions An emergency State tax of two cents a gallon or fractional part thereof is hereby imposed and assessed upon all fuel oil used or sold and delivered by distributors within this Commonwealth excepting fuel oil delivered to the United States government on presentation of a duly auhorized United States government exemption certificate or other evidence satisfactory to the department and such fuel oil used or sold and delivered as is not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be collected by and paid to the Commonwealth but once in respect to any fuel oil

Distributors shall be liable to the Commonwealth as taxpayers for the payment of the tax imposed by this act

The tax shall be payable upon fuel oil sold and delivered to or used by the Commonwealth and every political subdivision thereof

Each distributor who shall promptly pay on or before the last day of a particular month the tax due for the preceding month shall be allowed in consideration of leakage spillage shrinkage evaporation and any expense to which he may be put in carrying out the provisions of this act a discount of two per centum on the aggregate amount of tax which is payable by the distributor for such preceding month The discount may be deducted by the distributor from the amount of tax payable for such month

Section 5 By Whom Tax Is Payable Every distributor using or delivering fuel oil upon which a tax is imposed by this act shall pay the tax into the State Treasury through the department in the manner and within the time specified in this act but whenever fuel oil is delivered within the Commonwealth by one distributor to another distributor holding a permit under this act the distributor receiving such fuel oil shall separately show in his monthly reports to the department all such deliveries from each distributor and shall pay the fuel oil tax provided for by this act upon all such fuel oil used or sold and delivered by him within this Commonwealth The distributor making such deliveries shall separately show the same in his monthly reports to the department and shall thereupon be exempt from the payment of the tax which would otherwise be imposed upon the fuel oil so delivered It shall be the duty of each distributor to furnish to the department such information concerning such deliveries as the department may require The department shall furnish to any distributor upon request a list of distributirs holding permits under this act and their addresses

Distributors may add the amount of the tax to the price of fuel oil sold by them and shall state the rate of the tax separately from the price of the fuel oil on all price display signs sales or delivery slips bills and statements which advertise or indicate the price of fuel oil

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for not more than ten days

Section 6 Distributor's Report and Payment of Tax For the purpose of assertaining the amount of tax payable under this act it shall be the duty of every distributor on or before the last tay of each month to transmit to the department upon a form prescribed prepared and furnished by the department a report under oath or affirmation of the fuel oil used or delivered by him within this Commonwealth during the preceding month Such report shall show the number of gallons of fuel oil used or delivered within the Commonwealth during the period for which it is made and such further information as the department shall prescribe A distributor having more than one place of business within this Commonwealth shall combine in each report the use or delivery of fuel oil at all such separate places of business

Every distributor at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on fuel oil used or sold and delivered by him during the preceding month less a two per centum discount if the report is filed and the tax paid on time The amount of all

taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum per month or fractional part of a month from the date they are due and payable until paid

If any distributor shall neglect or refuse to make any report and payment as herein required an additional ten per centum of the amount of the tax shall be added by the department and collected as hereinafter provided and in addition thereto the fuel oil permit of such distributor may be suspended or revoked by the department

Section 7 Determination and Redetermination of Tax Penalties and Interest Due (a) If the department is not satisfied with the report and payment of tax made by any distributor under the provisions of this act it is hereby authorized and empowered to make a determination of the tax due by such distributor based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such distributor Within thirty (30) days after the date of any such determination such distributor may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within ninety (90) days after the date of any determination to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty (30) days after notice by the department of the action taken on any petition for redetermination filed with it the distributor against whom such determination was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reason upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of said board to dispose of any such petition within ninety (90) days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) If any distributor shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such distributor and determine the amount due by him for taxes penalties and interest thereon as prescribed herein from which determination there shall be no right of review or appeal Upon any such neglect or refusal the fuel oil permit or permits issued to such distributor may be suspended or revoked by the department and required to be surrendered to the department

Section 8 Examination of Records and Equipment The department or any agent appointed in writing by it is hereby authorized to examine the books papers records storage tanks and any other equipment of any distributor dealer or any other person pertaining to the use or sale and delivery of fuel oil taxable under this act to verify the accuracy of any report or payment made under the provisions of this act or to ascertain whether or not the tax imposed by this act has been paid but any information gained by the department as the result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment of not more than one year or both

Section 9 Retention of Records by Distributors and Dealers Each distributor shall maintain and keep for a period of two years such record or records of fuel oil used or sold and delivered within this Commonwealth by such distributor together with invoices bills of lading and other pertinent papers as may be required by the department

It shall be the duty of every person purchasing fuel oil taxable under this act from a distributor for the purpose of resale to maintain and keep for a period of one year a record of fuel oil received the amount of tax paid to the distributor as part of the purchase price together with delivery tickets invoices and bills of lading and such other records as the department shall require

Penalty Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment for not more than one year or both in the discretion of the court

Section 10 Disposition and Use of Tax The entire amount of the emergency tax collected under the provisions of this act shall be paid into the State Treasury by and through the department and shall be used only for unemployment relief purposes and for such purposes is hereby appropriated

Section 11 Discontinuance or Transfer of Business Whenever a distributor engaged in the use or sale and delivery of fuel oil ceases to be a distributor by reason of the discontinuance sale or transfer of his business it shall be his duty to notify the department in writing within ten days after the discontinuance sale or transfer takes effect His notice shall give the date of discontinuance and in the event of a sale or transfer of his business the name and address of the purchaser or transferee thereof It shall also be the duty of any such distributor within ten days after the discontinuance sale or transfer takes effect to make a report and pay all taxes interest and penalies that may be due by him and to surrender to the department the permit or permits theretofore issued to him by the department

Penalty Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than three hundred dollars ($300.00) and costs of prosecution or to undergo imprisonment for not more than one year or both

Section 12 Suspension or Revocation of Fuel Oil Permits The department may suspend or after hearing revoke a fuel oil permit whenever it finds that the holder thereof has failed to comply with any of the provisions of this act and upon suspending or revoking any fuel oil permit shall request the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him and the holder shall surrender promptly all such permits to the department as requested.

Whenever the department suspends a fuel oil permit it shall notify the holder immediately and afford him a hearing if desired and if a hearing has not already been afforded After such hearing the department shall either rescind its order of suspension or good cause appearing

therefor shall continue the suspension or revoke the permit

Penalty Any person refusing to surrender a fuel oil permit or permits suspended or revoked by the department shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty dollars ($50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for not more than ten days

Section 13 Lien of Taxes Penalties and Interest (a) All taxes herein imposed and unpaid penalties and interest due by any person shall be a lien upon the franchises and property both real and personal of such person from the date said taxes are due and payable as provided in this act and shall have priority over any subsequent lien or encumbrance whatsoever except the lien of other State taxes having priority by law and except also that such taxes penalties and interest shall have priority over a mortgage only if the statements hereof were filed of record as provided in clause (b) hereof prior to the recording of the mortgage

(b) Statements of all taxes herein imposed due and unpaid together with penalties and interest thereon certified by the secretary or his representative may at any time be transmitted to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

(c) No sheriff receiver trustee assignee master or other officer shall sell the property or franchises of any person who is a distributor as herein defined without first filing with the department a statement containing the following information

1 Name or names of the plaintiff or party at whose instance or upon whose account the sale is made

2 Name of the person whose property or franchise is to be sold

3 The time and place of sale

4 The nature of the property and the location of the same

(d) It shall be the duty of the department after receiving notice as aforesaid to furnish to the sheriff receiver trustee assignee master or other officer having charge of the sale a certified copy or copies of all fuel oil tax penalties and interest on file in the department as liens against such person and in the case of no such liens a certificate showing that fact which certified copy or copies or certificate shall be publicly read by such officer at and immediately before the sale of the property or franchise of such person

(e) It shall be the duty of the department to furnish to any person applying therefor upon payment of the fee herein prescribed a certificate showing the amount of all liens for fuel oil tax penalties and interest that may be of record in the department against any person under the provisions of this act

Section 14 Collection of Unpaid Taxes Whenever the taxes penalties or interest imposed by this act are not paid within thirty days after the date of their determination if no petition for redetermination has been filed or from the date of redetermination if no petition for review has been filed or within ninety days from the date of the decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales assignments or bankruptcies the department shall call upon the Department of Justice to collect the same

On all claims for taxes penalties and interest hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the distributor for the use of the Commonwealth an Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dollars ($10,000.00) and three (3) per centum upon the amount of the recovery in excess of ten thousand dollars ($10,000.00) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the general fund The amount of the Attorney General's commission shall in all cases be added to the amount of the claim against the distributor and shall be a lien against his property in like manner as the amount of the claim

Section 15 Reports from Common Carriers Every person including railroad companies street suburban and interurban railway companies pipe line companies and water transportation companies transporting fuel oil in any manner either in interstate or intrastate commerce to a point within this Commonwealth from a point within or without the Commonwealth shall report under oath or affirmation to the department on or before the last day of each month for the preceding month all deliveries of fuel oil made to points within this Commonwealth

Such reports shall be on forms prescribed prepared and furnished by the department and shall state the names and addresses of the consignor and consignee the number of gallons of fuel oil transported and any other information which the department may require

Penalty Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not more than one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment for not more than one year or both

Section 16 Reward for Detection of Violations The secretary is authorized to pay out of any moneys appropriated for the purpose to any person other than a State officer or employe who brings to his attention any distributor who has failed to file the reports required and pay the tax imposed by this act such sums as he may deem proper not exceeding ten per centum of the amount of the tax penalty and interest due but a reward shall not be paid hereunder unless and until collection of the delinquent tax shall have been made or the distributor shall have been convicted for violating this act

Section 17 Refunds The Board of Finance and Revenue may refund to distributors taxes penalties and interest paid by them on fuel oil delivered to the United States government or paid as the result of an error of law or of fact or of both law and fact Claims for refunds shall be made under the procedure prescribed by The Fiscal Code

As much of the moneys collected under the provisions of this act as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds as herein authorized Estimates of the amounts to be expended for refunds from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

Section 18 Enforcement The department shall be charged with the enforcement of the provisions of this act Such employes of the Commonwealth as are designated as "State Highway Patrolmen" shall aid the department in the enforcement of this act and for this purpose are hereby declared to be peace officers and are hereby given policy power and authority throughout the Commonwealth to arrest on view without writ rule order or process any person known to have violated any of the provisions of this act

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section 19 Disposition of Fees Fines and Forfeitures

Except as otherwise in this act provided and except as otherwise provided by the Constitution fees fines penalties and bail forfeited that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury through the department

Section 20 Certified Copies of Records The fee for a certified copy or certified photostat copy of any department record shall be one dollar ($1.00) but fees shall not be charged for certified copies or certified photostatic copies of any department record furnished to federal state county or municipal authorities

Section 21 Uncollectible Checks Whenever any check issued in payment of tax penalty or interest imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars ($5.00) per hundred dollars or fractional part thereof plus all protest fees to the person presenting such check to the department

Section 22 Violations (a) Any person who shall fail neglect or refuse to make the report and pay the tax penalties and interest imposed by this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books records papers storage tanks or other equipment pertaining to the use or sale and delivery of fuel oil within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the amount of fuel oil used or sold and delivered or to avoid the payment of the whole or any part of the tax penalties and interest due shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) and costs of prosecution or imprisonment for not more than one (1) year or both In the case of an association any partner or member thereof and in the case of a corporation any officer thereof whose duty it was to make the report required by this act shall be subject to imprisonment as aforesaid for failing to make the report required and attend to the payment of the tax imposed by this act Such fine shall be in addition to any penalty imposed by any other section or subsection of this act Upon any such conviction all of the guilty distributor's permits shall be revoked

(b) It shall be unlawful for any person to commit any of the following acts

1 To display or cause or to permit to be displayed or to have in possession any fuel oil permit knowing the same to be fictitious or to have been suspended cancelled revoked or altered

2 To lend to or knowingly permit the use of by one not entitled thereto any fuel oil permit issued to the person lending it or permitting to be used

3 To display or to represent as one's own any fuel oil permit not issued to the person displaying the same

4 To use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or otherwise commit a fraud in any application record or report

Penalty Except as herein otherwise provided any person violating any of the provisions of this section shall be guilty of a misdemeanor unless such act is by any other law of this Commonwealth declared to be a felony and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000,00) and costs of prosecution or undergo imprisonment for not more than one (1) year or both in the discretion of the court

Such fine shall be in additin to any penalty imposed by any other section or subsection of this act Upon conviction all of the guilty person's fuel oil permits shall be revoked

Section 23 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HALUSKA. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of a public hearing.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 29, as follows:

An Act to provide for the expenses of the extraordinary session of the Legislature assembled May fourth Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh Anno Domini one thousand nine hundred thirty-six.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or as much thereof as may be necessary be and the same are hereby specifically appropriated for the payment of the expenses of the Legislature assembled in extraordinary session the fourth day of May Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor dated the twenty-seventh day of April Anno Domini one thousand nine hundred thirty-six

TO THE SENATE

The total sum of one hundred and five thousand nine hundred ninety-nine dollars and eighty cents ($105,999.80) or as much thereof as may be necessary to be paid in the manner prescribed by law

For the payment of the salaries of the Senators and extra compensation allowed by law to the President Pro Tempore of the Senate

For the payment of the mileage of the Senators

For the payment of the postage allowed by law to each Senator the sum of fifty dollars ($50)

To the chief clerk and assistants for the payment of postage the sum of seventy-five dollars ($75)

The the chief clerk for the payment of the postage on the Legislative Journal bills and calendars the sum of two thousand five hundred dollars ($2,500)

For the payment of the salaries of the officers and employes of the Senate during and for the completion of the work of the extraordinary session also for the payment of the mileage of the officers and employes of the Senate

For the payment of the expenses of the Committee on Appropriations of the Senate extraordinary session of one thousand none hundred thirty-six the sum of one thousand five hundred dollars ($1,500) or as much thereof as may be necessary to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for the same the chairman to file an account with the Audtor General thirty days after the adjournment of the extraordinary session of the Legislature.

For the contingent expenses including extra clerical and stenographic charges of the President Pro Tempore of the Senate during the period of the extraordinary session the sum of five hundred dollars ($500) or as much thereof as may be necessary and for the payment of the necessary expenses including extra labor in the office of the chief clerk during the extraordinary session the sum of six thousand dollars ($6,000) or as much thereof as may be necessary

To the secretary of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate during the extraordinary session the sum of five hundred dollars ($500)

TO THE HOUSE OF REPRESENTATIVES

The total sum of two hundred and fifty-seven thousand eight hundred sixty-eight dollars and seventy-four cents ($257,868.74) or as much thereof as may be necessary to be paid in the manner prescribed by law.

For the payment of the salaries of the Members of the House of Representatives and extra compensation allowed by law to the Speaker of the House.

For the payment of mileage of the Members

For the postage allowed by law to each Member the sum of fifty dollars ($50)

To the chief clerk and assistants for the payment of postage the sum of seventy-five dollars ($75)

To the chief clerk for the payment of the postage on the Legislative Journal bills and calendars the sum of five thousand dollars ($5000)

For the payment of the salaries of the officers and employes of the House of Representatives during and for the completion of the work of the extrardinary session also for the payment of the mileage of the officers and employes of the House of Representatives

For the payment of the expenses of the Committee on Appropriations of the House of Representatives extraordinary session of one thousand nine hundred thirty-six the sum of three thousand six hundred dollars ($3,600) or as much thereof as may be necessary to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for the same said chairman to file an account with the Auditor General within thirty days after the adjournment of the extraordinary session of the Legislature.

For the contingent expenses including extra clerical and stenographic charges of the Speaker of the House of Representatives during the period of the extraordinary session the sum of five hundred dollars ($500) or as much thereof as may be necessary and for the payment of the necessary expenses including extra labor in the office of the chief clerk during the extraordinary session the sum of ten thousand dollars ($10,000) or as much thereof as may be necessary

For payment to W C Wakefield Sergeant-at-arms of the House of Representatives for mileage salary and incidental expenses for serving writs of special election in the following legislative districts Forest County third and fourth districts of Berks County second district of Lancaster County and sixth tenth thirteenth and twenty-first district of the city of Philadelphia the sum of one hundred thirty-seven dollars and fifty cents ($137.50) or so much thereof as may be necessary to be paid on warrant of the Auditor General upon presentation of specifically itemized vouchers

LEGISLATIVE JOURNAL

For payment to the chief clerk of the Senate and chief clerk of the House of Representatives for making indices of the journal of each house for the extraordinary session the sum of two hundred fifty dollars ($250)

For the work of the Legislative Journal officials after the close of the extraordinary session on the Legislative Journal also proofreading of appendix and index thereto as provided by law the sum of one thousand five hundred dollars ($1,500)

For the payment of the person or persons appointed to index the Legislative Journal of the extraordinary session in accordance with the act establishing said Journal the sum of five hundred dollars ($500)

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 55, entitled:

An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administration details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties

The first and second sections were separately read and agreed to as follows:

ARTICLE I

PRELIMINARY PROVISIONS

Section 1 Enacting Clause Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 2 Short Title This act shall be known and may be cited as the "Unemployment Compensation Law"

The third section was read as follows:

Section 3 Declaration of Public Policy Economic insecurity due to unemployment is a serious menace to the health morals and welfare of the people of the Commonwealth Involuntary unemployment and its resulting burden of indigency falls with crushing force upon the unemployed worker and ultimately upon the Commonwealth and its political subdivisions in the form of poor relief assistance Security against unemployment and the spread of indigency can best be provided by the systematic setting aside of financial reserves to be used as compensation for loss of wages by employes during periods when they become unemployed through no fault of their own the principle of the accumulation of financial reserves the sharing of risks and the payment of compensation with respect to unemployment meets the need of protection against the hazards of unemployment and indigency The Legislature therefore declares that in its considered judgment the public good and the general welfare of the citizens of this Commonwealth require the exercise of the police powers of the Commonwealth in the enactment of this act for the compulsory setting aside of unemployment reserves to be used for the benefit of persons unemployed through no fault of their own

On the question,

Will the House agree to the section?

Mr. MOOMAW. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 2, line 14 by striking out after the word "own" and before the word "principle" the word: "[the]" and inserting in lieu thereof the word: "The"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 Definition The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(a) "Board" means the Unemployment Compensation Board of Review established by this act

(b) "Compensation" means money payments payable to individuals with respect to their unemployment as provided in this act

(c) "Contribution" means the money payments required to be paid into the Pennsylvania Unemployment Compensation Fund by employers with respect to employment which payments shall be used for the creation

of financial reserves for the payment of compensation as provided in this act

(d) "Department" means the Department of Labor and Industry of the Commonwealth of Pennsylvania

(e) "Employe" means every individual whether male female citizen alien or minor who is or subsequent to January first one thousand nine hundred thirty-six was engaged for hire by an employer in an employment subject to this act

(f) "Employer" means every (1) individual (2) copartnership (3) association (4) corporation (domestics or foreign) (5) the legal representative trustee in bankruptcy receiver or trustee of any individual copartnership association or corporation or (6) the legal representative of a deceased person (I) who or which employed or employs any individual in employment subject to this act within each of twenty (20) different weeks during the year one thousand nine hundred thirty-six or any calendar year thereafter whether or not such weeks are consecutive or (II) who or which has elected to become fully subject to this act and whose election remains in force

In determining the number of employes of an employer and in determining the amount of contributions required to be paid by an employer all of the individuals employed by a contractor or subcontractor or helpers or assistants of such individuals with whom the employer contracts for any work which is part of the employer's usual trade occupation profession or business shall be deemed to be employed by such employer who shall alone be liable for the contributions payable with respect to the wages of the employes of such contractor or subcontractor but who may recover from such contractor or subcontractor the amount of such contributions actually paid by him

Where an employer maintains more than one place of employment within this Commonwealth all of the employes at the several places of employment shall be treated for the purposes of this act as if employed by a single employer

Any individual copartnership association or corporation who or which is not subject to this act may elect to become subject thereto by filing with the department his or its written application and if such application is approved by the department the election shall become binding for not less than two calendar years

(g) "Employment" means all personal work including personal work in interstate commerce performed under any contract of hire express or implied written or oral including all contracts entered into by helpers and assistants of employes whether paid by the employer or employe if employed with the knowledge actual or constructive of the employer in which either (1) all or the greater part of the work is performd within this Commonwealth or (2) the contract of employment is entered into within this Commonwealth and the work is in any part performed within this Commonwealth For the purposes of this act contracts entered into by employers subject to this act with persons residing in this Commonwealth shall be deemed to be contracts entered into within this Commonwealth

The word "employment" shall not be construed to include

(1) Agricultural labor

(2) Domestic service in a private home

(3) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States

(4) Service performed by an individual in the employ of his son daughter or spouse and service performed by a child under the age of twenty-one (21) in the employ of his father or mother

(5) Service performed in the employ of the United States Government or of any instrumentality of the United States

(6) Service performed in the employ of a state a political subdivision thereof or an instrumentality of one or more states or political subdivisions.

(7) Service performed in the employ of a corporation community chest fund or foundation organized and operated exclusive for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which insure to the benefit of any private shareholder or individual

(h) "Employment Office" means a public employment office or branch thereof operated by the department

(i) "Full-time Weekly Wage" means the weekly wage for a full week's work as determined by the rules and regulations of the department

(j) "Referee" means a referee appointed by the department with the approval of the Governor to hear appeals under this act

(k) "Secretary" means the Secretary of Labor and Industry of this Commonwealth or his duly authorized representative

(l) "Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred thirty-five entitled "An act to provide for the general welfare by esablishing a system of Federal old-age benefits and by enabling the several states to make more adequate provision for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes" as amended

(m) "Social Security Board" means the Social Security Board established by the Social Security Act

(n) "State" includes Alaska Hawaii and the District of Columbia

(o) "Suitable Work" means all work which the employe is capable of performing except work in which (1) the position offered is vacant due directly to a strike lockout or other labor dispute or (2) the wages hours or other conditions of the work offered are substantially less favorable to the employe than those prevailing for similar work in the locality or (3) as a condition of being employed the employe would be required to join a company union or to resign from or refrain from joining any bona fide labor organization

(p) "Total Unemployment" means that an employe during a particular week has had no work for which wages are payable to him

(q) "Unemployment Trust Fund" means the Unemployment Trust Fund established by the Social Security Act

(r) "Wages" means all remuneration for employment including the cash value of all remuneration paid in any medium other than cash

(s) "Week" means any calendar week ending at midnight Saturday or the equivalent thereof as determined in accordance with general rules adopted by the department

(t) "Week of Employment" means each week occurring after January first one thousand nine hundred thirty-seven within which an employe performed work in an employment subject to this act for an employer subject to this act and in which the employe has earned such fair and reasonable proportion of his full time weekly wages as the department after thorough study and investigation shall prescribe by rule or regulation provided that the proportion so prescribed by the department shall be uniform with respect to all employes subject to this act

On the question,

Will the House agree to the section?

Mr. MOOMAW. Mr. Speaker, I desire to offer the following amendments.

The Speaker. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 2, line 26 by striking out after the figure "4" and before the word "The" the word: "[Definition]" and inserting in lieu thereof the word: "Definitions"

Amend section 4, page 3, line 7 by striking out after the word "the" and before the word "Unemployment" the word: "[Pennsylvania]"

. . . and section 4, page 3, line 20 by striking out after the word "corporation" and before the word "corporation" and before the word "or" the word: "[(domestic]" and inserting in lieu thereof the word: "(domestic"

Amend section 4, page 3, line 24 by inserting at the end of the line after the word "employs" the following: "or may employ"

Amend section 4, page 6, line 4 by striking out at the beginning of the line before the word "to" the word: "[inure]" and inserting in lieu thereof the word: "inures"

Amend section 4, page 7, line 29 by striking out after the word "his" and before the word "weekly" the words: "[full time]" and inserting in lieu thereof the word: "full-time"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read and agreed to as follows:

Section 5 Constitutional Construction The provisions of this act are severable and if any provisions hereof are held unconstitutional such decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

The sixth section was read as follows:

Section 6 Suspension of Act under Certain Circumstances If the tax imposed by Title IX of the Social Security Act or any amendments thereto or any other Federal tax against which contributions under this act may be credited shall for any cause become inoperative with the result that contributions under this act or some portion thereof may no longer be credited against such Federal tax then the Governor of the Commonwealth shall forthwith by proclamation declare that the provisions of this act by virtue of that fact be suspended in their entirety and any unobligated funds in the Unemployment Compensation Fund or returned by the United States Treasurer because such Social Security Act is inoperative shall be refunded to the employers proportionately to their unexpended contributions under regulations of the department

ARTICLE 11

ADMINISTRATION OF ACT

Section 201 General Powers and Duties of Department It shall be the duty of the department to administer and enforce this act It shall have power and authority to adopt amend and rescind such rules and regulations require such reports from employers employes the board and other parties affected by this act make such investigations and take such other action as it deems necessary or suitable Such rules and regulations shall not be inconsistent with the provisions of this act and shall be effective upon publication in the manner the department shall prescribe in such rules and regulations The department shall submit to the Governor a biennial report covering the administration and operation of this act and shall make such recommendations for amendments to this act as it deems proper

Section 202 Personnel and Employment Offices The secretary shall have power to establish such offices and to appoint and fix the compensation of such employes in such office and in the department as he may deem necessary to administer this act The secretary shall also have power to assign such employes of the department as he deems necessary to assist in the administration of this act

Section 203 Unemployment Compensation Board of Review (a) There is hereby created in the department an Unemployment Compensation Board of Review The board shall consist of three members nominated and appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate for terms of six years each except that the terms of the members first taking office shall commence on July first one thousand nine hundred thirty-seven and shall be for two four and six years respectively as designated by the Governor at the time of appointment The Governor shall designate one of the members as chairman Vacancies in said board shall be filled for the unexpired terms. The chairman of the board shall receive a salary at the rate of nine thousand dollars per annum The other members of the board shall receive salaries at the rate of eight thousand five hundred dollars per annum Such salaries shall be paid from the Administration Fund Two members of the board shall be a quorum and no action of the board shall be valid unless it shall have the concurrence of at least two members A vacancy on the board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the board

(b) The board shall be a departmental administrative board and shall have all the powers and perform all the duties generally vested in and imposed upon departmental administrative boards and commissions by The Administrative Code of one thousand nine hundred twenty-nine and its amendments

(c) It shall be the duty of the board to hear appeals arising from claims for compensation adopt amend and rescind such rules of procedure undertake such investigations and take such other action required for the hearing and disposition of appeals as it deems necessary and consistent with this act Such rules of procedure shall be effective upon publication in such manner as the board shall prescribe in such rules and shall not be inconsistent with this act Any investigation hearing or appeal which the board has power to undertake hold hear or before any one or more of the members of the board but any determination ruling or order of a member or members upon any such investigation hearing or appeal undertaken held or heard by him or them shall not become and be effective until approved and confirmed by at least a quorum of the board The chairman of the board shall have the power as often as he may deem the work of the board requires to designate the time and place for the conducting of investigations hearings and appeals and to assign cases to a member or members for such purposes

(d) The secretary with the approval of the Governor shall appoint and fix the compensation of such referees as may be deemed necessary with power to take testimony in any appeals coming before the board

(e) The board shall submit to the department a biennial report concerning the performance of its powers and duties and shall make such recommendations for the improvement of its service and the amendment of this act as it deems proper

Section 204 Advisory Councils The department shall have power to create and appoint members of State-wide and local advisory councils composed in each case of an equal number of employer and employe representatives who may fairly be regarded as representative because of their vocation employment or affiliations On each such council there shall also be members representing the general public

Such councils shall aid the department in formulating policies in discussing problems related to the administration of this act in assuring impartiality and freedom from political influence in the administration of this act in taking steps to reduce and prevent unemployment and in making studies relating to partial and seasonal unemployment

The members of such advisory councils shall serve without compensation but shall be entitled to be reimbursed out of the Administration Fund for all necessary expenses incurred in the discharge of their duties

Section 205 Stabilization of Employment Partial and Seasonal Unemployments The department shall take appropriate steps to (a) reduce and prevent unemployment (b) encourage and assist in the adoption of practical methods of vocational training and guidance (c) investigate recommend advise and assist in the establishment by political subdivisions of reserves for public works to be used in times of business depression and unemployment (d) promote the reemployment of unemployed workers (e) make studies of partial unemployment and recom-

mendations in respect to provisions for the payment of compensation for partial unemployment and (f) make studies of reasonal unemployment and recommendations in respect to provisions for seasonal industries under this system of unemployment compensation

Copies of all such studies and recommendations shall be transmitted to the Governor

Section 206 Records of and Reports by Employers Each employer shall keep accurate employment records in such form and containing such information as may be prescribed by the rules and regulations adopted by the department Such records shall be open to inspection by the department and its agents at any reasonable time and as often as may be deemed necessary The department may require from such employers such reports as it deems necessary which shall be sworn to if required by the department

Information thus obtained shall not be made public or be open to public inspection other than to the members of the board and the officers and employes of the department and the Social Security Board in the performance of their public duties but any claimant at a hearing of his claim shall upon request be supplied with information for such records to the extent necessary for the proper presentation of his claim

Any officer or employe of the department or the board or any other public employe who shall violate any of the provisions of this section shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than two hundred dollars and in default of the payment of such fine and costs of prosecution shall be sentenced to imprisonment for not longer than thirty days

Section 207 Co-operation with Social Security Board and Other Agencies (a) In the administration of thic act the department shall co-operate to the fullest extent consistent with the provisions of this act with the Social Security Board It shall make such reports in such form and containing such information as the Social Security Board may from time to time require and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports

(b) Upon request therefor the department shall furnish to any agency of the United States charged with the administration of public works or assistance through public employment the name address ordinary occupation and employment status of each recipient of compensation and such recipient's rights as to further compensation under this act

(c) The department is hereby authorized to enter into reciprocal arrangements and compacts with the proper authorities of other states and the Federal Government for the purpose of carrying out the objectives of the unemployment compensation acts of this and other states or adopted by the Congress of the United States

ARTICLE III

CONTRIBUTIONS BY EMPLOYERS

Section 301 Contributions by Employers of Eight or More Employes Each employer who has employed eight or more employes in employment shall pay for each calendar year beginning with the calendar year one thousand nine hundred thirty-six contributions into the Unemployment Compensation Fund which shall be equal to but not more than the amount of the maximum credit allowable to taxpayers for such calendar year by Section nine hundred two of the Social Security Act against the Federal excise tax with respect to employment payable by employers under Section nine hundred one of the Social Security Act Such payments shall be made at such times and in such manner as the department shall prescribe Such contributions in order to be no more and no less than the maximum credit allowance under the Social Security Act against such Federal excise tax shall be equal to the following percentages of total wages paid by the employer during such calendar year

(1) Nine-tenths of one per centum for the calendar year one thousand nine hundred thirty-six

(2) One and eight-tenths per centum for the calendar year one thousand nine hundred thirty-seven and

(3) Two and seven-tenths per centum for the calendar year one thousand nine hundred thirty-eight and each calendar year thereafter

Section 302 Contributions by Employers of Less Than Eight Employes Each employer other than employers subject to Section three hundred one of this act shall pay for each calendar year beginning with the calendar year one thousand nine hundred thirty-six contributions into the Unemployment Compensation Fund equal to the following percentages of total wages paid by the employer during such calendar year

(1) Nine-tenths of one per centum for the calendar year one thousand nine hundred thirty-six

(2) One and eight-tenths per centum for the calendar year one thousand nine hundred thirty-seven and

(3) Two and seven-tenths per centum for the calendar year one thousand nine hundred thirty-eight and each calendar year thereafter

Section 303 Period and Termination of Contributions (a) Any employer who or which becomes subject to this act during any calendar year shall be subject to this act during the whole of such calendar year

(b) Any employer subject to this act shall cease to be so subject only upon written application to the department and finding by the department that he has not in the previous or current calendar year had any employes in employment subject to this act for twenty calendar weeks

Section 304 Reports by Employers Each employer shall file with the department such reports at such times and containing such information as the department shall require for the purpose of ascertaining and paying the contributions as required by this act

Section 305 Payment of Contributions Concurrently with each report the employer shall pay to the department the amount of contributions imposed by this act for the period covered by the report but the department may in proper cases upon request made permit an extension of time for the payment of contributions due The amount of the contributions in respect of which an extension is granted shall be paid (with interest at the rate of one-half of one per centum per month) on or before the expiration of the period of extension

Section 306 Fractions of a Cent In the payment of any contributions a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more in which case it shall be increased to one cent

Section 307 Interstate Commerce No employer required by this act to pay contributions shall be relieved from compliance therewith on the ground that he is engaged in interstate commerce on that this act does not distinguish between employes engaged in interstate commerce and those engaged in intrastate commerce

Section 308 Interest on Past Due Contributions Contributions unpaid on the date on which they are due and payable as prescribed by the department shall bear interest at the rate of one per centum per month from the date they become due until paid

Section 309 Collection of Contributions and Interest If after notice by the department any employer fails neglects or refuses to pay any contributions due or the interest due thereon the amount due shall be collected by civil action in the name of the Commonwealth Civil actions brought under this section to collect contributions or interest thereon from any employer shall be heard by the court at the earliest possible date and shall be entitled to preference upon the calendar of the court over all other civil actions except petitions for judicial review under this act and cases arising under the Workmen's Compensation Law of this Commonwealth

Section 310 Priorities Under Legal Dissolutions and Distributions In the event of any distribution of an employer's assets pursuant to an order of any court under the laws of this Commonwealth including any receivership assignment for benefit of creditors adjudicated insolvency composition or similar proceeding contribution or installments thereof or interest thereon then or thereafter due

shall be paid in full prior to all other claims except taxes claims arising under the Workmen's Compensation Law of this Commonwealth and claims for wages of not more than two hundred and fifty dollars to each claimant earned within six months of the commencement of the proceeding In the event of an employer's adjudication in bankruptcy judicially confirmed extension proposal or composition under the Federal Bankruptcy Act of one thousand eight hundred ninety-eight as amended contributions and interest then or thereafter due shall be entitled to such priority as is provided in Section sixty-four (b) of that Act (United States Code Title II Section one hundred four (b)) as amended

Section 311 Deduction of Contributions No employer shall deduct the contributions required to be paid by him or any part thereof from the remuneration of individuals in his employe

Section 312 Refunds and Adjustments If not later than one year from the payment of any contribution or interest thereon an employer shall make application for an adjustment thereof in connection with subsequent contribution payments or if such adjustment cannot be made for a refund thereof and the department shall determine that such contribution or interest or any portion thereof was erroneously collected the department shall allow such employer to make an adjustment thereof without interest in connection with subsequent contribution payments by him or if such adjustment cannot be made the department shall refund said amount without interest out of the Unemployment Compensation Fund For like cause and within the same period an adjustment or refund may be so made on the initiative of the department

ARTICLE IV

COMPENSATION

Section 401 Qualifications Required to Secure Compensation Compensation shall be payable to any employe who becomes totally unemployed after January first one thousand nine hundred thirty-eight and who

(a) Has accumulated at least thirteen weeks of employment within the fifty-two weeks preceding his registration as unemployed

(b) Has registered for work at a designated employment office at such times and in such manner as the department may prescribe

(c) Has made a claim for compensation in the proper manner prescribed by the department

(d) Is able to work and available for work and

(e) Has been totally unemployed for a waiting period of at least three weeks prior to any week for which he claims compensation Such three weeks shall not include any week in which the employe was disqualified for compensation under Section four hundred two of this act or was ineligible for compensation under any provision of this section excepting however paragraphs (a) and (c) of this section Three weeks of total unemployment need not be consecutive but may be accumulated over the period of fifty-two consecutive weeks preceding any week for which he claims compensation Provided That this requirement shall not interrupt the payment of compensation for consecutive weeks of unemployment

Section 402 Ineligibility for Compensation An employe shall be ineligible for compensation for any week in which his unemployment is due to

(a) Failure without good cause either to apply for suitable work when so directed by the employment office or to accept suitable work when offered to him by the employment office In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness and prior training and experience and the distance of the available work from his residence

(b) Voluntarily leaving work

(c) A strike in which he is directly involved

Section 403 Amount and Payment of Weekly Compensation Compensation shall be payable at the rate of fifty per centum of the employes' full-time weekly wage but the amount shall not be more than fifteen dollars nor less than five dollars a week Compensation shall be computed to the nearest multiple of five cents Compensation shall be paid through employment offices at such times and in such manner as the department may prescribe

Section 404 Weeks of Compensation An employe's compensation shall be limited by and charged against his most recent fifty-two weeks of employment in the chronological order in which such weeks occurred and in the proportion of one week of compensation for each four weeks of employment No week of employment shall be counted in computing such fifty-two weeks of employment unless such week occurs within the one hundred four consecutive weeks preceding the date of his first resignation in connection with any continuous period of unemployment Not more than thirteen weeks of compensation shall be thus payable to any employe in any period of fiftytwo consecutive weeks

Section 405 Duties of Employers Each employer shall post in a conspicuous place or places in his establishment or establishments any printed statement or notice required by the rules and regulations of the department

ARTICLE V

DETERMINATION OF COMPENSATION APPEALS REVIEWS PROCEDURE

Section 501 Initial Determination of Compensation Appeals The department shall promptly examine any claim filed and on the basis of the facts found by it shall determine whether or not the claim for compensation is valid and if valid the week with respect to which compensation shall commence the weekly compensation payable and the maximum duration thereof The claimant and other affected parties shall be promptly notified of the decisions and the reasons therefor Unless the claimant or other affected parties file an appeal from such decision to the board within ten calendar days after such notification was mailed to his last known post office address and applies for a hearing such decision of the department shall be final and compensation shall be paid or denied in accordance therewith In the event that an appeal is filed with the board the payment of compensation shall be withheld pending determination of the claim by a referee When a referee or the board affirms a decision of the department allowing compensation such compensation shall be paid notwithstanding any further appeal which may thereafter be taken

Section 502 Decision of Referee Further Appeals and Reviews Where an appeal from the decision of the department is taken a referee shall after affording the parties reasonable opportunity for a fair hearing affirm modify or reverse the findings of fact and the decision of the department as to him shall appear just and proper The parties shall be duly notified of the referee's decision and the reasons therefor which shall be deemed the final decision of the board unless within ten days after the date of such decision the board acts on its own motion or upon application permits any of the parties to institute a further appeal before the board A memorandum of testimony of any hearing before any referee shall be made and be preserved for a period of two years

Section 503 Disqualifications to Participate in Hearings No referee or other employe of the board or department shall sit in the hearing of any case in which he himself is an interested party The board may designate an alternate to serve in the absence of disqualification of any referee

Section 504 Powers of Board The board shall have power on its own motion or on appeal to remove transfer or review any case pending before or decided by a referee and in any such cases and in cases where a further appeal is allowed by the board from the decision of a referee may affirm modify or reverse the decision of the department or referee on the basis of the evidence previously submitted in the case or direct the taking of additional evidence A complete record shall be kept of each case heard before the board All testimony at any hearing before the board whether on appeal or otherwise shall be taken by a re-

porter but need not be transcribed unless the disputed claim is further appealed

Section 505 Rules of Procedure The manner in which appeals shall be taken the reports thereon required by the secretary the claimant and employers and the conduct of hearings and appeals shall be in accordance with rules of procedure prescribed by the board whether or not such rules conform to common law or statutory rules or evidence and other technical rules of procedure

Section 506 Power to Administer Oaths Subpoenas In the discharge of the duties imposed by this act the secretary the members of the board any agent duly authorized in writing by the board and any referee shall have power to administer oaths and affirmations take depositions and certify to official acts The board shall have power to issue summons or subpoenas to compel the attendance of witnesses and the production of books papers correspondence memoranda and other records deemed necessary as evidence in connection with the disputed claim or the administration of this act Such summons or subpoenas shall be signed by the chairman of the board or some person authorized in writing by the board

Section 507 Procedure where Summons or Subpoenas Disobeyed In case any person refuses fails or neglects to obey a summons or subpoena issued under the authority of this act or fails refuses or neglects to produce any books papers correspondence memoranda or record the board or its agent duly authorized in writing may petition the court of common pleas of the county in which the inquiry is being carried on or within which or transacts business setting forth the facts whereupon the court shall have jurisdiction to issue to such person its subpoena requiring such person to appear before the court at a time fixed and there to give testimony touching the matter under investigation or to produce such other evidence as may be required

Any person who shall without just cause fail neglect or refuse to obey a subpoena of the court or who shall without just cause fail or refuse to attend and testify or to answer any lawful injuiry or to produce books papers correspondence memoranda and other records if it is in his power so to do in obedience to a subpoena of the court may be punished by said court for contempt

Section 508 Protection Against Self-Incrimination No person shall be excused from attending or testifying or from producing books papers correspondence memoranda and other records before the department the board or any referee or court in obedience to any summons or subpoena on the ground that the testimony or evidence documentary or otherwise required of him may tend to incriminate him or subject him to a penalty or forfeiture but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he is compelled after having claimed his privilege against self-incrimination to testify or produce evidence except that such individual shall not be exempt from prosecution and punishment for perjury committed in so testifying

Section 509 Finality of Decisions Any decision made by the department or any referee or the board shall become final after ten days after the date thereof unless appealed from as hereinbefore provided but any decision of the board or of a referee where an appeal has been disallowed by the board shall nevertheless be subject to appeal to the Superior Court after the same has become final

Section 510 Appeals to Superior Court An appeal to the Superior Court may be taken by any party claiming to be aggrieved but only after he has exhausted his remedies before the board In any such appeal the board shall be made the party defendant Every appeal to the Superior Court must be taken within thirty days after the decision of the referee or board became final The appeal shall be by petition and shall state the grounds upon which a judicial review is sought A copy of such appeal petition shall be served upon a member or agent of the board and sufficient additional copies shall be left with the board to enable the board to furnish a copy to every party in interest in the proceeding who has not joined in the appeal The board shall file an answer in the Superior Court within thirty days after the petition has been served on it and shall at the same time file with the court certified copies of all documents and papers a record of all testimony taken and all findings of facts and decisions thereon The board may also in its discretion certify to such court questions of law involved in any decision by it

In any appeal to the Superior Court the findings of the board or referee as the case may be as to the facts if supported by the evidence and in the absence of fraud shall be conclusive and in such cases the jurisdiction of the court shall be confined to questions of law and shall be given precedence over all other civil cases except cases arising under the Workmen's Compensation Law

Section 511 Exceptions and Bond not Necessary No Supersedeas to be Granted In order to take an appeal to the Superior Court it shall not be necessary to enter exceptions to the rulings of the board and no bond shall be required for entering an appeal No appeal to the Superior Court shall act as a supersedeas

Section 512 Final Order of Board Upon the final determination of any appeal the board shall enter an order in accordance with the decree of the court

ARTICLE VI

UNEMPLOYMENT COMPENSATION FUND AND ADMINISTRATION FUND

Section 601 Unemployment Compensation Fund There is hereby created a special fund to be known as the Unemployment Compensation Fund All contributions together with interest thereon received or collected by the department from employers under the provisions of this act shall be paid into the Unemployment Compensation Fund and shall be credited by the department to a ledger account to be known as the Employers' Contribution Account All moneys in the Unemployment Compensation Fund shall be mingled and undivided All moneys from time to time received and credited to the Employers' Contribution Account shall be paid promptly by the department into the Unemployment Trust Fund

As often as may be necessary the department shall requisition from the Unemployment. Trust Fund such amounts as shall be necessary to provide adequate funds for the payment of compensation as provided in this act Upon receipt of such requisitioned funds the department shall deposit them into the Unemployment Compensation Fund to the credit of a ledger account to be known as the Compensation Account and shall expend such moneys solely for the payment of compensation as provided by this act All moneys to the credit of the Compensation Account shall be mingled and undivided The department shall pay all compensation authorized by this act out of moneys standing to the credit of the Compensation Account

Section 602 Administration Fund There is hereby created a special fund to be known as the Administration Fund which shall consist of all moneys or other property received by the department from the United States of America or any agency thereof including the Social Security Board or from any other source whatsoever to be used for the administration of this act Also all fines and penalties collected under the provisions of this act shall be paid into this fund The department shall pay all costs required for the administration and operation of this act out of the Administration Fund

Section 603 State Treasurer as Custodian The State Treasurer shall be the custodian of the Unemployment Compensation Fund and the Administration Fund He shall give a bond or bonds with corporate sureties conditioned upon the faithful performance of his duties as custodian of such funds in such amount or amounts as shall be determined and fixed by the Executive Board Premiums for such bond or bonds shall be paid by the department out of the moneys in the Administration Fund All moneys belonging to such funds shall be deposited by the State Treasurer in any banks or public depositories in which general funds of the Commonwealth may be deposited but no public deposit insurance charge or premium

shall be paid out of moneys in the Unemployment Compensation Fund Any law to the contrary notwithstanding all payments from such funds shall be made by the State Treasurer upon requisitions presented to him by the department All requisitions issued by the department shall bear the signature of the Secretary or his duly authorized agent for such purpose

Section 604 Budgetary Provisions Not Applicable The provisions of Article six of The Administrative Code of one thousand nine hundred twenty-nine as amended shall not apply to the funds created under the provisions of this act

ARTICLE VII

PROTECTION OF RIGHTS AND COMPENSATION

Section 701 Certain Agreements Void Penalty No agreement by any employe to waive release or commute his rights to compensation or any other rights under this act shall be valid No agreement by an employe or by employes to pay all or any portion of any employer's contributions required under this act from any employer shall be valid No employer shall directly or indirectly make or require or accept any deduction from the remuneration of individuals in his employ to finance contributions required from him under this act or require or accept any waiver by an employe of any right hereunder Any employer or officer or agent of an employer who violates any provision of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced for each offense to pay a fine of not less than one hundred dollars nor more than one thousand dollars or be imprisoned for not more than six months or both

Section 702 Limitation of Fees No employe shall be charged fees of any kind in any proceeding under this act by the department the board or any of its officers or agents Any individual claiming compensation in any proceeding before the department the board or a referee may be represented by counsel or other duly authorized agent but no such counsel or agent shall either charge or receive any greater fee for such services than is approved by the board Any person who violates any provision of this subsection shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars or be imprisoned for not more than six months or both

Section 703 No Assignment of Compensation Exemptions No assignment pledge or encumbrance of any right to compensation which is or may become due or payable under this act shall be valid and such rights to compensation shall be exempt from levy execution attachment or any other remedy whatsoever provided for the collection of debt Compensation payments received by an employe so long as they are not mingled with other funds of the employe shall be exempt from any remedy whatsoever for the collection of all debts except debts incurred for necessaries furnished to such individual or his spouse or dependents during the time when such individual was unemployed No waiver of any exemption provided for in this subsection shall be valid

ARTICLE VIII

PENALTY PROVISIONS

Section 801 False Statements and Representations to obtain or Increase Compensation Whoever makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact to obtain or increase any compensation or other payment under this act either for himself or for any other person shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than fifty dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment for not longer than thirty days and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense

Section 802 False Statements and Representations to Prevent or Reduce Compensation Any employer or any officer or agent of an employer or any other person who makes a false statement or representation knowing it to be false or who knowingly fails to disclose a material fact to prevent or reduce the payment of compensation to any employe entitled thereto or to avoid becoming or remaining subject hereto or to avoid or reduce and contribution or other payment required from an employer under this act or who wilfully fails or refuses to make any such contribution or other payment or to furnish any reports required hereunder or who wilfully fails or refuses to produce or permit the inspection or copying of records as required hereunder shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty dollars nor more than two hundred and in default of the payment of such fine and costs shall be sentenced to imprisonment for not longer than thirty days and each such false statement or representation or failure to disclose a material fact and each day of such failure or refusal shall constitute a separate offense

Section 803 Violation of Act and Rules and Regulations Any person who shall wilfully violate any provision of this act or any rule or regulation thereunder the violation of which is made unlawful or the observance of which is required under the terms of this act and for which a penalty is neither prescribed herein nor provided by any other applicable statute shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than two hundred dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment for not longer than thirty days and each day such violation continues shall be deemed to be a separate offense

Section 804 Liability to Repay Compensation Unlawfully Received Any person who by reason of the nondisclosure or misrepresentation by him or by another of a material fact (Irrespective of whether such non-disclosure or misrepresentation was known or fraululent) has received any sum as compensation under this act while any conditions for the receipt of compensation imposed by this act were not fulfilled in his case or while he was disqualified from receiving compensation shall be liable to repay to the Unemployment Compensation Fund a sum equal to the amount so received by him and such sum shall be collectible in the manner provided in this act for the collection of past due contributions

ARTICLE IX

SAVING CLAUSE REPEALS EFFECTIVE DATE

Section 901 Saving Clause The General Assembly reserves the right to amend or repeal all or any part of this act at any time and there shall be no vested right of any kind against such amendment or repeal All the rights privileges or immunities conferred by this act or by acts done pursuant thereto shall exist subject to the power of the General Assembly to amend or repeal this act at any time

Section 902 Depeals All acts or parts of acts inconsistent herewith are hereby repealed

Section 903 Effective Date This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the section?

Mr. MOOMAW. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 6, page 8, line 25 by striking out at the end of the line after the word "their" the following: "[un-]"

Amend section 6, page 8, line 26 by striking out at the beginning of the line before the word "contributions" the following: "[expended]" and inserting in lieu thereof the word: "total"

Amend section 6, page 9, line 24, by inserting after the word "members" and before the word "nominated" the

following: "One of whom shall be a representative of employers one a representative of employes and one a representative of the public."

Amend section 6, page 12, line 21 by striking out after the word "workers" and before the word "make" the following: "[(c)]" and inserting in lieu thereof the following: "(c)"

Amend section 6, page 13, line 17, by striking out after the word "information" and before the word "such" the word: "[for]" and inserting in lieu thereof the word "from"

Amend section 6, page 15, line 9, by inserting after the word "paid" and before the word "by" the following: "or payable"

Amend section 6, page 15, line 10, by striking out after the word "employer" and before the word "such" the word: "[during]" and inserting in lieu thereof the word: "for"

Amend section 6, page 15, line 20, by inserting after the word "act" and before the word "shall" the following: "who has employed employes in employment"

Amend section 302, page 15, line 24, by inserting after the word "paid" and before the word "by" the words: "or payable"

Amend section 6, page 15, line 24, by striking out after the word "employer" and before the word "such" the word: "[during]" and inserting in lieu thereof the word: "for"

Amend section 6, page 16, line 11, by striking out at the beginning of the line before the word "had" the following: "[in the previous or current calendar year]"

Amend section 6, page 16, line 11, by striking out at the end of the line the following: "[em-]"

Amend section 6, page 16, line 12, by striking out at the beginning of the line before the word "in" the following: "[ployes]" and inserting in lieu thereof the word: "employe"

Amend section 6, page 16, line 12, by striking out after the word "act" and before the word "twenty" the word: "[for]" and inserting in lieu thereof the following: "within each of"

Amend section 6, page 16, line 12, by striking out at the end of the line after the word "twenty" the following: "[cal-]"

Amend section 6, page 16, line 13, by striking out at the beginning of the line before the word "weeks" the following: "[endar]" and inserting in lieu thereof the word: "different"

Amend section 6, page 16, line 13, by inserting at the end of the line after the word "weeks" the following: "during the previous or current calendar year whether or not such weeks are consecutive"

Amend section 6, page 17, line 8, by striking out after the word "commerce" and before the word "that" the word: "[on]" and inserting in lieu thereof the word "or"

Amend section 6, page 19, line 12, by inserting at the end of the line after the word "who" the words: "is or"

Amend section 6, page 19, line 13, by inserting after the word "unemployed" and before the word "after" the words: "on or"

Amend section 6, page 19, line 27, by striking out after the word "as" and before the word "for" the word: "[disqualified]" and inserting in lieu thereof the word: "ineligible"

Amend section 6, page 20, line 10, by striking out after the word "his" and before the word "is" the following: "[unemployment]" and inserting in lieu thereof the word: "unemployment"

Amend section 6, page 21, line 9 by striking out after the word "first" and before the word" in" the word: "[resignation]" and inserting in lieu thereof the word: "registration"

Amend section 6, page 21, line 10 by inserting after the word "unemployment" and before the word "Not" the following: "Provided, That no week of employment shall be so counted that occurred prior to January first one thousand nine hundred thirty-seven"

Amend section 6, page 22, line 27, by striking out after the word "or" and before the word "of" the words: "[other employe]" and inserting in lieu thereof the words: "no member"

Amend section 6, page 22, line 27, by inserting after the word "or" and before the word "department" the words: "no employe of the"

Amend section 6, page 23, line 3, by inserting after the word "Board" and before the word "The" the words: "Over Claims"

Amend section 6, page 23, line 21 by striking out after the word "rules" and before "evi-" the word: "[or]" and inserting in lieu thereof the word: "of"

Amend section 6, page 28, line 26, by inserting after the word "funds" and before the word "shall" the following: "(excusive of moneys on deposit in the Unemployment Trust Fund as provided in Section 601)"

Amend section 6, page 31, line 21, by striking out after the word "of" and before the word "employer" the word: "[an]" and inserting in lieu thereof the word: "any"

Amend section 6, page 31, line 26, by striking out after the word "reduce" and before the syllable "contribu-" the word: "[and]" and inserting in lieu thereof the word: "any"

Amend section 6, page 32, line 27, by striking out after the word "fact" and before the word "of" the word: "[(Irrespective]" and inserting in lieu thereof the word: "(irrespective"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 41, as follows:

An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by making further provisions relative to the filing of consolidated reports

Whereas at the regular session of the General Assembly of one thousand nine hundred thirty-five the Corporate Net Income Tax Act was adopted to provide additional revenues for the Commonwealth for the biennial fiscal period beginning the first day of June one thousand nine hundred thirty-five in order to provide for unemployment relief and to balance the budget for the said biennal fiscal period and

Whereas it is desirable to clarify section five of the said act which relates to the filing of consolidated reports in

order that such additional revenues for unemployment relief accrue as estimated and in order that the legislative intent with regard thereto be effectuated therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" is hereby amended to read as follows

Section 5 Consolidated Reports The department shall upon application made to it in such form as it shall prescribe permit any corporation owning or controlling directly or indirectly a majority of the voting capital stock or another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income Provided that such corporation is permitted to file a consolidated return of net income with the Federal Government for tax purposes and provided further that all the corporations included in said consolidated return to the Federal Government are subject to the provisions of this act

Section 2 This act shall become effective immediately upon its final enactment and its provisions shall be applicable to reports filed for the two calendar years one thousand nine hundred thirty-five and one thousand nine hundred thirty-six or for the two fiscal years ending in the calendar years one thousand nine hundred thirty-six and one thousand nine hundred thirty-seven Provided That any corporation which has previously attempted to file a consolidated report not in conformity with the provisions of this act which shall within thirty (30) days after its effective date make a corrected report in conformity herewith shall not be liable for any penalty imposed for neglect or refusal to make a report as required in the act to which this is an amendment nor for interest prior to the making of such corrected report

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 42, as follows:

An Act to amend the act approved the twenty-second day of June one thousand eight hundred ninety-seven (Pamphlet Laws one hundred seventy-eight) entitled "An act taxing certain stocks of building and loan associations for State purposes" by adding a new section providing for the filing of reports and imposing penalties by increasing the rate of tax on full paid prepaid and fully matured or partly matured stock of building and loan associations and by modifying the procedure for the settlement collection and payment of such tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-second day of June one thousand eight hundred ninety-seven (Pamphlet Laws one hundred seventy-eight entitled "An act taxing certain stocks of building and loan associations for State purposes" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That upon all full paid prepaid and fully matured or partly matured stock in any building and loan association incorporated under the laws of this State [or incorporated under the laws of any other state] or under any law of the United States and doing business within this State and upon which [annual semi-annual quarterly or monthly] periodic cash dividends or interest shall be paid there shall be paid a State tax equal to that required to be paid upon [money at interest by the general tax laws] moneyed capital in the hands of individual citizens of this State that is to say for the calendar year ending December thirty-first one thousand nine hundred thirty-six at the rate of eight mills upon each dollar of the value thereof and thereafter at the rate of four mills upon each dollar of the value thereof and such tax [shall] may be deducted from the cash dividend or interest so provided for by the secretary or treasurer of such corporation and shall be paid [to] into the State [Treasurer] Treasury through the Department of Revenue [And every] Every such [domestic] corporation shall annually make return to the [Auditor General] Department of Revenue upon forms prescribed by said department [at the time other returns for taxation are required to be made] on or before the fifteenth day of March of each and every year of the amount of its stock outstanding entitled to receive cash dividends or interest [and every such foreign corporation shall in the reports required to be made by them to the Banking Department make report of the amount of its stock held by residents of this State entitled to receive cash dividends or interest and said Banking Department shall at the time other returns for taxation are required to be made certify to the Auditor General the amount of such stock each of said foreign corporations had outstanding at the time of its last report to said Banking Department and upon said sum such foreign corporation shall pay the tax above required to be paid to the State Treasurer upon demand and failure to make such payment within thirty days after such demand shall have been made shall subject such corporation to the forfeiture of its right to transact business in this State] Provided [however] That nothing in this act shall be taken to require the payment of any tax upon any unmatured stock of building and loan associations upon which periodical payments are required to be made or upon any such stock after it has matured and is in process of payment

Section 2 That at the end of said act the following new section is hereby added

Section 3 The time for filing reports may be extended and the penalties for failing to file reports and pay taxes shall be as prescribed by law

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 45, as follows:

An Act validating certain proceedings and elections of political subdivisions had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all proceedings and elections heretofore had and held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method of procedure specified by the provisions of an act of Assembly entitled "An act to regulate

the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sxty-five) and the acts amendatory thereof and supplementary thereto where the majority of votes cast at such election was in favor of the increase of indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding such election was held within ninety days after the general election notwithstanding the date of the ordinance or vote deciding such increase was within ninety days after a general election notwithstanding the ordinance or vote providing for the giving of notice of such election was not effective at the time notice of such election was given and notwithstanding any defect or informality in the manner of holding mode of conducting or giving notice of such election or in form of the ballot and notwithstanding that the polls at such election were not open a full twelve hours as provided by law and notwithstanding any patent error of orthography or of numerical statement on any or all of the ballots

All the bonds securities and obligations issued or to be issued in pursuance of every such election are hereby made valid and binding obligations of every such county city borough township school district or other municipalty or incorporated district Provided That all the other requirements of law concerning such procedure election and issue of bonds have been complied with And provided further That the provisions of this act shall not apply in any instance where the validity of such election or any issue of bonds or other security based thereon has been made the subject of litigation in any court of the Commonwealth prior to the approval of this act nor to any litigation in any court of this Commonwealth instituted prior to the passage of this act and still pending and undetermined

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 43, as follows:

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by increasing the rate of tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" as amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (Pamphlet Laws six hundred sixty-eight) be and the same is hereby further amended to read as follows

Section 27 That from and after the passage of this act every incorporated company or limited partnership whatever whether the same be incorporated formed or organized under the laws of this or any other State or Territory and doing business within this Commonwealth and liable to taxation therein which is not subject to the taxes imposed by the twenty-first or twenty-fourth sections of this act except incorporated banks and savings institutions having capital stock and foreign insurance companies shall annually upon the fifteenth day of March of each year make report to the Department of Revenue setting forth the entire amount of net earnings or income received by said company or limited partnership from all sources during the preceding year and such other information as the Department may require and upon such net earnings or income the said company association or limited partnership as the case may be shall pay into the State Treasury through the Department of Revenue for the use of the Commonwealth within the time prescribed by law for the payment of State taxes settled by the Department of Revenue [three] six per centum upon such annual net earnings or income in addition to any taxes on personal property to which it may be subject under the first section of this act The penalty for failure to make such report shall be as provided by law Provided That this section shall not apply to corporations and limited partnerships chartered or organized for manufacturing purposes

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred thirty-six and thereafter

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 47, entitled:

An Act to amend section one of the act approved the sixteenth day of May one thousand nine hundred and thirty-five (Pamphlet Laws one hundred seventy-six) entitled "An act requiring cities of the second and third class to allow members of the police departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by extending the provisions thereof to cities of the second class A

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the sixteenth day of May one thousand nine hundred and thirty-five (Pamphlet Laws one hundred seventy-six) entitled "An act requiring cities of the second and third class to allow members of the police departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city of the second second class A and third class having a police department shall allow and permit every member of such police department to have at least twenty-four consecutive hours of rest in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebration and to have an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance or resolution of such city

On the question,

Will the House agree to the section?

Mr. COLEMAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 15, by adding after the word "city" the following: "This Act shall become effective January 1, 1937."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of the act approved the sixteenth day of May one thousand nine hundred and thirty-five (P. L. 176) entitled "An act requiring cities of the second and third class to allow members of the police departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by extending the provisions thereof to cities of the second class A

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1, as follows:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes and prohibiting the sale of real property for the non-payment of any such taxes for a certain period

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes for the tax year one thousand nine hundred and thirty-four and all previous years assessed against any real estate shall be abated by the authority levying the tax if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of this act twenty per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid before the first day of December one thousand nine hundred and thirty-six twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-seven twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-eight twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-nine and the final twenty per centum on or before the thirty-first day of December one thousand nine hundred and forty And provided That after the first installment shall have been paid the respective current taxes on such parcel or parcels of real estate for the subsequent years during such installment periods levied by such taxing authority shall be paid during the then current year and if such current taxes for any such year are not paid during such year then the penalties and interest abated on the installment due for such year if such installment has already been paid shall be added to the first remaining installment of unpaid delinquent taxes and be paid in the same manner as such installment

If any taxpayer availing himself of the provisions of this act shall fail to pay any installment of taxes as hereinbefore provided for the tax year one thousand nine hundred and thirty-four and all previous years then the penalties and interest due on such unpaid installments shall not be abated

Section 2 Any taxpayer may anticipate the payment of such delinquent taxes for the tax year one thousand nine hundred and thirty-four and previous years at any time before December first one thousand nine hundred and thirty-six by paying the entire amount of or the balance due on such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes levied for the year one thousand nine hundred and thirty-five or one thousand nine hundred and thirty-six shall not be required

Section 3 This act shall be construed to apply to all taxes whether or not liens for such taxes have been returned for nonpayment or have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court in said county and the taxpayer shall not be or become liable for the payment of any fees or costs incurred in the filing of satisfaction of such liens or in the prosecution of such proceedings except the actual prothonotaries fees or costs

Section 4 The benefits of this act shall extend to and accrue to any grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied anything in the permanent statutes of this Commonwealth to the contrary

For the purposes of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax

Section 5 Any taxpayer shall have the right to pay the deliquent taxes levied against any parcel or parcels of real estate without being required to pay the delinquent taxes levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision Upon the request of the taxpayer it shall be the duty of the proper officials charged with the duty of assessing property or with the levy and collection of taxes to separate the assessments and the taxes assessed against any two or more parcels of real estate in the same ward district or municipal subdivision

Section 6 Within thirty days after the effective date of this act the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes shall have prepared and mailed to each delinquent taxpayer a complete and correct statement of delinquent taxes due the county city borough town township school district or poor district for the year one thousand nine hundred and thirty-four and previous years including taxes liened or for which proceedings have been instituted for the collection thereof together with either a copy of this act or a complete synopsis of the terms of the act setting forth therein the benefits provided by the act and the necessary conditions required by the taxpayers in order to receive the same The cost of the preparation and mailing of such notices shall be paid by the tax levying authorities

Section 7 In order to receive the benefits of this act the taxpayer shall submit to the person authorized to receive such taxes a correct and complete statement of all delinquent taxes due on the parcel or parcels of real estate upon which he desires to pay under the terms of this act including liened taxes or taxes returned to the county treasurer Whereupon the person authorized to receive such taxes shall accept such statement and accept the payment tendered forthwith anything in the permanent statutes of this Commonwealth to the contrary but if the taxpayer shall submit any false or incorrect statement he shall become liable for the payment in the manner provided by law of all penalties and interest abated on the delinquent taxes paid

Section 8 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for non-payment of taxes before December first one thousand nine hundred and thirty-six and any tax sale may be adjourned or readjourned as may be necessary for this purpose If any tax sale is adjourned or readjourned after advertisement no additional advertisement or notice shall be necessary for the adjourned or readjourned sale No such adjournment or readjournment failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid but the lien of all such taxes shall be fully preserved until December first one thousand nine hundred and thirty-six notwithstanding that the period fixed by existing law as the life of such a tax lien has expired

Section 9 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted

had such unconstitutional provision not been included herein

Section 10 All acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 11 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

Mr. WEISS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend House Bill No. 1, page 5, Section 6, line 11, by striking out after the word "shall" the words "have prepared and mailed to each delinquent tax-;" also strike out the whole of lines 12, 13, 14, 15, 16, and at the beginning of line 17 the words "tion thereof together with either a copy," and insert in lieu thereof the following: "cause to be published in two newspapers of general circulation in the county provisions."

Also strike out on page 5, Sec. 6, line 21 after the words "the," the words "preparation and mailing" and insert in lieu thereof the following: "publication."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection?

Mr. WITKIN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

RECONSIDERATION OF VOTE

Mr. WEISS. Mr. Speaker, I move that the vote by which the House agreed to transcribe this bill for third reading be reconsidered.

The motion was agreed to.

Mr. WEISS. Mr. Speaker, I move that the vote by which the House agreed to the title be reconsidered.

The motion was agreed to.

Mr. WEISS. Mr. Speaker, I move that the vote by which the House agreed to the various sections be reconsidered.

The motion was agreed to.

The first, second, third, fourth and fifth sections were separately read and agreed to as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same. That all penalties and interest imposed on delinquent county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes for the tax year one thousand nine hundred and thirty-four and all previous years assessed against any real estate shall be abated by the authority levying the tax if said delinqent taxes are paid as hereinafter provided

In order to receive the benefits of this act twenty per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid before the first day of December one thousand nine hundred and thirty-six twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty seven twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-eight twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-nine and the final twenty per centum or or before the thirty-first day of December one thousand nine hundred and forty And provided That after the first installment shall have been paid the respective current taxes on such parcel or parcels of real estate for the subsequent years during such installment periods levied by such taxing authority shall be paid during the then current year and if such current taxes for any such year are not paid during such year then the penalties and interest abated on the installment due for such year if such installment has already been paid shall be added to the first remaining installment of unpaid delinquent taxes and be paid in the same manner as such installment.

If any taxpayer availing himself of the provisions of this act shall fail to pay any installment of taxes as hereinbefore provided for the tax year one thousand nine hundred and thirty-four and all previous years hereinbefore provided] then the penalties and interest due on such unpaid installment or installments shall not be abated

Section 2 Any taxpayer may anticipate the payment of such delinquent taxes for the tax year one thousand nine hundred and thirty-four and previous years at any time before December first one thousand nine hundred and thirty-six by paying the entire amount of or the balance due on such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes levied for the year one thousand nine hundred and thirty-five or one thousand nine hundred and thirty-six shall not be required

Section 3 This act shall be construed to apply to all taxes whether or not liens for such taxes have been returned for nonpayment or have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court in said county and the taxpayer shall not be or become liable for the payment of any fees or costs incurred in the filing of satisfaction of such liens or in the prosecution of such proceedings except the actual prthonotaries fees or costs

Section 4 The benefits of this act shall extend to and accrue to any grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied anything in the permanent statutes of this Commonwealth to the contrary

For the purposes of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax

Section 5 Any taxpayer shall have the right to pay the delinquent taxes levied against any parcel or parcels of real estate without being required to pay the delinquent taxes levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision Upon the request of the taxpayer it shall be the duty of the proper officials charged with the duty of assessing property or with the levy and collection of taxes to separate the assessments and the taxes assessed against any two or more parcels of real estate in the same ward district or municipal subdivision

The sixth section was read as follows:

Section 6 Within thirty days after the effective date of this act the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes shall have prepared and mailed to each delinquent taxpayer a complete and correct statement of delinquent taxes due the county city borough town township school district or poor district for the year one thousand nine hundred and thirty-four and previous years including taxes liened or for which proceedings have been instituted for the collection thereof together with either a copy of this act or a complete synopsis of the terms of the act setting forth therein the benefits provided by the act and the necessary conditions required by the taxpayer in order to receive the same The cost of the preparation and mailing of such notices shall be paid by the tax levying authorities

On the question,

Will the House agree to the section?

Mr. WEISS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 6, page 5, line 11, by striking out after the word "shall" the words "have prepared and mailed to each delinquent tax—"; also strike out the whole of lines 12, 13, 14, 15, 16, and at the beginning of line 17 the words "tion thereof together with either a copy," and insert in lieu thereof the following: "cause to be published in two newspapers of general circulation in the County provisions"; also strike out in line 21 after the words "the" the words "preparation and mailing" and insert in lieu thereof the following: "publication."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh, eighth, ninth, tenth and eleventh sections and title were separately read and agreed to as follows:

Section 7 In order to receive the benefits of this act the taxpayer shall submit to the person authorized to receive such taxes a correct and complete statement of all delinquent taxes due on the parcel or parcels of real estate upon which he desires to pay under the terms of this act including liened taxes or taxes returned to the county treasurer Whereupon the person authorized to receive such taxes shall accept such statement and accept the payment tendered forthwith anything in the permanent statutes of this Commonwealth to the contrary but if the taxpayer shall submit any false or incorrect statement he shall become liable for the payment in the manner provided by law of all penalties and interest abated on the delinquent taxes paid

Section 8 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for non-payment of taxes before December first one thousand nine hundred and thirty-six and any tax sale may be adjourned or readjourned as may be necessary for this purpose If any tax sale is adjourned or readjourned after advertisement no additional advertisement or notice shall be necessary for the adjourned or readjourned sale No such adjournment or readjournment failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid but the lien of all such taxes shall be fully preserved until December first one thousand nine hundred and thirty-six notwithstanding that the period fixed by existing law as the life of such a tax lien has expired

Section 9 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 10 All acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 11 This act shall become effective immediately upon final enactment

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes and prohibiting the sale of real property for the non-payment of any such taxes for a certain period

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

HOUSE BILL NO. 27 TAKEN FROM TABLE

Mr. HARKINS. Mr. Speaker, I move that House Bill No. 27, Printer's No. 11, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (Pamphlet Laws, four hundred fourteen), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof, imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships, conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by increasing the rate of tax; removing certain exemptions; changing the listing date, the date of filing reports, and the date and manner of payment of the tax; and making further provision with regard to penalties.

Which was laid upon the table be taken from the table.

On the question,

Will the House agree to the motion?

The SPEAKER. When this bill was before the House a few days ago the amendments offered by the gentleman from Allegheny, Mr. Harkins were adopted. The House was considering the amendments offered by the gentleman from Dauphin, Mr. Wickersham.

On the question recurring,

Will the House agree to the amendments offered by the gentleman from Dauphin, Mr. Wickersham?

The amendments were again read by the Clerk for the information of the House as follows:

Amend section 1, page 7, line 6, by inserting after the word "return" the following: "in duplicate, the original"

Amend section 1, page 7, by inserting after line 21, following paragraph: "The duplicate unsworn return shall be forwarded by the Department of Revenue to the county commissioners, Board of Revision of Taxes or board for the assessment and revision of taxes, as the case may be, of the county from which the return was made for its use and information."

Amend section 1, page 22, line 18, by inserting after the word "act' the following: "and any information gained by the county commissioners, Board of Revision of Taxes or board for the assessment and revision of taxes as the result of duplicate returns received from the department"

Mr. WICKERSHAM. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Harkins.

The SPEAKER. Will the gentleman from Allegheny, Mr. Harkins, permit himself to be interrogated?

Mr. HARKINS. Mr. Speaker, I will.

Mr. WICKERSHAM. Mr. Speaker, I have been informed that the gentleman from Allegheny, Mr. Harkins withdraws his objection to my amendment, I would like to ask whether my information is correct.

Mr. HARKINS. Mr. Speaker, in answer to the gentleman from Dauphin, Mr. Wickersham I desire to state that that information is correct, and in the light of the purposes of the amendment offered by the gentleman, I ask this House to vote to adopt those amendments.

On the question recurring,

Will the House agree to the amendments offered by the gentleman from Dauphin, Mr. Wickersham?

They were agreed to.

On the question recurring,

Will the House agree to the section as amended?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 3, line 3, by striking out the word "four" and insert in lieu thereof: "six"

Amend section 1, page 5, line 3, by striking out the word "four" and insert in lieu thereof: "six"

Amend section 1, page 5, line 7, by striking out the word "four" and insert in lieu thereof: "six"

Amend section 1, page 23, line 21, by striking out the word "four" and insert in lieu thereof: "six"

Amend section 1, page 26, line 6, by striking out the word "four" and insert in lieu thereof: "six"

Amend section 1, page 26, line 10, by striking out the word "four" and insert in lieu thereof: "six"

On the question,

Will the House agree to the amendments?

Mr. HOOPES. Mr. Speaker, and members of the House, the amendments are very simple. It will take very few words to explain them. I know that there is considerable objection on the part of some of us in this House to more taxes indicated in the tax program. It seems to me that here is a chance to put on a tax that is more just and at the same time raise enough money for relief, and if we are here to raise money for relief, we have got to get it somewhere. Real estate is paying anywhere from twenty-five to forty mills. If this amendment is adopted, which I propose, personal property will pay only ten mills, or about one-third of what real estate is paying. Under the circumstances, in view of the needs of the Commonwealth, of the necessity of providing relief for the unemployed, I ask the members of the House to vote "aye" on these amendments, and Mr. Speaker, I ask for a roll call.

Mr. HARKINS. Mr. Speaker, I rise to ask the members of the House to vote down the amendments offered by the gentleman from Berks, Mr. Hoopes. The estimates furnished as to the amount of money to be raised by this four mill tax gives a sum of forty millions of dollars, and I feel that that is a considerate sum and sufficient to be asked of the owners of personal property at this time. In view of the fact that there is at least a four mill tax on property of this nature used for county purposes, I feel that the additional levy of four mills makes a total of eight mills on this type of property, and is sufficient for the purpose, and I ask the members of the House to vote down the amendments offered by the gentleman from Berks, Mr. Hoopes.

The yeas and nays were required by Mr. HOOPES and Mr. CAMERON and were as follows:

YEAS—11

Baine,	Hoopes,	Murrin,	Tronzo,
Bernhard,	McCreary,	Pfaff,	Yourishin,
Cannon,	Moran,	Piole,	

NAYS—179

Achterman,	Falkenstein,	Mason,	Siegel,
Alexander,	Ferko,	McDermott,	Simon,
Allen,	Finnerty,	McDevitt,	Simpson,
Altenburg,	Fitch,	McElroy,	Sinwell,
Andrews,	Flanagan,	McHenry,	Sloan,
Anthony,	Flinchbaugh,	McKinney,	Smith, J. A.,
Arnold,	Flynn,	Melchiorre,	Smith, W. G.,
Aukerman,	Forrest,	Mentzer,	Snyder, F. E.,
Baker, F. T.,	Gates,	Merrell,	Snyder, J. L.,
Baker, J. J.,	Gerard,	Moomaw,	Sowers,
Barber,	Gillette,	Mooney,	Sproul,
Barnhardt,	Haberlen,	Moore,	Stank,
Beadman,	Hagerty,	Moul,	Stevens,
Blumberg,	Haluska,	Muir,	Stewart,
Boose,	Hamilton, F. P.,	Munley,	Stockham,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stone,
Bradley,	Harkins,	O'Keefe,	Stott,
Brancato,	Harmuth,	Ominsky,	Sumney,
Brennan,	Hartman,	O'Neill,	Surface
Brown, H. S.,	Hefferon,	Panton,	Sweeney,
Brown, J. E.,	Hermansen	Parks,	Tahl,
Brownfield,	Hetrick,	Patterson, C.,	Terry,
Brumbaugh,	Hindman	Patterson, J. W.,	Trout,
Burke,	Hirsch,	Peters,	Tumelty,
Caputo,	Hoffner,	Phillips,	Turner,
Carr,	Holland,	Powers,	VanAllsburg,
Carson,	Holstrom	Rhys,	VanSickle,
Chervenak,	Horst,	Rinn,	Wall,
Coakley,	Jones,	Roan,	Wasserman,
Cochran,	Kane,	Rooney,	Weidemann,
Cohen,	Kelder,	Root,	Weiss,
Coleman,	Kelso,	Royer,	Wellfiver,
Condon,	Kenney,	Ruffennach,	Welsh,
Coolahan,	Kilroy,	Sarraf,	Westrick,
Davies,	Kinney,	Scanlon,	White,
Decker,	Klingler,	Schaeffer,	Wickersham,
Dent,	Kobelak,	Schrock,	Winner,
Diehl,	LaRue,	Schrope,	Witkin,
Dilley,	Linderman,	Schwab,	Wood,
Downey, G. E.,	Long,	Serrill,	Woodside,
Downey, J. J.,	Longaker,	Shaw,	Yeakel,
Duffort,	Lovett,	Shepard,	Zappala,
Eberharter,	Lynch,	Shortz,	Zimmerman,
Eroe,	Male,	Shreiner,	Furman,
	Mallen,	Shugarts,	Speaker

So the question was determined in the negative and the amendments were not agreed to.

The second section and the title were separately read and agreed to as follows:

Section 2 This act shall become effective immediately upon its final enactment

An Act to amend the act, approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax removing certain exemptions changing the listing date the date of filing reports and the date and manner of payment of the tax and making further provision with regard to penalties

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE

Mr. EROE. Mr. Speaker, I desire to call up at this time House Bill No. 25, Printer's No. 10, on page 7 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Eroe,

The House resumed the consideration on final passage of House Bill No. 25, entitled

An Act imposing a temporary State excise tax on electric power and current generated, manufactured and sold within this Commonwealth; providing for the collection of the tax and the disposition of the revenue derived therefrom; imposing certain costs on counties; conferring powers and imposing duties on certain persons, associations, partnerships, corporations, and State departments; and imposing penalties.

RECONSIDERATION OF VOTE

Mr. EROE. Mr. Speaker, I move that the vote by

which the House agreed to the bill on third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. EROE. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of a hearing.

The motion was agreed to.

BILL ON FINAL PASSAGE

Mr. FLINCHBAUGH. Mr. Speaker, I desire to call up at this time House Bill No. 22, Printer's No. 4, on page 7 of today's calendar, bills on final passage postponed.

Agreeably to order.

The bill having been called up from the postponed calendar by Mr. FLINCHBAUGH.

The House resumed the consideration on final passage of House Bill No. 22, entitled:

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board

On the question,

Shall the bill pass finally?

Mr. SIMON. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Flinchbaugh.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. FLINCHBAUGH. Mr. Speaker, I will.

Mr. SIMON. Mr. Speaker, I desire to ask the gentleman from York, Mr. Flinchbaugh, whether or not under this bill sacramental wines will be taxed.

Mr. FLINCHBAUGH. Mr. Speaker and members of the House, in answer to the question of the gentleman from Clinton, Mr. Simon, I wish to say that quite a number of clergymen have written me and interviewed me in regard to this question, as to whether sacramental wines or wines used for sacramental purposes would be taxed under this bill. The bill only taxes spirituous liquors sold by the Liquor Control Board, and as the sacramental wines are usually bought from the duly licensed sacramental wine dealers, this bill would not affect wines used for that purpose.

In this connection I had a communication from W. L. Farrell, Chancellor of the Diocese of Scranton, dated May 15, 1936, in which he says:

"Your letter of May 14th concerning the proposed tax on liquor, spirits, wines, etc., has been received.

It pleased me very much to know that sacramental wines are not to be included in this tax. I feel quite sure in saying that all sacramental wines are obtained through licensed sacramental wine dealers and since the tax proposed has to do with only wine purchased in the State Liquor Stores this, of course, exempts us.

Thanking you for your kind cooperation, I remain."

I will say to the gentleman from Clinton, therefore, that sacramental wines will not be taxed under this act

Mr TURNER. Mr. Speaker, I should like to interrogate the gentleman from York, Mr. Flinchbaugh.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. FLINCHBAUGH. Mr. Speaker, I will.

Mr. TURNER. Mr. Speaker do I understand that this tax covers liquors sold in the State Stores.

Mr. FLINCHBAUGH. Mr. Speaker, the gentleman from Delaware is correct: it covers only liquors sold in State Liquor Stores.

Mr. TURNER. Mr. Speaker, why impose the tax in this manner? Why don't the State Liquor Stores raise their prices by ten percent?

Mr. FLINCHBAUGH. Mr. Speaker, in answer to the question propounded by the gentleman from Delaware, this is a matter, I would say, that was considered. The Liquor Control Board could easily do that, but in the event that the government attempted to issue tax anticipation notes, using those notes as security a tax would be the only way in which loans of that character would be made.

Mr. TURNER. Mr. Speaker, if tax anticipation notes are issued they would have to be based upon estimates of the amount of tax to be raised is that not correct?

Mr. FLINCHBAUGH. It is, Mr. Speaker.

Mr. TURNER. Therefore, Mr. Speaker, the amount to be raised would have to be based upon the estimated sales, would it not?

Mr. FLINCHBAUGH. That is correct, Mr. Speaker.

Mr. TURNER. And where is the difference, Mr. Speaker. between the estimated amount of taxes to be derived based upon the amount of sales and the amount to be received by the Liquor Stores in return for sales at the increased price of ten per cent?

Mr. FLINCHBAUGH. Mr. Speaker, in answer to the gentleman from Delaware, I am not a lawyer, but it appears to me that the tax anticipation notes could only be sold on a tax and that any advance in the prices of liquor the Liquor Control Board might put on spirits as a tax could not be used as legal security.

Mr. TURNER. Mr. Speaker, I realize that tax anticipation notes are based upon the question of taxes which have been levied and that the anticipated revenue would be paid from them. I cannot see the difference between a tax which is to be levied upon liquor and any other income of the State. Certainly that which comes into the liquor stores is income, which has to be paid into the State treasury—it goes to no other place. We have the right to estimate the amount of revenue to be derived in any biennium, and if we can borrow money upon the amount of revenue from a tax, why can't we in the same sense borrow money to be derived from the receipts of the Liquor Stores if that ten per cent increase can be estimated on the amount of sales. It seems to me that this is just a fiction that is going to be set up, which will add materially to the cost. Every time we have set up a new tax in Pennsylvania, we have had to give more money to the Revenue department to collect it. It means more employes, it means the cost of the stamps, it means the auditing of the account by the Revenue department, and in that way there is always a lot taken out of every amount which we set up as a tax in this State, and I feel that in this instance we are on the wrong track, that it would be much more simple to finance the proposition by a ten per cent increase of the sales price of liquors in the State Liquor Stores.

Mr. COHEN. Mr. Speaker and members of the House

this tax will increase by ten percent the sales price of liquor sold by the Liquor Control Board. The seven and a half million dollars which we anticipate we will collect through this tax will then be utilized as the basis for the issuance of tax anticipation notes.

The gentleman from Delaware intimates that the Liquor Control Board could accomplish the purpose of raising the seven and a half million dollars by increasing the sales prices. That is very true, but the Commonwealth could not obtain that seven and a half million dollars immediately by increasing the prices of the Liquor Control Board, and as the result we find ourselves confronted with the necessity by legislative action of increasing the price by a tax of ten per cent. Now, this act will be based upon the estimated amount of sales, the estimated amount of sales being seventy-five million dollars and ten per cent. of that is seven and a half million dollars, which will be the basis of the tax anticipation notes.

We cannot issue tax anticipation notes on anticipated profits. The very terminology of the tax anticipation notes indicate that those notes are to be issued on the basis of anticipated taxes, not anticipated profits. A sinking fund will be set up for the retirement of those notes in conformity with the requirements that have been presented by the bankers who purchased the other fifty million dollars of tax anticipation notes.

Now, as to the question of the cost. This seven and a half million dollars will be turned into the treasury without the expenditure by the Commonwealth of one additional penny for its collection. The Liquor Control Board will collect an extra ten per cent. and transmit the money that they collect, that excess ten per cent., to the Department of Revenue for the General fund, either to be used for general fund purposes or to act as a sinking fund for the retirement of the tax anticipation notes.

The gentleman from Delaware is quite correct. So far as getting the money is concerned, we could get it by merely increasing the prices of all the products that are sold by the Liquor Control Board, but we are confronted here with two problems: one, to get the money and, two, to get it quickly. By the passage of this act we accomplish both of those purposes: We get the money and we get it quickly.

On the question recurring,

Shall the bill pass finally,

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147

Achterman,	Eroe,	Male,	Schwab,
Alexander,	Falkenstein,	Mallen,	Serrill,
Allen,	Ferko,	Mason,	Shaw,
Andrews,	Finnerty,	McCreary,	Shepard,
Anthony,	Fitch,	McDermott,	Shortz,
Arnold,	Flanagan,	McDevitt,	Shugarts,
Aukerman,	Flinchbaugh,	McElroy,	Siegel,
Baine,	Flynn,	McHenry,	Simon,
Baker, F. T.,	Gates,	Melchiorre,	Simpson,
Baker, J. J.,	Gerard,	Mentzer,	Sinwell,
Barber,	Gillette,	Merrell,	Sloan,
Bernhard,	Haberlen,	Moomaw,	Smith, J. A.,
Boose,	Hagerty,	Mooney,	Smith, W. G.,
Boyer,	Haluska,	Moran,	Snyder, F. E.,
Bradley,	Hamilton, F. P.,	Moul,	Snyder, J. L.,
Brancato,	Harkins,	Muir,	Stank,
Brennan,	Harmuth,	Munley,	Stevens,
Brown, H. S.,	Hartman,	Murrin,	Stewart,
Brown, J. E.,	Hetrick,	Nagel,	Stockham,
Brownfield,	Hindman,	O'Keefe,	Stone,
Brumbaugh,	Hirsch,	Ominsky,	Stott,
Burke,	Hoffner,	O'Neill,	Sumney,
Caputo,	Holland,	Parks,	Surface,
Carson,	Holstrom,	Patterson, C.,	Tronzo,
Chervenak,	Hoopes,	Patterson, J. W.,	Tumelty,
Coakley,	Horst,	Piole,	VanAllsburg,
Cochran,	Kane,	Powers,	VanSickle,
Cohen,	Kelso,	Reising,	Wall,
Coleman,	Kilroy,	Rinn,	Weiss,
Coolahan,	Kinney,	Roan,	Welliver,
Decker,	Klingler,	Royer,	Welsh,
Dent,	Kobelak,	Ruffennach,	Westrick,
Diehl,	LaRue,	Sarraf,	Winner,
Dilley,	Long,	Scanlon,	Yourishin,
Downey, G. E.,	Longaker,	Schaeffer,	Zappala,
Downey, J. J.,	Lovett,	Schrock,	Furman,
Eberharter,	Lynch,	Schrope,	Speaker

NAYS—3

Barnhardt,	Hamilton, R. S.,	Pfaff,	Trout,
Beadman,	Hermansen,	Phillips,	Turner,
Blumberg,	Jones,	Rhys,	Wasserman,
Cannon,	Kelder,	Rooney,	Weidemann,
Carr,	Kenney,	Sowers,	White,
Condon,	Linderman,	Sproul,	Witkin,
Davies,	Moore,	Sweeney,	Wood,
Duffort,	Nothnagle,	Tahl,	Zimmerman,
Forrest,	Panton,	Terry,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. OMINSKY. Mr. Speaker, I desire to call up at this time House Bill No. 19, Printer's No. 6, on page 7 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. OMINSKY.

The House resumed the consideration on final passage of House Bill No. 19, entitled:

An Act to amend section three of the act, approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations, joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax for a limited period of time.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120

Achterman,	Downey, G. E.,	Long,	Sarraff,
Alexander,	Downey, J. J.,	Lovett,	Scanlon,
Allen,	Eberharter,	Lynch,	Schaeffer,
Anthony,	Eroe,	Male,	Schrope,
Arnold,	Falkenstein,	Mason,	Schwab,
Aukerman,	Ferko,	McCreary,	Shaw,
Baine,	Finnerty,	McDermott,	Shepard,
Baker, J. J.,	Fitch,	McElroy,	Shortz,
Barber,	Flanagan,	McHenry,	Shreiner,
Bradley,	Flinchbaugh,	Melchiorre,	Shugarts,
Brancato,	Gerard,	Moomaw,	Siegel,
Brown, H. S.,	Haberlen,	Mooney,	Simon,
Brown, J. E.,	Hagerty,	Moran,	Sinwell,
Brownfield,	Haluska,	Moul,	Smith, J. A.,
Brumbaugh,	Hamilton, F. P.,	Munley,	Smith, W. G.,
Burke,	Harkins,	Murrin,	Stank,
Cannon,	Harmuth,	Nagel,	Stevens,
Caputo,	Hartman,	O'Keefe,	Stone,
Carson,	Hermansen,	Ominsky,	Sumney,

Chervenak,	Hetrick,	O'Neill,	Tronzo,
Coakley,	Hindman,	Patterson, C.,	Tumelty,
Cochran,	Hirsch,	Patterson, J. W.,	VanSickle,
Cohen,	Holland,	Pfaff,	Weiss,
Coleman,	Hoopes,	Piole,	Welliver,
Coolahan,	Kelso,	Powers,	Welsh,
Davies,	Kilroy,	Reising,	Westrick,
Decker,	Kinney,	Rinn,	Yourishin,
Dent,	Klingler,	Roan,	Zappala,
Diehl,	Kobelak,	Rooney,	Furman,
Dilley,	LaRue,	Ruffennach,	Speaker

NAYS—59

Altenburg,	Horst,	Peters,	Tahl,
Andrews,	Jones,	Phillips,	Terry,
Baker, F. T.,	Kane,	Rhys,	Trout,
Barnhardt,	Kelder,	Schrock,	Turner
Beadman,	Kenney,	Simpson,	VanAlsburg,
Blumberg,	Linderman,	Sloan,	Wall,
Boose,	Longaker,	Snyder, F. E.,	Wasserman,
Boyer,	Mahen,	Snyder, J. L.,	Weidemann,
Brennan,	McDevitt,	Sowers,	White,
Condon,	McKinney,	Sproul,	Wickersham,
Duffort,	Merrell,	Stewart,	Witkin,
Forrest,	Moore,	Stockham,	Wood,
Gillette,	Muir,	Stott,	Woodside,
Hamilton, R. S.,	Nothnagle,	Surface,	Yeakel,
Hoffner,	Panton,	Sweeney,	Zimmerman,
Holstrom,	Parks,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE

Mr. SPROUL. Mr. Speaker, I move that the vote by which the House agreed to House Bill No. 1, Printer's No. 34, entitled:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes and prohibiting the sale of real property for the non-payment of any such taxes for a certain period.

on third reading as amended be reconsidered.

The motion was agreed to.

Mr. SPROUL. Mr. Speaker, I move that the vote by which the House agreed to the title be reconsidered.

The motion was agreed to.

Mr. SPROUL. Mr. Speaker, I move that the vote by which sections eleven, ten, nine, eight, and seven were separately read and agreed to be reconsidered.

The motion was agreed to.

Mr. SPROUL. Mr. Speaker, I move that the vote by which section six was agreed to as amended be reconsidered.

The motion was agreed to.

Mr. SPROUL. Mr. Speaker, I move that the vote by which sections five, four, three, two and one were agreed to be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the first section?

BILL RECOMMITTED

Mr. WEISS. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of amendment.

The motion was agreed to.

REPORT OF COMMITTEE ON SOUND SYSTEM

Mr. MOOMAW offered the report of the Special Committee for the purchase and installation of sound amplifying equipment.

The report was read by the Clerk as follows:

To the Speaker and Members of the House of Representatives of the Commonwealth of Pennsylvania:

The committee appointed by the Speaker, pursuant to the Resolution of May 5, 1936, Serial No. 4, begs leave to report as follows:

(1) That it has performed the duties for which it was appointed in accordance with the terms of the resolution.

(2) That it recommends that not more than $5,500 be expended for the purchase and installation of any sound amplifying equipment of the type and extent of that now installed in the Hall of the House.

(3) That a copy of this report if approved by the House, be transmitted to the Department of Property and Supplies by the Chief Clerk for its information.

P. C. MOOMAW,
CLINTON A. SOWERS.

On the question.

Will the House adopt the report?

It was adopted.

ANNOUNCEMENTS BY THE CLERK

The Committee on Municipal Corporations will meet tomorrow morning at 9:15 o'clock in Room 324.

There will be a meeting of the Committee on Education in Room 324, at 10:30 o'clock tomorrow morning.

A caucus of the Democratic members tomorrow morning at 9:30 o'clock.

A meeting of the Committee on State Government tomorrow morning at 10:00 o'clock.

There will be a public hearing on House Bills No. 36 and 25 on Wednesday, May 20, from 2:00 P. M. to 5:00 P. M. in the House caucus room.

The SPEAKER. The members are asked not to forget the tea that will be given tomorrow afternoon by the Governor and Mrs. Earle at the executive mansion, at 4:30, promptly.

ADJOURNMENT

Mr. ANTHONY. Mr. Speaker, I move that this House do now adjourn until 11:00 A. M.

The motion was agreed to, and (at 1:08 A. M.) the House adjourned until Tuesday, May 19, 1936, at 11:00 A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., TUESDAY, MAY 19, 1936. No. 9.

SENATE

TUESDAY, MAY 19, 1936

The Senate met at 2 o'clock P. M.

The President (Lieutenant-Governor Thomas Kennedy), in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

O Thou the Father of all mankind, Thy Son, before leaving His followers to face a troubled and hostile world, said unto them, "One is your Father, even God; and all ye are brethren." This proclamation falls upon our ears today, an echo from twenty centuries ago, yet plainly heard, and fraught with divine authority.

As our Father, we pray Thee to lead us and speak words of wise counsel unto us. Teach us the vital meaning of the Fatherhood of God and the brotherhood of man.

We make this petition, in behalf of these legislators and us all, in the name of our Elder Brother. Amen.

JOURNAL APPROVED

The President. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WOODWARD, the further reading was dispensed with, and the Journal was approved.

PETITION

FAVORING IMMEDIATE LEGISLATION ON FLOOD CONTROL

Mr. REED (Washington) presented a petition from the Council of the Borough of Donora, favoring immediate legislation covering the subject of flood control.

Which was referred to the Committee on Appropriations.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Thomas M. Constantin, 5847 Forbes St., Pittsburgh.

BERKS COUNTY

J. K. Brintzenhoff, Reading.
Miss Kathryn M. Rhoda, Reading.

BLAIR COUNTY

Miss M. Elizabeth Keagy, Altoona.

MERCER COUNTY

Alvin R. Isenberg, Sharon.
Mrs. Susan N. Scheu, Greenville.

SCHUYLKILL COUNTY

Levi F. McDonough, Pine Grove.

GEORGE H. EARLE.

MEMBER OF THE BOARD OF TRUSTEES OF THE PHILIPSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles Dimeling, of West Decatur, Clearfield County, for appointment as a member of the Board of Trustees of the Philipsburg State Hospital, vice Mrs. F. Blanche Cornely, of Madera, resigned, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

GEORGE H. EARLE.

MEMBERS OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. C. J. Bushnell, of Erie, Erie County, for appointment as a member of the State Board of Optometrical Examiners, vice Dr. R. W. Shepard, of Erie, resigned, for a term of four years to compute from the date of confirmation.

GEORGE H. EARLE.

MEMBER OF THE MILK CONTROL BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Howard

G. Eisaman, of East Springfield, Erie County, for appointment as a member of the Milk Control Board, vice Colonel James S. Pates, of Washington, who resigned effective May 20, 1936; Mr. Eisaman's appointment to terminate April 30, 1937.

GEORGE H. EARLE.

HOUSE MESSAGES

ADJOURNMENT OF PENDING TAX SALES IN CITY OF PITTSBURGH AND OTHER MUNICIPALITIES UNTIL LEGISLATION RELATIVE THERETO MAY BE ENACTED

The Clerk of the House of Representatives being introduced informed the Senate that the House had concurred in Resolution from the Senate as follows:

In the Senate, May 11, 1936.

Whereas, The authorities of the City of Pittsburgh and other municipalities throughout the Commonwealth of Pennsylvania are advertising or about to advertise tax sales, and have declined the requests of taxpayers to further postpone said tax sales until legislation can be enacted by the General Assembly for the relief of delinquent taxpayers; and

Whereas, The Allied Boards of Trade of Allegheny County, composed of forty-eight constituent community organizations, the Pittsburgh Real Estate Board, the Allegheny County Real Estate Owners and Taxpayers League, Pennsylvania Tax Justice League, and Pennsylvania Property Owners Association and similar organizations throughout the Commonwealth are in favor of the continuation of any such tax sales so as to enable the Legislature now in Special Session to enact appropriate legislation; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly hereby directs the attention of the public authorities of the City of Pittsburgh and the public authorities of other municipalities throughout the entire Commonwealth of Pennsylvania to the fact that, pursuant to the Governor's call, bills are now before the General Assembly authorizing the abatement of penalties and interest on municipal and other local taxes permitting the payment of such delinquent taxes by installments and therefore urges the public authorities of the City of Pittsburgh and all other municipalities in the Commonwealth to adjourn any tax sale which, under existing law, such authorities have authorized to be held during the months of May and June, one thousand nine hundred thirty-six, until legislation may be enacted relative to the abatement of tax penalties and interest

Resolved, That a copy of this resolution be forthwith transmitted by the Chief Clerk of this Senate to the mayor and to the city council of the City of Pittsburgh.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 19 (Senate Bill No. 28), entitled:

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled "Corporate Net Income Tax Act," by increasing the rate of tax for a limited period of time.

Which was committed to the Committee on Finance.

House Bill No. 22 (Senate Bill No. 29), entitled:

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board.

Which was committed to the Committee on Finance.

House Bill No. 27 (Senate Bill No. 30), entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled "State Personal Property Tax Act," by increasing the rate of tax; removing certain exemptions; changing the listing date, the date of filing reports, and the date and manner of payment of the tax; and making further provision with regard to penalties.

Which was committed to the Committee on Finance.

House Bill No. 43 (Senate Bill No. 31), entitled:

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," by increasing the rate of tax.

Which was committed to the Committee on Finance.

House Bill No. 47 (Senate Bill No. 32), entitled:

An Act to amend section one of the act, approved the sixteenth day of May, one thousand nine hundred and thirty-five (P. L. 176), entitled "An act requiring cities of the second and third class to allow members of the police departments, twenty-four consecutive hours of rest each week, and fourteen days vacation each year, except in emergency cases," by extending the provisions thereof to cities of the second class A.

Which was committed to the Committee on Municipal Government.

House Bill No. 29 (Senate Bill No. 33), entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled May fourth, Anno Domini one thousand nine hundred thirty-six, in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh, Anno Domini one thousand nine hundred thirty-six.

Which was committed to the Committee on Appropriations.

House Bill No. 39 (Senate Bill No. 34), entitled:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing, the Signing, the Ratification by Pennsylvania, and the Final Adoption and Promulgation, of the Constitution of the United States, to be held at Philadelphia, and elsewhere, on the fifteenth, sixteenth and seventeenth days of September, one thousand nine hundred thirty-seven, and subsequent anniversary dates, in connection therewith; and making an appropriation.

Which was committed to the Committee on Federal Relations.

House Bill No. 40 (Senate Bill No. 35), entitled:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement, the First Courts of Law, and the First Capital within what is now Pennsylvania, and making an appropriation.

Which was committed to the Committee on Federal Relations.

House Bill No. 41 (Senate Bill No. 36), entitled:

An Act to amend section five of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled "Corporate Net Income Tax Act," by making further provisions relative to the filing of consolidated reports.

Which was committed to the Committee on Finance.

House Bill No. 45 (Senate Bill No. 37), entitled:

An Act validating certain proceedings and elections of political sub-divisions had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65), entitled "Municipal Indebtedness Law," and the amendments and supplements thereto, and validating bonds issued or authorized to b eissued in pursuance of such proceedings and elections.

Which was committed to the Committee on Judiciary General.

House Bill No. 54 (Senate Bill No. 38), entitled:

A Supplement to Act No. 57-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Act of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance," making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

Which was committed to the Committee on Appropriations.

House Bill No. 49 (Senate Bill No. 39), entitled:

An Act to amend sections four and five of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisors and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended," by providing for the payment to newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium.

Which was committed to the Committee on State Government.

House Bill No. 50 (Senate Bill No. 40), entitled:

A Supplement to the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one), entitled "An Act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of board of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended," making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

Which was committed to the Committee on Appropriations.

House Bill No. 55 (Senate Bill No. 41), entitled:

An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry, and its existing and newly created agencies; requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment, and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties.

Which was committed to the Committee on Insurance.

House Bill No. 56 (Senate Bill No. 42), entitled:

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from anthracite coal mines which have been flooded, directly or indirectly, by the high waters during March, one thousand nine hundred thirty-six.

Which was committed to the Committee on Appropriations.

House Bill No. 26 (Senate Bill No. 43), entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (Pamphlet Laws, six hundred forty), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies, the powers and privileges of companies incorporated under the provision of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by increasing the rate of tax for a limited period of time, and by further modifying the method of computing the tax.

Which was committed to the Committee on Finance.

House Bill No. 28 (Senate Bill No. 44), entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred and ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by increasing the rate of tax.

Which was committed to the Committee on Finance

TIME OF NEXT MEETING

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 19, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May 25, at nine o'clock Eastern Standard Time, and when the House of Representatives

adjourns this week it reconvene on Monday evening, May 25, at nine o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. EALY. Mr. President, I move that the Senate do now take a recess until four o'clock this afternoon.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

RECESS

Mr. GELDER. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. EALY, from the Committee on Appropriations, reported as amended, Senate Bill No. 22 (House Bill No. 14), entitled:

An Act ratifying, confirming and validating the transfer of money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

Mr. COYNE, from the Committee on Executive Nominations, reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Margaret M. Gallagher, 720 Grant Bldg., Pittsburgh.
Leroy E. Uhrich, 1001 Muriel St., Pittsburgh.
Mrs. Ann H. Walker, 1225 Brighton Rd., Pittsburgh.

BEAVER COUNTY

Mrs. Gladys A. Fitch, Aliquippa.

BERKS COUNTY

Miss M. Mildred Matthew, Reading.
Mrs. Esther R. Yeager, Birdsboro.

CLARION COUNTY

Mrs. Mildred J. Stahlman, New Bethlehem.

LEHIGH COUNTY

Alois E. Hettinger, Allentown.

MERCER COUNTY

Mrs. Nellie W. Mitchell, Grove City.

MONTGOMERY COUNTY

Mrs. Rose V. Valero, Norristown.

PHILADELPHIA COUNTY

G. B. Rementer, 709 Finance Bldg., Philadelphia.

SOMERSET COUNTY

Mrs. Vera Paul, Paint.

WESTMORELAND COUNTY

Joseph M. Cribbs, Derry.
Louis W. Remaley, Export.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Blanche E. Dils, Oliver Bldg., Pittsburgh.
Miss D. Virginia Lewis, Law and Finance Bldg., Pittsburgh.

DELAWARE COUNTY

Miss Frances E. Carlisle, Darby.
Miss Rena B. Van Zandt, Chester.

LACKAWANNA COUNTY

Miss Jane E. Clark, Scranton.

PHILADELPHIA COUNTY

John W. Armstrong, Jr., 4233 Germantown Ave., Philadelphia.

WESTMORELAND COUNTY

Miss Elizabeth H. Miller, Greensburg.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 12, 1936.

To the Honorable, the State of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BEDFORD COUNTY

Miss Sara McLaughlin, Bedford.

BERKS COUNTY

Miss Anna V. Albrecht, Reading.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the

Governor to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pyrko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,
Bennett,	Hunsicker,	Reed,	Sordoni,
Buckman,	Kahle,	(Dauphin)	Staudenmeier,
Cavalcante,	Lanius,	Reed,	Thompson,
Chapman,	Law,	(Washington)	(Centre)
Coyne,	Mallery,	Rice,	Thompson,
Daly,	McClure,	Roberts,	(Westmoreland)
Frey,	McCreesh,	Rodgers,	Trainer,
Gelder,	McGinnis,	Rupp,	Woodward,
Graff,	Miller,	Ruth,	Ziesenheim,
Harris,	Owlett,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEE

Mr. COYNE, from the Committee on Federal Relations, reported as committed, Senate Bill No. 34 (House Bill No. 39), entitled:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing the Signing the Ratification by Pennsylvania and the Final Adoption and Promulgation of the Constitution of the United States to be held at Philadelphia and elsewhere on the fifteenth sixteenth and seventeenth days of September one thousand nine hundred thirty-seven and subsequent anniversary dates in connection therewith and making an appropriation.

Mr. BUCKMAN, from the Committee on Federal Relations, reported as committed, the following resolution, which was laid on the table:

MEMORALIZING CONGRESS TO ENACT LEGISLATION TO PROHIBIT FEDERAL EMPLOYES FROM ENGAGING IN POLITICS

In the Senate, May 18, 1936.

Whereas, Many allegations are being made in the press that Federal employes are actively engaging in politics through political clubs, by canvassing, and soliciting voters, and by acting as watchers at the polls; and

Whereas, All persons employed by the Works Progress Administration are Federal employes who have been given work because they are without means of support, and should not be required to surrender their political freedom in order to secure this type of work; and

Whereas, The Honorable John B. Kelley, Secretary of Revenue of the Commonwealth of Pennsylvania, is quoted, by the Philadelphia Evening Bulletin of April 29, 1936, in commenting on the victory of Congressman Michael Stack in his fight for renomination, as having said:

> "Added to this, he got 1200 WPA jobs for his people in the last two months. We didn't know he was going to free lance it until he had a good start on us."

Whereas, This reputed statement implies that these 1200 WPA workers were used for political purposes; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania respectfully memorialize Congress of the United States to enact legislation, as soon as may be, prohibiting Federal employes, who are working on United States relief projects, from engaging in politics or being used for political purposes, and prohibiting them from being members of political clubs or from canvassing or soliciting voters or acting as watchers at election polls;

Resolved, That a copy of this resolution be transmitted to the Senate and to the House of Representatives of the United States by the Chief Clerk of the Senate.

MOTION TO PRINT RESOLUTION

Mr. SHAPIRO. Mr. President, I move that the ARON resolution, just reported from Committee, be printed.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. GELDER, from the Committee on Appropriations, reported as committed, Senate Bill No. 33 (House Bill No. 29), entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled May fourth Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh Anno Domini one thousand nine hundred thirty-six.

Mr. RUPP, from the Committee on Federal Relations, reported as committed, Senate Bill No. 35 (House Bill No. 40), entitled:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement, the First Courts of Law, and the First Capital within what is now Pennsylvania, and making an appropriation.

With the recommendation that the request that the bill be recommitted to the Committee on Appropriations.

The PRESIDENT. The bill is recommitted to the committee on Appropriations.

Mr. LAW, from the Committee on Federal Relations, reported as committed, the following resolutions:

JOINT COMMITTEE TO URGE THE IMMEDIATE ADOPTION BY THE PRESIDENT AND CONGRESS OF ADEQUATE FEDERAL FLOOD CONTROL MEASURES

In the House of Representatives, May 5, 1936.

Whereas, The recent floods in this Commonwealth and elsewhere brought loss of life and resulted in damage to public and private property, running into millions of dollars; and

Whereas, The adequate flood control measures are urgently needed, and cannot be wholly financed by the states and their local subdivisions; and

Whereas, Such problems are in many cases not local, but of an interstate character; therefore be it

Resolved, (if the Senate concur), That a joint legislative committee be created, composed of two members of the Senate appointed by the President Pro Tempore of the

Senate, and three Members of the House of Representatives appointed by the Speaker of the House, whose duty it shall be to personally urge upon the President and Congress of the United States the necessity of the immediate adoption of adequate Federal flood control measures, designed to eliminate future floods in this Commonwealth and elsewhere;

Resolved, That said committee shall make report to the General Assembly during its session convening May fourth, one thousand nine hundred and thirty-six.

Mr. LAW. Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question.

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

MOTION TO TRANSMIT HOUSE RESOLUTION NO. 1, RELATIVE TO FEDERAL FLOOD CONTROL MEASURES, TO THE GOVERNOR FOR APPROVAL AND SIGNATURE

The PRESIDENT. There is a parliamentary question raised with respect to this resolution, and the question is, whether or not the Senate deems it advisable that the resolution should go to the Governor for his signature. What is the pleasure of the Senate?

Mr. BUCKMAN. Mr. President, I move that the resolution be submitted to the Governor for his approval and signature.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

RESOLUTION RELATIVE TO REPORTING BILLS FROM THE COMMITTEE ON APPROPRIATIONS

Mr. HARRIS offered the following resolution which was twice read considered and agreed to:

Whereas, Thousand of bills appropriating millions of dollars of the people's money have been reported out of the Senate Appropriations Committee, without a meeting of this Committee, and this practice has continued to grow; therefore be it

Resolved, That the Committee on Appropriations be informed that the members of the Senate respectfully request that no appropriation bills be reported out of the Committee on Appropriations without the approval of the Committee or in accordance with the rules of said Committee.

Mr. HARRIS. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. GELDER. Mr. President, for the purpose of giving the Committee on Appropriations an opportunity to study the resolution, I object.

The PRESIDENT. The Chair hears objection. The resolution will be referred to the Committee on Appropriations.

MOTION TO READ BILLS THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 22 (House Bill No. 14), entitled:

An Act ratifying, confirming and validating the transfer of money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 33, (House Bill No. 29), entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled May fourth Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh Anno Domini one thousand nine hundred thirty-six.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 34 (House Bill No. 39), entitled:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing the Signing the Ratification by Pennsylvania and the Final Adoption and Promulgation of the Constitution of the United States to be held at Philadelphia and elsewhere on the fifteenth sixteenth and seventeenth days of September one thousand nine hundred thirty-seven and subsequent anniversary dates in connection therewith and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ERRATA

Page 82, column 2, strike out lines 4 to 19, both inclusive;

Page 85, column 2, after line 19, insert the following:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Commissioners of Deeds, for the term of five years to compute from the dates set opposite their names respectively:

Hamilton, Robert Willoughby, Dowra, Irish Free State, October 2, 1935.

Fazl, Abul, Kapurthala, India, from March 16, 1936.

Campbell, Miss Elizabeth B., Cape May, New Jersey, from March 27, 1936.

Page 123, column 1, line 9, strike out the word "township" and insert the word "Pinchot"; line 16, strike out the word "township" and insert the word "Pinchot"; line 17, strike out the word "hills" and insert the word "mills"; line 23,

strike out "not" and insert the word "also"; line 30, strike out "in" and insert the word "and"; line 35, strike out the words "the last we heard" and insert in lieu thereof the words "in the last six years of"; line 40, strike out the word "fourteen" and insert in lieu thereof the word "forty"; line 44, strike out the word "spend" and insert "spent"; line 54, strike out "mills" and insert "wheels". Column 2, line 16, strike out the word "soul" and insert in lieu thereof the word "sole".

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10:30 o'clock, Eastern Standard Time.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:34 P. M. until Wednesday, May 20, 1936, at 10:30 o'clock, A. M.

HOUSE OF REPRESENTATIVES

TUESDAY, May, 19, 1936

The House met at 11:00 A. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Rev. Marshall L. Shepard, a member of the House offered the following prayer:

Oh, God, our Heavenly Father, the Creator and Sustainer of our lives, the Giver of every true and perfect gift, with grateful hearts we approach Thy throne of grace and ask forgiveness for all our sins and shortcomings. Restore unto us the joy of Thy salvation. We pray Thy blessing upon the Governor of this Commonwealth, the Speaker and members of this House according to our several needs.

Grant, we pray Thee, a double portion of Thy Spirit that we may faithfully discharge the duties of this day's session. May we know that Thou art with us in all that we shall do and say. These and all other blessings we ask through Jesus Christ, our Lord, and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. SUMNEY, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. ANDREWS. HOUSE BILL No. 80.

An Act imposing a State excise tax for the privilege of using the highways of the Commonwealth, upon persons, copartnerships, associations and corporations, operating commercial motor vehicles as common carriers upon such highways; requiring the securing of permits and the making of reports; conferring powers and imposing duties on the Department of Revenue and on prothonotaries; prescribing the method and manner of collecting the tax; and prescribing penalties.

Referred to the Committee on Highways.

By Mr. EBERHARTER. HOUSE BILL No. 81.

An Act to amend section one of the act, approved the twenty-fifth day of April, one thousand nine hundred and thirty-five (P. L. 82), entitled "An act requiring certain cities to allow members of the fire department twenty-four consecutive hours of rest each week and fourteen days vacation each year, except in emergency cases," by providing that the provisions of said act shall be mandatory; and prohibiting any diminution of salary or compensation.

Referred to the Committee on Cities.

By Mr. EBERHARTER. HOUSE BILL No. 82.

An Act to amend section one of the act, approved the thirtieth day of March, one thousand nine hundred and fifteen (P. L. 34), entitled "An act to promote the health and efficiency of firemen, in cities of the second class, by providing for a two-platoon system for firemen in the department of public safety of such cities," as amended, by changing the hours of the day and night shifts.

Referred to the Committee on Cities.

By Mr. SHAW. HOUSE BILL No. 83.

An Act relating to the keeping of animals and birds, wild by nature, in captivity upon any street or highway, or upon land adjoining any street or highway, or in the vicinity of any commercial establishment for the evident purpose of attracting trade; preventing cruel, improper and inhuman treatment of such animals and birds, and protecting the public from injuries thereby; providing for the granting of permits for roadside menageries, as herein defined; conferring powers and imposing duties on the Board of Game Commissioners; and prescribing penalties.

Referred to the Committee on Game.

By Mr. WITKIN. HOUSE BILL No. 84.

An Act to safeguard from political coercion, persons employed or entitled to be employed under the Federal Works Progress Administration or similar Federal agency providing work relief, and to prevent political promises in return for work relef; and prescribing penalties.

Referred to the Committee on Judiciary General.

By Mr. WITKIN. HOUSE BILL No. 85.

An Act to safeguard persons receiving or entitled to public relief from political coercion and to prevent political promises in return for public relief; and prescribing penalties.

Referred to the Committee on Judiciary General.

By Mr. HOLLAND. HOUSE BILL No. 86.

An Act imposing and providing for the collection of a tax for State purposes on all labor saving machinery as herein defined; conferring powers and imposing duties on the Department of Revenue and on the Department of Labor and Industry; and prescribing penalties.

Referred to the Committee on Ways and Means.

By Mr. SHREINER. HOUSE BILL No. 87.

An Act imposing and providing for the collection of a tax for State purposes on peddlers of new or used automobile parts or accessories, who do not pay a mercantile license tax; requiring such peddlers to secure permits; and prescribing penalties.

Referred to the Committee on Ways and Means.

By Mr. OMINSKY. HOUSE BILL No. 88.

An Act imposing and providing for the collection of a tax for State purposes on the gross receipts of persons, copartnerships, associations and corporations derived from the business of supplying water, electric current, and natural or artificial gas for domestic and industrial purposes.

Referred to the Committee on Ways and Means.

By Mr. WASSERMAN. HOUSE BILL No. 89.

An Act to amend sections one and three as amended, sections four, six, seven, eight, nine, ten and eleven, sections thirteen and fourteen as amended, and section eighteen of, to add sections three A, twelve A, and twelve B to, and to repeal sections two, fifteen, and sixteen of the act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties, "by vesting the duties of the State Supervisor in the Department of Welfare; providing for cooperation by the Department of Welfare with the Social Security Board of the United States in the administration of assistance to dependent children extending the provisions of the act to dependent children in the custody of certain relatives; providing for the allocation of Federal and State moneys for such assistance and for administration purposes; imposing duties on the State Treasurer; providing for appeals in certain cases; and requiring counties to appropriate moneys.

Referred to the Committee on Pensions and Gratuities.

By Mr. SCHROPE. HOUSE BILL No. 90.

An Act making a deficiency appropriation to the Department of Welfare for the use of the Ashland State Hospital.

Referred to the Committee on Appropriations.

By Mr. STOCKMAN. HOUSE BILL No. 91.

An Act making an appropriation to the Department of Forest and Waters for the purpose of building and constructing new dikes, levees and river bank protections along the Delaware River at Morrisville Borough, Bucks County.

Referred to the Committee on Appropriations.

By Mr. McCREARY. HOUSE BILL No. 92.

An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; conferring powers and imposing duties on certain county and city officers and on the State Department of Revenue and fixing penalties.

Referred to the Committee on Ways and Means.

By Messrs. SOWERS, BEADMAN, and ROBERT S. HAMILTON. HOUSE BILL No. 93.

An Act to aid economic recovery, promote the general welfare and happiness of the Commonwealth, relieving persons of fear and worry of old age and their inability to support and maintain themselves and establishing more purchasing power among the people and causing better distribution of products for human consumption and preventing the waste thereof and providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this Act by the Department of Welfare and trustees who administer Mothers' Assistance in several counties and other Boards appointed by the Governor providing for the appointment of a State Supervisor and necessary assistants' and prescribing his and their powers and duties and imposing duties and liabilities upon the Department of Welfare and the persons administering this Act authtorizing the appointment of trustees for certain persons providing for the allocation of Federal and State moneys for such assistance and for administration purposes imposing duties on the State Treasurer imposing certain costs upon counties providing for the recovery of amounts expended for assistance in certain cases and distribution thereof granting those administering the Act power to administer oaths and providing for offenses and penalties.

Referred to the Committee on Pensions and Gratuities.

By Mr. MORAN. HOUSE BILL No. 94.

An Act imposing and providing for the collection of a tax for State purposes on all telephone instruments, as herein defined, used in this Commonwealth; and prescribing penalties.

Referred to the Committee on Ways and Means.

By Mr. ACHTERMAN. HOUSE BILL No. 95.

An Act to further amend section four of the act, approved the thirtieth day of June, one thousand eight hundred eighty-five (P. L. 193), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh of June, one thousand eight hundred and seventy-nine," by requiring all corporations incorporated by or under the laws of any other State, or of the United States, and doing business in this Commonwealth to designate a resident treasurer for certain purposes.

Referred to the Committee on Ways and Means.

RESOLUTION INTRODUCED AND REFERRED

By Mr. McCREARY. (Concurrent Resolution No. 13.

In the House of Representatives, May 18, 1936.

Whereas, The Pennsylvania Legislature has been called to meet in Extraordinary Session at an estimated cost to taxpayers of $365,000 for the almost exclusive purpose of raising nine to eleven million dollars for appropriation to the State Emergency Relief Board for unemployment relief until July first next, and an additional sum of fifty to sixty million dollars to carry on until January first, 1937; and

Whereas, The question of the necessity of raising this money is not debatable, It Must Be Done; and

Whereas, There appears to be but three ways of producing this required amount of money, i.e., by reducing present operating costs of State and local governments, by increasing taxes, and by borrowing from State funds dedicated to special purposes; and

Whereas, Borrowing is but putting off the evil day when money must be had to repay the loan, and our citizens, already burdened with heavy taxation, clamor against the imposition of new taxes; and

Whereas, There is a great disparity between the salaries received by many officers and employes of the State and its political subdivisions, as compared with the salaries and wages of many taxpayers of the State for similar services, and a reasonable reduction in the salaries of these officers and employes would work no hardship as compared with the hardships of the unemployed; and

Whereas, An equalization of compensation between taxpayers and those who are paid out of tax funds is bound to come sooner or later; therefore be it

Resolved, (if the Senate concur), That the General Assembly proposes to obtain at least a part of the money needed for unemployment relief by a 20% reudction of the salaries of all State and local officers and employes receiving more than $1,800 per year, effective forthwith in so far as permitted by the Constitution and made possible through the cooperation of elected officers, and to divert the moneys thus saved to unemployment relief by State and local agencies; and be it further

Resolved, That the Auditor General, the Budget Secretary and the Secretary of Internal Affairs are hereby requested, at as early a date as possible, to furnish to the Ways and Means Committee of the House of Representatives, information as to the number and amounts of salaries of all elected and appointed officers and employes of the Commonwealth and of its political subdivisions who receive more than $1,800 per year, together with an estimate of the amount of revenue that could be made available for unemployment relief by a 20% reduction in such salaries, and such other information available from the records of such officers as may be requested by the Chairman of said Committee.

Referred to the Committee on Ways and Means.

REPORTS FROM COMMITTEES

Mr. JOHN J. BAKER, from the Committee on State Government, reported as committed, House Bill No. 52, entitled:

An act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth, under certain conditions, in lieu of the redemption thereof; and defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the duly authorized loan and transfer agent of the Commonwealth in relation thereto.

Mr. JOHN J. BAKER, from the Committee on State Government, reported as committed, House Bill No. 66, entitled:

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions, eliminating fire and other hazards to safety at State institutions, providing for the purchase of safety and other equipment, the erection and construction of new buildings, and repairs, alterations and additions to, and replacement of, existing buildings and equipment.

Mr. FITCH, from the Committee on State Government, reported as committed, House Bill No. 53, entitled:

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania, Series "D", for the purpose of refunding, redeeming and retiring said Series "D" authorizing the exchange of bonds of said Series "D" for those issued hereunder; defining the powers and duties of the Governor, the Auditor General and the State Treasurer, in relation thereto; providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

Mr. MOOMAW, from the Committee on State Government, reported as committed, House Bill No. 73, entitled:

An Act to enable persons, associations, partnerships, and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or description; providing for bonds with confessions of judgments; regulating the assignment and release of such mortgages; and designating the operation and effect of the lien of such mortgages.

Mr. COAKLEY, from the Committee on Municipal Corporations, reported as committed, Senate Resolution, Serial No. 104.

SENATE MESSAGE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate which was read as follows:

In the Senate, May 11, 1936.

Whereas, The authorities of the City of Pittsburgh and other municipalities throughout the Commonwealth of Pennsylvania are advertising or about to advertise tax sales, and have declined the requests of taxpayers to further postpone said tax sales until legislation can be enacted by the General Assembly for the relief of delinquent taxpayers; and

Whereas, The Allied Boards of Trade of Allegheny County, composed of forty-eight constituent community organizations, the Pittsburgh Real Estate Board, the Allegheny County Real Estate Owners and Taxpayers League, Pennsylvania Tax Justice League, and Pennsylvania Property Owners Association and similar organizations throughout the Commonwealth are in favor of the continuation of any such tax sales so as to enable the Legislature now in Special Session to enact appropriate legislation; therefore be it

Resolved, (if the House of Representatives concur), That the General Assembly hereby directs the attention of the public authorities of the City of Pittsburgh and the public authorities of other municipalities throughout the entire Commonwealth of Pennsylvania to the fact that, pursuant to the Governor's call, bills are now before the General Assembly authorizing the abatement of penalties and interest on municipal and other local taxes permitting the payment of such delinquent taxes by installments and therefore urges the public authorities of the City of Pittsburgh and all other municipalities in the Commonwealth to adjourn any tax sale which, under existing law, such authorities have authorized to be held during the months of May and June, one thousand nine hundred thirty-six, until legislation may be enacted relative to the abatement of tax penalties and interest.

Resolved, That a copy of this resolution be forthwith transmitted by the Chief Clerk of this Senate to the mayor and to the city council of the City of Pittsburgh.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVE GRANTED COMMITTEE TO MEET DURING SESSION OF HOUSE

Mr. BROWNFIELD asked and obtained permission for the Committee on Education to meet during the session of the House.

RESOLUTION NO. 9 TAKEN FROM TABLE

Mr. BURKE. Mr Speaker, I move that Resolution No. 9, Printer's No. 50 which was laid upon the table be taken from the table.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 13, 1936.

Whereas Under House Resolution Number one hundred ten Serial number one hundred forty-two Printer's number five hundred two a joint Committee to Investigate the Distribution of Public Relief throughout the Commonwealth was duly appointed at the last regular session of this General Assembly and

Whereas In compliance with the said joint resolution three members of the Senate and three members of the House were appointd to the said Joint Committee and

Whereas The said Joint Committee held certain meetings and directed certain investigations and

Whereas Three members of the Joint Committee signed a report of the Committee and

Whereas One of the three members of the Joint Committee signing the said report presented the report to the House of Representatives on Wednesday May sixth one thousand nine hundred thirty-six and

Whereas All of the members of the Joint Committee were not given a reasonable and fair opportunity to review the findings contained in the report before the report was submitted to the House of Representatives and

Whereas The report was released to the newspapers prior to the submission to the House of Representatives therefore be it

Resolved That the House of Representatives disavows the highly unethical procedure associated with the submission of the said report and deems the said procedure as an unbecoming attempt to form a partisan and distorted view of a great humane problem confronting our people

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring.

Will the House adopt the resolution?

Mr. BURKE. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend as follows: Page 2, line 2, at the beginning of the line before the word "procedure" strike out the words "highly unethical."

Page 2, line 3, after the word "report" strike out the balance of the line and all of lines four and five.

On the question,

Will the House agree to the amendments?

QUESTION OF INFORMATION

Mr. WITKIN. Mr. Speaker, may I arise to a question of information?

Mr. SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. WITKIN. We are voting on the amendments now, Mr. Speaker?

The SPEAKER. That is correct

On the question recurring,

Will the House agree to the amendments?

They were agreed to

On the question,

Will the House adopt the resolution as amended?

Mr. HORST. Mr. Speaker and members of the House, in a statement made before this House last evening, it was pointed out that the procedure that this committee followed was not in order. I appeal, therefore, to the members of this House, out of fairness, to vote "no" on this resolution, and I ask, Mr. Speaker, for a roll call

Mr. BURKE. Mr. Speaker and members of the House, this is the first opportunity I have had of rebutting the statements that were made subsequent to my remarks on the resolution.

I wish to tell the members of this House that I misstated no facts, and I wish to say that at the meeting at which the two investigators were employed, I was not present. The minutes of the committee will disclose that fact and the correspondence with the chairman will reveal a letter which I sent to him objecting to the disposition that was made of the question of employing investigators.

I wish to advise the members that the Democratic members of that committee—

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, the gentleman has no right to divulge that which took place in committee nor the votes of the members of a committee nor anything pertaining to that which was conducted in committee.

Mr. SPEAKER. The Chair ruled on this point of order last night. This is an instance where the proceedings of the committee have been reported to the House and is, therefore, a proper subject of debate. (Jefferson's Manual, Section 353—Hind's Precedents, Volume V, pp. 5080-5083.) The point of order is not well taken. The gentleman will proceed.

Mr. BURKE. Mr. Speaker, as I was saying when I was interrupted, it was always the intention of the Democratic members of that committee to submit a report and we intended so to do before Mr. Witkin advised us of our rights.

I ask the members of this House to vote "aye" on this resolution, so that all discussions of the committee may be considered privileged or at least privileged to the members of the House so that in future all matters of a confidential nature will be discussed at least with the House before they are released to the newspapers.

On the question recurring.

Will the House adopt the resolution as amended?

The yeas and nays were required by Mr. HORST and Mr. BURKE.

YEAS.—114.

Achterman,	Dilley,	Kobelak,	Robinson,
Alexander,	Downey, G. E.,	LaRue,	Ruffennach,
Allen,	Downey, J. J.,	Long,	Sarraf,
Andrews,	Eberharter,	Lovett,	Scanlon,
Anthony,	Eroe,	Lynch,	Schaeffer,
Arnold,	Falkenstein,	Male,	Schrope,
Aukerman,	Ferko,	McDermott,	Schwab,
Baine,	Finnerty,	McElroy,	Shaw,
Baker, J. J.,	Fitch,	McHenry,	Shepard,
Barber,	Flanagan,	Melchiorre,	Shugarts,
Bradley,	Flinchbaugh,	Mentzer,	Siegel,
Brancato,	Gerard,	Moomaw,	Simon,
Brown, H. S.,	Haberlen,	Mooney,	Sinwell,
Brown, J. E.,	Hagerty,	Moran,	Smith, J. A.,
Brownfield,	Haluska,	Moul,	Smith, W. G.,
Brumbaugh,	Hamilton, F. P.,	Munley,	Stank,
Burke,	Harkins,	Murrin,	Stevens,
Cannon,	Harmuth,	Nagel,	Stone,
Caputo,	Hartman,	O'Keefe,	Sumney,
Carson,	Hetrick,	Ominsky,	Tumelty,
Chervenak,	Hindman,	O'Neill,	VanSickle,
Coakley,	Hirsch,	Patterson, C.,	Weiss,
Cochran,	Holland,	Patterson, J. W.,	Welliver,
Cohen,	Holstrom,	Pfaff,	Welsh,
Coleman,	Kelso,	Piole,	Westrick,
Coolahan,	Kilroy,	Powers,	Yourishin,
Dent,	Kinney,	Reising,	Zappala,
Diehl,	Klingler,	Rinn,	Furman, Speaker

NAYS.—71.

Altenburg,	Gates,	Nothnagle,	Stockham,
Atkins,	Gillette,	Parks,	Stott,
Baker, F. T.,	Greenstein,	Perry,	Surface,
Barnhardt,	Habbyshaw,	Peters,	Sweeney,
Beadman,	Hermansen,	Phillips,	Tahl,
Bernhard,	Hoffner,	Rhys,	Terry,
Blumberg,	Hoopes,	Roan,	Turner,
Boose,	Horst,	Rooney,	Van Allsburg,
Boyd, R.,	Kelder,	Schrock,	Wall,
Boyer,	Kenney,	Serrill,	Wasserman,
Brennan,	Longaker,	Shortz,	Weidemann,
Carr,	Mallen,	Shreiner,	White,
Castor,	Mason,	Simpson,	Wickersham,

Condon,	McCreary,	Sloan,	Winner,
Cooper,	McDevitt,	Snyder, F. E.,	Witkin,
Davies,	McKinney,	Snyder, J. L.,	Wood,
Decker,	Merrell,	Sowers,	Woodside,
Flynn,	Moore,	Sproul,	Yeakel,
Forrest,	Muir,	Stewart,	Zimmerman,

So the question was determined in the affirmative and the resolution as amended was adopted.

RESOLUTION NO. 6

Mr. JOHN E. BROWN. Mr. Speaker, I desire to call up at this time Resolution No. 6, Printer's No. 48.

The resolution was read by the Clerk as follows:

In the House of Representatives May 13, 1936.

Whereas The Supreme Court has held that it is the duty of the Commonwealth to care for unemployed persons who are without means of support but no such duty exists with respect to those which have such means and who are not eligible for poor relief and

Whereas It appears that many married women are employed in the administration of unemployment relief who are not in need of employment and yet are paid from moneys appropriated for unemployment relief and

Whereas The true purposes of the appropriation for unemployment relief will be accomplished by employing in administrative work those competent persons who are in need of employment and relief aid and who can appreciate the necessities and select the cases entitled to aid therefore be it

Resolved That it is the sense of the House of Representatives that all married women employed by the State Emergency Relief Board who are not in need of employment be replaced by the employment of competent persons residents of this Commonwealth who are without employment and in need of work

Resolved That a copy of this resolution be transmitted to the Executive Director of the State Emergency Relief Board by the Chief Clerk of this House

On the question,

Will the House adopt the resolution?

It was adopted.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 32, entitled

An Act making an appropriation to the Trustees of the Connellsville State Hospital at Connellsville Pennsylvania for the erection and equipment of a laundry and the erection of an ambulance garage

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-five thousand dollars ($45,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Connellsville State Hospital at Connellsville Pennsylvania for the erection and equipment of a laundry and the erection of a garage for the ambulance at the Connellsville State Hospital at Connellsville Pennsylvania

On the question,

Will the House agree to the section?

Mr. WELSH. Mr. Speaker. I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 1, lines 6 and 7, by striking out the words "Trustees of the Connellsville State Hospital at Connellsville, Pennsylvania," and inserting in lieu thereof: Department of Property and Supplies

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act making an appropriation to the Trustees of the Connellsville State Hospital at Connellsville Pennsylvania for the erection and equipment of a laundry and the erection of an ambulance garage.

On the question,

Will the House agree to the title?

Mr. WELSH. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Title, page 1, lines 1 and 2 of title, by striking out the words "Trustees of the Connellsville State Hospital at Connellsville, Pennsylvania," and inserting in lieu thereof: "Department of Property and Supplies"

Amend Title, page 1, last line of title, by inserting after the word "garage" the following: "at the Connellsville State Hospital"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 71, as follows:

An Act providing for the appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof declaring void certain condemnations and appropriations of waters by municipalities corporations copartnerships or persons providing for the ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities corporations copartnerships or persons and appeals therefrom conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto providing for future condemnations and appropriations of waters by municipalities corporations copartnerships or persons and compensation therefor and conferring powers and imposing duties upon the Water and Power Resources Board

Whereas An adequate supply of water is a matter of primary concern affecting the life health and comfort of the people of this Commonwealth and the supervision and equitable allocation thereof is an essential part of the police power of the State which no Legislature could rightfully impair or barter away and

Whereas All of the flowing water of the State by right belongs to the State in trust for the benefit of all of the people thereof and all uses of such flowing water must be regarded as subject to this sovereign right and

Whereas The increase of the population of the State makes it necessary that the available supply of water be

apportioned equitably and allocated for the best interests of all concerned

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all of the water of this Commonwealth now unappropriated by any municipality corporation copartnership or person is hereby declared to be appropriated to the Commonwealth, for the benefit of all of the people of this Commonwealth subject only to such existing rights and uses as may now be lawful and no municipality corporation copartnership or person whether heretofore or hereafter created or which may now possess the right to take condemn and appropriate by eminent domain the waters of this Commonwealth shall hereafter take condemn or appropriate any water except as provided in this act

Section 2 Any condemnation or appropriation of waters heretofore made by any municipality corporation copartnership or person heretofore authorized to condemn water which appropriation has not been followed by an actual taking thereof heretofore or within a period of two (2) years after the effective date of this act is hereby declared null and void and of no effect

Section 3 No condemnation or appropriation of water heretofore made under the power of eminent domain claimed by any municipality corporation copartnership or person authorized to condemn and appropriate water shall be valid or binding unless within six (6) months after the date of approval of this act said municipality corporation copartnershp or person shall produce the record upon which such appropriation or condemnation is founded or prove to the satisfaction of the Water and Power Resources Board that such condemnation was lawfully made in accordance with law at the time said condemnation and appropriation was made and shall thereafter file a transcript or certificate of the resolution or record upon which said condemnation or appropriation is claimed duly acknowledged by the secretary and president of the municipality corporation copartnership or person in the office of the recorder of deeds of the county or the several counties as the case may be in which the water claimed to have been appropriated flows Any party aggrieved by a decision of the Water and Power Resources Board may within sixty (60) days appeal therefrom to the Court of Common Pleas of Dauphin County and the taking of such appeal shall operate as a supersedeas

Section 4 Hereafter no condemnation or appropriation of streams or the waters thereof for water supply shall be made by any municipality corporation copartnership or person possessing the power of eminent domain except as follows

Municipalities corporations copartnerships or persons desiring additional water supply for present and future needs shall first make application to the Water and Power Resources Board for leave to appropriate or acquire the designated waters of the State setting forth

1 The present source or sources from which water is now taken listing the streams and the quantity of water appropriated therefrom designating as near as may be the point or points from which water is taken or used and the amounts of water stored

2 The necessity for such new or additional source of supply and the river stream or other body of water from which it is proposed to be taken

3 The location and the population needing the supply

4 The amount of water which it is proposed to take

5 The plans for development of the water resources of the streams to maintain the stream flow and to utilize flood runoff including the locations and capacities of any proposed impounding reservoirs

6 The names and addresses of the owners who may be affected by the proposed developments

7 Such other provisions as the Water and Power Resources Board shall deem necessary

Section 5 The Water and Power Resources Board shall upon such application make such investigation as may be necessary and grant such hearing as may be required

The Water and Power Resources Board is hereby given authority upon such application or on its own initiative to allocate all or any part of the waters of the Commonwealth to any municipality corporation copartnership or person

No allocation of the waters of this Commonwealth shall be for a longer term than fifty (50) years and such allocation shall be subject to such terms conditions and stipulations as the board shall deem to be necessary and proper to protect the present and future interests of the Commonwealth in the use and distribution of its water resources

The board shall have the further power to revoke any grant made in case the source of water supply is not developed in the amount or to the extent set forth in the application or required by the order of allocation of the board or if the work is not begun or completed within the time fixed by the board's grant

The Water and Power Resources Board shall further have the power to impose a reasonable charge for the water to be taken at the rate of not less than one dollar ($1.00) nor more than five dollars ($5.00) per million gallons and provide for the collection of the same and shall impose such terms and conditions as may be reasonably necessary bearing in mind the character and navigability of the stream and the need of water for other purposes All moneys collected from such charges shall be paid into the General Fund by and through the Department of Revenue

Section 6 The provisions of this act are severable and if any of the provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 7 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 70, as follows:

An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for assessment of benefits against property benefited and against municipalities counties and townships and for their collection providing for appeals conferring certain powers on municipalities counties and townships the Public Service Commission and the Department of Highways and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Definitions The word "board" as used in this act means the Water and Power Resources Board of the Department of Forests and Waters

The word "person" as used in this act shall include individuals associations partnerships and corporations

The word "plans" as used in this act shall mean plans maps profiles estimates of costs descriptions of public and private property and of municipalities to be benefited and other data and descriptions prepared by the Water and Power Resources Board to establish the area and boundaries of a proposed flood control district to locate adequate proposed flood control works to deter-

mine the cost of the erection and construction of the same to determine property to be taken damaged or benefited by the construction of such works and to make preliminary estimates of benefits to private property and shall also be construed to include similar plans prepared by any agency of the Federal Government

The word "municipality" as used in this act shall include counties cities boroughs incorporated towns and townships

Section 2 Surveys and Preliminary Plans The Water and Power Resources Board shall have power on its own motion or upon the petition of at least three municipalities or upon the petition of at least three hundred persons who are freeholders in any drainage area to make appropriate surveys and to prepare suitable preliminary plans for any proposed flood control district in such drainage area or any part thereof in order to control store preserve and regulate the flow of rivers and streams and diminish or eliminate floods inimical to the public health and safety and destructive to public and private property and works

Section 3 Notice and Public Hearing Objections When such surveys and preliminary plans have been completed the board shall give notice in at least two newspapers in each county wholly or partially within such proposed flood control district if so many are published therein once a week for two consecutive weeks which notice shall state the place where such preliminary plans may be inspected and of a time and place when and where such preliminary plans may be discussed at a public hearing before the board and written objections thereto filed by any person or municipality

The board may in its discretion have such preliminary plans printed and furnish copies thereof to persons interested upon request made

Section 4 Detailed Official Plans Notice When such hearing or hearings on the preliminary plans have been completed the board shall proceed to consider all objections filed to the preliminary plans and shall affirm revise modify or change said plans as in its judgment is deemed just and proper and shall then prepare detailed official plans for the proposed flood control district The board shall give public notice of the adoption of such official plan in the same newspapers and by the same number of insertions as hereinbefore provided for the preliminary plans Such official plans may be printed and distributed in the same manner as the preliminary plans

Section 5 Appeals Procedure Any person or municipality aggrieved by the action of the board in the adoption of the official plans shall have a right to appeal from the action of the board to the Superior Court at any time within thirty days after the date of the last publication of the notice of the adoption of the official plans and not thereafter Such appeal shall be by petition against the board officially as defendant filed with the Superior Court alleging therein in brief the detail the action complained of and praying for a modification or reversal thereof Such petition shall specify the petitioners objections to the action of the board and no objection not so specified shall be considered by the court

A copy of such appeal shall be filed with the board on the same day it is filed with the Superior Court Thereupon the board shall file with the Superior Court at least ten copies of the official plans The board shall not later than fifteen days after the filing of the appeal petition file with the Superior Court an answer thereto and send a copy thereof by registered mail to the person filing the appeal petition or his counsel of record The answer shall deny or admit the allegations in the petition and the grounds for its action

The Superior Court shall fix a time and place of hearing of which due notice shall be given to the appellant and his counsel and to the board in such manner as the Superior Court shall prescribe

After hearing the Superior Court shall make such order affirming the official plans of the board or modifying or changing the same as to it appears just and proper

The Superior Court shall have power to consolidate any and all appeals taken from the action of the board and hear them in the same proceeding

Section 6 When Official Plans Effective Official plans shall become effective for a flood control district and the district shall be deemed established when the period for appeal has expired if no appeal has been taken or if an appeal has been taken then when all apeals have been finally adjudicated

The board may proceed with the exercise of the powers granted by this act whenever an official plan has become effective and shall not be estopped in the exercise of its powers by reason of the fact that benefits assessable under this act have not been determined and that the amount of money accruing to the special flood control fund has not been ascertained but no contract shall be let or agreement executed exceeding the amount of moneys in said fund or to become available to said fund by the time such contract or agreement is completed or concluded

Section 7 General Powers of Board In order to carry into effect the official plans for any flood control district the board shall have power to clean out widen alter deepen or change the course current or channel of any river or stream to fill up any abandoned canal or water course to contruct and maintain levees dikes walls revertments dams lakes reservoirs and other works and improvements deemed necessary to prevent floods and to control preserve and regulate the flow of rivers and streams to construct or enlarge bridges and viaducts to construct relocate and elevate public highways to construct any of said works and improvements across through or over any public highway canal railroad right of way or tracks to remove or change the location of any fence building railroad canal or other improvement to acquire by donation lease purchase or condemnation and own or hold in the name of the Commonwealth real and personal property and easements and the public works erected and contructed under the authority of this act

Section 8 Board Designated As Agency To Receive Federal Moneys The Board is authorized to receive on behalf of the Commonwealth of Pennsylvania any and all Federal moneys grants contributions gratuities and loans available or hereafter made available by the government of the United States or any of its agencies or instrumentalities for State flood control works and improvements under such rules and regulations as may be prescribed by law of the Congress of the United States or any Federal agency or instrumentality and to pay the same over to the State Treasurer through the Department of Revenue for deposit and safe keeping All such moneys shall be paid into the Special Flood Control Fund created by this act

Section 9 Powers and Duties in Connection With Federal Works and Improvements In addition to the powers hereinbefore granted in connection with the creation of flood control districts the adoption of official plans in connection therewith and the carrying into effect of such official plans the board is hereby empowered and directed for and in behalf of the Commonwealth and its subdivisions to aid assist and cooperate in the carrying out of any Federal flood control program or plans and for such purposes shall have all of the powers conferred by this act with respect to the State created flood control districts and the execution of the official plans for such districts and all other powers whatsoever necessary or required in order to enable the Commonwealth to participate in and receive the benefits of any Federal flood control program or plans in this Commonwealth It shall have power among others to enter into and execute any and all contracts and agreements with agencies of the Federal Government and to do and perform all acts necessary in connection therewith and to assist and cooperate in the construction erection financing maintaining using and operating any Federal public flood control works and improvements and to enter into and execute such contracts as may be deemed necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act It shall have power to obligate the Commonwealth to pay a portion of the cost of such Federal flood control works and improvements not however exceeding amounts of money made available or to become available for such purposes

The board is authorized and directed to conform and comply with all rules regulations and requirements of the Federal Government and its agencies and instrumentalities

Section 10 Contracts All work of any character whatever performed under the authority of this act in connection with any state public flood control works and improvements involving an expenditure of more than one thousand dollars shall be performed under written contract let by the board to the lowest responsible bidder after due advertisement as prescribed by the board

Section 11 Power of Eminent Domain The board shall have power to acquire any property easements rights of way and water courses deemed necessary for the construction of any of its public works or improvements provided for in this act by the right of eminent domain and shall have power to enter upon injure or destroy any property deemed necessary The proceedings for the condemnation of property and for the assessment of damages for property taken injured or destroyed shall be in accordance with the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred seventy-six) entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor" and its amendments and supplements

The board shall have like powers of eminent domain as hereinbefore granted in this section and in accordance with the same procedure provided by this section to acquire property easements rights of way and water courses deemed necessary by the board to enable the Federal Government or any of its agencies or instrumentalities to erect and construct suitable public flood control works and improvements in this Commonwealth in the construction and erection of which the board has been authorized by this act to aid assist and cooperate

Section 12 United States Not to be Liable Federal Rules and Regulations All lands rights in lands rights of way and water courses acquired under the authority of this act for State or Federal flood control works and improvements shall be acquired without cost to the United States and no moneys made available for flood control in this Commonwealth by the United States shall be used for such purposes unless in either event the Government of the United States or any of its agencies or instrumentalities shall first consent thereto nor sh ll the Government of the United States be deemed liable for any damages by reason of its contribution arising in connection with the construction of any State or Federal public works or improvements The Commonwealth hereby agrees that after such state public works and improvements are constructed where the Federal Government has contributed the same will be operated and maintained in accordance with all rules and regulations prescribed by the Secretary of War of the United States or any other agency or instrumentality of the United States

Section 13 Contracts and Agreements With Municipalities and Persons The board shall have power to enter into contracts and other arrangements with municipalities and persons for cooperation and assistance in constructing financing maintaining using and operating any State or Federal public flood control works or improvements and to enter into and execute such contracts and agreements as may be necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act

Section 14 Relocation of Roads Streets and Bridges The Department of Highways and municipalities may enter into agreements with the board of relocate roads streets bridges and viaducts necessitated by the construction of any State or Federal flood control works and improvements and may agree therein to construct new roads streets bridges and viaducts and pay the cost of the same or any part thereof from the Motor License Fund or municipal moneys with any charge or only part of the cost charged against the moneys in the Special Flood Control Fund The board may consent in any such agreement to pay the whole or any part of the cost of constructing such relocated roads streets bridges and viaducts from the moneys in the Special Flood Control Fund Such relocated roads streets bridges and viaducts may be constructed by the Department of Highways or by contract let by said department or the municipality or by the board as may be agreed upon

Section 15 Acceptance of Completed Federal Works and Improvements The board shall have power to accept on behalf of the Commonwealth all Federal flood control works and improvements after the same have been completed and to agree with the Federal Govrnment to maintain and operate such works and improvements for the primary purpose of flood control in accordance with the rules and regulations of an agency or instrumentality of the Government of the United States

Section 16 Water Power and Supply The rights of landowners municipalities and persons to the waters in a flood control district or in waters affected by any State or Federal flood control works or improvements for domestic use water supply industrial purposes water power or for any other lawful purposes shall extend only to such rights as are owned or possessed by them prior to the establishment of the flood control district or the construction of such flood control works and improvements and to such use as could be made of such waters if the public improvements and works herein authorized had not works make possible a greater better or more convenient use of or benefit from the waters in a flood control district the right of such greater better or more convenient use of or benefit from such waters shall be the property of the Commonwealth saving the rights of the Federal Government as to navigation Such rights may be leased sold or assigned as the Legislature may hereafter provide but at all times the primary purpose of flood control shall be preserved

Section 17 Source of Finances The cost and expenses of making the surveys hereinbefore provided the preparation of preliminary and official plans all advertising the erection and construction of public works and improvements and of all other work of any kind and character authorized by this act the acquisition of any and all property in connection therewith and of all other necessary and incidental costs and expenses including the expenses of the members of the board salaries and expenses of engineers experts workmen clerks assistants and other employes all court and viewers' costs assessed against the Commonwealth and all other proper and necessary expenses of any kind and character deemed necessary by the board to carry into effect the provisions of this act shall be paid from appropriations made by the Commonwealth to the Special Flood Control Fund from Federal moneys available or made available to this Commonwealth as grants contributions gratituities and loans for flood control works and improvements from gifts and donations received from persons from appropriations and contributions made to the board by municipalities from contributions by other states and its poltical subdivisions and from moneys arising from benefits assessed under the authority of this act against private property and against municipalities benefited or to be benefited by the construction of such public works and improvements to protect public and private property and improvements from damage and destruction by floods All moneys so made available shall likewise be available for expenditure by the board to aid and assist in the erection and construction of Federal public flood control works and improvements beneficial to the people of this Commonwealth

Section 18 Appointment of Viewers After the official plan has been finally adopted and has become effective or whenever the Federal Government has adopted a plan for Federal flood control works and improvements in the construction and erection of which the board has agreed to aid and assist financially and otherwise the court of common pleas of each county wholly or partially within a flood control district as established by the official plan or of any county lying wholly or partially within any drainage area for which Federal flood control works and improvements are to be erected and constructed may on

its own motion and shall on the application of the board appoint a board of three viewers from the county board of viewers whose duty it shall be to assess all benefits to private property and to municipalities to be occasioned by the erection and construction of the State or Federal public works and improvements or both It shall be the duty of the board to furnish to each board of viewers so appointed a complete set of the State Official plans showing the private property and the municipalities within the county which will be benefited by the proposed public works and improvements and also of any Federal plans if the same are available

Section 19 Swearing Viewers Assessment of Benefits Notice Hearings The viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters before them or to be submitted to them and relation to which they are authorized to inquire and having viewed each parcel of private property and each municipality which according to the official State plan or Federal plan or program is to be benefited shall hear all parties and their witnesses and shall determine the benefits if any to accrue to each such parcel of private property and to each municipality and shall prepare a schedule of such property and a municipal schedule and the amount of benefits assessed against each piece of private property and against each municipality

No assessment of benefits shall be made against public property No assessment of benefits shall be made against any private property unless in the opinion of the board of viewers such property will be benefited by the prevention or lessening of future flood damage No assessment shal be made against any municipality unless in the opinion of the board of viewers the municipality will be benefited because its buildings roads streets parks water supply plants and other public property and works will be protected from flood damage The fact that public and private property and works have been damaged by flood shall be deemed conclusive evidence that benefit will accrue to such property or municipality by reason of the public works and improvements authorized by this act or provided by the Federal Government or its agencies or instrumentalities No exemption from assessment of benefits shall exist for any private property or any municipality by reason of the fact that the same does not abut on any improvement or on the river or stream carrying the flood waters

The viewers shall give notice to all persons and municipalities against whose properties or against which benefits have been assessed of a time when and place the viewers will meet and exhibit their schedules and hear all exceptions thereto Such notice shall be given by registered mail addressed to the last known post office address of the owner or reputed owner of the property and to the corporate authorities of each municipality and by publication once a week for two weeks in at least two newspapers of general circulation in the county where so many are published in the county The failure of an owner or municipality to receive the registered mail notice shall not be deemed to invalidate the proceedings but in such cases the notice by publication shall be deemed sufficient.

Section 20 Revision of Schedules and Filing Notice Thereof After hearing all parties and after making whatever changes are deemed necessary the viewers shall prepare a revised schedule of benefits to private property and a revised schedule of benefits assessed against municipalities and file a copy of each in the court of common pleas of the county When the reports of the viewers are filed they shall be confirmed nisi When the reports are filed notice thereof shall immediately be given by the board of viewers by publication once in the newspapers publishing the notice of the hearings before the viewers Such notice shall state the date of the filing of the reports contain the schedules of the benefits assessed and shall state that unless exceptions are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the reports will be confirmed absolutely

Section 21 Filing of Exceptions and Appeals Within thirty days after the filing of the report of viewers any person or municipality interested may file exceptions to the same or may appeal to the court of common pleas and demand a jury trial

Each person or municipality filing exceptions or taking an appeal shall except to or appeal from so much of the report only as affects property in which he has an interest or as affects the municipality and the part of the report of the viewers not excepted to or appealed from shall be confirmed absolutely after said thirty day period

Section 22 Procedure on Exceptions and Appeals Where exceptions to a report of the viewers are filed the court shall proceed to hear and determine the same in the manner exceptions to the reports of viewers are generally proceeded within the county Where an appeal is taken it shall state the grounds upon which the appeal is taken and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Upon the trial of any appeal or the hearing of any exceptions in case the appellant or party excepting does not obtain a verdict or decree more favorable than was the report of the viewers he or it shall not recover any costs

The court of common pleas shall order what notices shall be given in connection with such proceedings by exceptions or by appeals and may by rule or otherwise prescribe the form of the pleadings

The court may also in proper cases consolidate proceedings by exceptions or appeal into a single proceeding but exceptions or appeals involving municipalities shall not be consolidated with those involving private property

Section 23 Appeals to Superior and Supreme Courts Any person or municipality aggrieved by an order of court on exceptions filed or determination of the case where a jury trial was demanded may within thirty days after such final order or determination and not thereafter appeal to the Supreme or Superior Court as the case may be

Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same or involve the same questions the Superior Court may certify such appeal to the Supreme Court to be heard with other appeals from the same report

The Supreme or Superior Court shall consolidate all appeals coming before it from the same report and hear them as one case except that cases arising from exceptions shall not be consolidated with those arising from appeals and demands for a jury trial and those involving municipalities shall not be consolidated with those involving benefits to private property

Where any appeal is taken to the wrong court such court shall certify the same to the court to which it should have been taken

Section 24 Due Date for Payment of Benefits Discounts for Prompt Payment Interest All assessments of benefits shall become due and payable to the board when the State or Federal public flood control works and improvements have been completed which date shall be fixed by the official order of the board notice of which order shall be published by the board in the newspapers in which notice of the preliminary and final plans were published by one insertion

Any person or municipality may pay any part or all of the benefits assessed against him or it to the board before the due date thereof If such payment is made within six months after the amount of the benefits have been finally ascertained a discount of ten per centum of the amount thereof payable shall be allowed All benefits or any part thereof paid after such six months' period and within one year from the time the benefits are finally ascertained shall be subject to a discount of five per centum of the amount payable All assessments of benefits or parts thereof remaining unpaid when the improvements are completed shall bear interest at the rate of six per centum per annum from the date of the completion of the improvements until paid

The board shall send by registered mail addressed to the last known post office address a statement of the amount due by each person after the same has been finally ascertained together with notice of the discounts allowed by this act for prompt payment and when interest will be added to the amount due

Section 25 Liens and Filing Thereof Procedure Thereon to Collect All assessments for benefits against private property shall remain a lien thereon from the time report of the viewers is filed in court until paid unless the lien thereof be lost by failure to revive the same It shall be the duty of the board within six months after its order that the public works and improvements have been completed to file through the Department of Justice in the name of the Commonwealth of Pennsylvania in the office of the prothonotaries of the proper counties liens for all benefits assessed which remain unpaid by persons and municipalities But no such lien shall be filed unless the board shall first notify by mail addressed to the last known post office address of the owner or reputed owner of the property or the municipality against which an assessment has been made of its intention to have said lien filed if payment of the amount due is not made before a time prescribed by the board Such liens shall be filed in the same manner as is provided by law for the filing of municipal claims and shall have priority over all other liens except taxes and municipal claims or liens and except also mortgages and judgments of record prior to the time the report of the viewers was filed in court

Such liens shall be revived prosecuted to judgment executed and collected by the board through the Department of Justice in the same manner in all respects as is provided by law in the case of municipal claims except that in the case of municipalities judgments recovered on such liens shall be collected in the same manner as judgments are collectible by law against municipalities

Section 26 Increase of Municipal Debts Appropriations Any municipality may incur or increase its indebtedness in the manner provided by law for the purpose of appropriating moneys to the board to assist in carrying out the purpose of this act and for the purpose of paying benefits assessed against it by the report of viewers or as finally adjudicated and may make appropriations from current funds for such purposes

Section 27 Special Flood Control Fund Created Appropriation of Moneys Therein A Special Flood Control Fund is hereby established in the Stated Treasury into which shall be paid all moneys appropriated by the Commonwealth and received from the Federal Government and other states and its political subdivisions for flood control work and projects and all moneys arising from gifts or donations from persons and municipalities and recovered from benefits assessed against persons and municipalities under the provisions of this act

All moneys in the Flood Control Fund from time to time are hereby specifically appropriated to the board for the payment of any and all costs and expenses properly payable under the provisions of section seventeen of this act for repayment to the General Fund of excess appropriations made by the Commonwealth pending the collection of assessments of benefits and for payments on account of any moneys which the board may have agreed to contribute to aid and assist in the erection and construction of any Federal flood control works and improvements and in the erection and construction of flood control works and improvements under compacts and agreements with other states

Where more than one flood control district is created separate accounts shall be kept for each district and payments from the special Flood Control Fund for or on account of any one district shall not exceed the amount credited to such district in said fund.

Section 28 Additional Appropriations to Cover Delayed Payment of Assessments If in the construction and erection of the public works and improvements authorized by this act it becomes necessary for the Commonwealth to advance additional State moneys by appropriation to the Special Flood Control Fund because of a failure of owners of property and municipalities to pay benefits assessed within the time and in the amount estimated by the board then and in that event the General Fund shall be reimbursed by the board from future moneys collected from assessments of benefits to the extent of such additional appropriations The General Assembly shall in its appropriations to carry into effect the provisions of this act state the amount or amounts of appropriations so made which shall be so repaid to the General Fund

Section 29 Cooperation With Other States The Water and Power Resources Board is hereby designated as the agency of the Commonwealth with power to enter into reciprocal compacts and agreements with other states in developing flood control projects and works and shall have authority to expend moneys made available and appropriated by this act for interstate flood control works and improvements located within or without this Commonwealth on rivers and streams entering into or flowing out of or along the borders of this Commonwealth and to receive for payment into the Flood Control Fund from other states and their political subdivisions any moneys to aid and assist in the construction of flood control works and and improvements located in this State which are deemed beneficial to the inhabitants of other states Payments on account of such interstate works and improvements may be made by the board direct to the contractor or to the agency of such other state which let the contract or is performing the work of constructing such works or improvements

Section 30 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions had not been included therein

Section 31 Appropriation The sum of five hundred thousand dollars ($500,000) or so much thereof as may be necessary is hereby specifically appropriated from the General Fund into the Flood Control Fund into the Flood Control Fund created by this act for the purpose of carrying into effect the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 68, as follows:

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and water conservation and the coordination of any Federal and State flood control program and making an appropriation

Whereas Numerous projects have been proposed in the Commonwealth for flood prevention and flood control involving the construction of storage reservoirs dykes and other forms of stream channel improvement and

Whereas It is of utmost importance that such projects be studied and correlated so that they may form part of a properly developed plan for flood control covering the entire Commonwealth and

Whereas A study should be made to determine how much projects may be constructed primarily in the interest of flood control and at the same time develop the uses of water for public water supply hydroelectric power development navigation increase of dry weather flow sanitation and other forms of water conservation and

Whereas A survey and investigation should be made to determine the locations where additional storage reservoirs may be built for flood control and at the same time provide for water conservation including estimates of cost and economic justification and

Whereas The construction of flood control works by the Federal Government with or without the financial cooperation of this and adjoining states should be carefully reviewed by some Commonwealth agency to the end that such projects may be most advantageously coordinated with any State program for flood control and water conservation therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forests

and Waters is hereby authorized and directed to make a survey and study of the various watersheds of the Commonwealth for the purpose of determining for the benefit of this Commonwealth and the Federal Government where reservoirs may be built for flood control and the manner in which such developments may be combined to best advantage with other forms of water conservation and for the further purpose of determining where and in what manner flood control may be secured by the construction of dykes and other forms of stream channel improvement

Section 2 The Department of Forests and Waters shall make a complete report of its investigation and flood control survey to the next General Assembly convening in January one thousand nine hundred and thirty-seven not later than February first one thousand nine hundred and thirty-seven so that the General Assembly may be fully advised in order that appropriate legislation may be enacted with a view of adopting a comprehensive flood control and water conservation program

Section 3 The sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the payment of the salary compensation and wages of engineers experts clerks assistants and employes deemed necessary in making the investigation survey and report authorized by this act for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment for printing and for all other incidental expenses necessary for carrying into effect the provisions of this act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 69, as follows:

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestion with flood control as the objective and making an appropriation

Whereas the continued efficiency of any water impounding dams which may be constructed by the State or Federal Government as flood control projects is dependent upon reducing to a minimum the silt deposited in them and

Whereas A forest cover with its honey-combed soil and thick humus bedded surface is the most effective agent known to prevent soil erosion and the silting of streams and dams and to retard the water run-off and

Whereas There are upwards of two million three hundred thousand acres of submarginal idle and abandoned farm lands in this State located largely on the upper river water sheds which are subject to serious soil erosion and rapid water run-off which constitute a growing menace during flood seasons and are of little value for reforestation and

Whereas The rate of fire damage on private unmanaged and unattended wild lands is six times that on State-controlled forest lands and such burned-over lands constitute an additional menace from soil erosion and water run-off therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forests and Waters is hereby authorized and directed to make an investigation and reforestation survey with flood control as the objective of all private forest lands and all abandoned farm lands and submarginal lands their location availability for purchase and their approximate purchase prices together with all lands in any of the above classes on which the taxes imposed by political subdivisions are delinquent or which have been sold to counties because of insufficient bids at tax sales

The investigation and survey shall include the three watersheds of the Commonwealth the Susquehanna watershed the Delaware watershed and the Ohio watershed including lands draining directly or indirectly into the Susquehanna River and its North and West Branches and the Juniata River the Delaware the Lehigh and Schuylkill Rivers and the Ohio Allegheny Monongahela and Beaver Rivers

Section 2 The Department of Forests and Waters shall make a complete report of its investigation and reforestation survey to the next General Assembly convening in January one thousand nine hundred and thirty-seven not later than February first one thousand nine hundred and thirty-seven so that the General Assembly may be fully advised in order that appropriate legislation may be enacted with a view of adopting a comprehensive flood control program

Section 3 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the payment of the salary compensation and wages of engineers experts clerks assistants and employes deemed necessary in making the investigation survey and report authorized by this act for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment for printing and for all other incidental expenses necessary for carrying into effect the provisions of this act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 40, as follows:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement the First Courts of Law and the First Capital within what is now Pennsylvania and making an appropriation.

Whereas The landing of the ships Kalmar Nyckel and Fogel Grip on the Delaware in March one thousand six hundred thirty-eight thereby establishing the Colony of New Sweden on land later included in the Royal Grant to William Penn vests this Tercentenary of the first white permanent settlement within the bounds of Pennsylvania with a peculiar relation to the Commonwealth and

Whereas Pennsylvania's state sovereignty in reality began with Johan Printz who under plenary power reposed in him by the Swedish Crown planted her first capital under permanent government on Tinicum Island (now in Delaware County) and was himself her first Chief Executive or Governor here were her first law courts and here three years later was consecrated to the Glory of God and the practice of Sweden's historic Church the first building of any branch of the Church universal within Pennsylvania bounds and

Whereas Through varying vicissitudes this settlement was continued under English rule the founding Swedes were held in high esteem and during the Duke of York's government on the Delaware three of his six councilors were native Swedes while all the justices of the earliest English tribunal on the soil of Pennsylvania the Upland Court were Swedes save one and

Whereas The establishment of Penn's government under Colonel William Markham at Upland now Chester on August third one thousand six hundred eighty-one was

followed by the coming of the great Quaker himself in October one thousand six hundred eighty-two and upon his arrival there began a coalition and New Sweden merged into his Holy Experiment of a hoped-for perfect democracy in the province of Pennsylvania and the counties of New Castle Kent and Sussex-on-Delaware which counties later became the sister State of Delaware and

Whereas Under the tolerant religious and civil principles bodied forth in the Proprietary's Bill of Rights New Sweden and Pennsylvania lived on under the latter's name and although Penn's English Irish Welsh and German colonists were among the last great group to settle in the thirteen original states such was the character or quality of our forefathers and so beneficient their government that both New Sweden and its successor Pennsylvania were the only colonies that not only lived at peace with the Indians and with neighboring colonies but developed quickly into the greatest richest and most populous province among the original thirteen colonies and Philadelphia early became the greatest city of this young America and Pennsylvania soon was recognized as truly the keystone in the great arch of states and

Whereas This General Assembly is mindful both of this goodly heritage of faith of character and of the achievement of our forefathers in founding the civilization upon which our Commonwealh is based and the honorable pride of our citizens therein and

Whereas the General Assembly by earlier acts and The Administrative Code of one thousand nine hundred and twenty-nine has created the Pennsylvania Historical Commission to represent the Commonwealth in such matters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Public Instruction is hereby authorized and directed to act for and on behalf of the Commonwealth of Pennsylvania in arranging a suitable commemoration of the aforementioned inspiring events

In performing its duties under this act the Department of Public Instruction shall have power to appoint such committee or committees of representative citizens as it may find desirable the same however to include the Governor the Lieutenant Governor the President Pro Tempore of the Senate the Speaker of the House and the President and Secretary of the Pennsylvania Federation of Historical Societies and shall cooperate with similar commissions of the States of Delaware New Jersey or Maryland and with the Pennsylvania Federation of Historical Societies and other historical associations including the Swedish Colonial Society the Swedish Tercentenary Commission and with the respective Governments of the United States Sweden and Finland

Section 2 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for use in carrying out the purposes of this act

Section 3 This act shall be come effective immediately upon its final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Achterman,	Eberharter,	McElroy,	Shugarts,
Alexander,	Eroe,	McHenry,	Siegel,
Allen,	Falkenstein,	McKinney,	Simon,
Altenburg,	Ferko,	Melchiorre,	Simpson,
Andrews,	Finnerty,	Mentzer,	Sinwell,
Anthony,	Fitch,	Merrell,	Sloan,
Arnold,	Flanagan,	Moomaw,	Smith, J. A.,
Atkins,	Flinchbaugh,	Mooney,	Smith, W. G.,
Aukerman,	Flynn,	Moore,	Snyder, F. E.,
Baine,	Forrest,	Moran,	Snyder, J. L.,
Baker, F. T.,	Gerard,	Moul,	Sowers,
Baker, J. J.,	Gillette,	Muir,	Sproul,
Baldi,	Greenstein,	Munley,	Stank,
Barber,	Haberlen,	Murrin,	Stevens,
Barnhardt,	Hagerty,	Nagel,	Stockham,
Beadman,	Haluska,	Nothnagle,	Stone,
Bernhard,	Hamilton, F. P.,	O'Keefe,	Stott,
Blumberg,	Hamilton, R. S.,	Ominsky,	Sumney,
Boose,	Harkins,	O'Neill,	Sweeney,
Bradley,	Harmuth,	Panton,	Tahl,
Brancato,	Hartman,	Parks,	Terry,
Brennan,	Hefferon,	Patterson, C.,	Tronzo,
Brown, H. S.,	Hermansen,	Patterson, J. W.,	Trout,
Brown, J. E.,	Hetrick,	Pearson,	Tumelty,
Brownfield,	Hindman,	Perry,	Turner,
Brumbaugh,	Hirsch,	Peters,	VanSickle,
Burke,	Holland,	Pfaff,	Wall,
Cannon,	Holstrom,	Phillips,	Wasserman,
Caputo,	Horst,	Piole,	Weidemann,
Carson,	Jones,	Powers,	Weiss,
Castor,	Kane,	Relsing,	Welsh,
Chervenak,	Kelder,	Reynolds,	Welliver,
Coakley,	Kelso,	Rhys,	Welsh,
Cochran,	Kenney,	Rinn,	Westrick,
Cohen,	Kilroy,	Roan,	White,
Coleman,	Kinney,	Root,	Wickersham,
Condon,	Klingler,	Royer	Wilson,
Coolahan,	Kobelak,	Ruffennach,	Winner,
Cooper,	LaRue,	Sarraf,	Witkin,
Cordier,	Long,	Scanlon,	Wood,
Davies,	Longaker,	Schaeffer,	Woodside,
Decker,	Lovett,	Schrope,	Yeakel,
Dent,	Lynch,	Schwab,	Yourishin,
Diehl,	Male,	Serrill,	Zappala,
Dilley,	Mallen,	Shaw,	Zimmerman,
Downey, G. E.,	Mason,	Shepard,	Furman,
Downey, J. J.,	McDermott,	Shortz,	Speaker
Duffort,	McDevitt,	Shreiner,	

NAYS—10

Gates,	Hoopes,	Schrock,	Surface,
Habbyshaw,	McCreary,	Stewart,	VanAllsburg,
Hoffner,	Rooney,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 49, entitled

An Act to amend sections four and five of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one) entitled "An Act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointments of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended", by providing for the payment to newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Eberharter,	Mason,	Shepard,
Alexander,	Eroe,	McCreary,	Shortz,
Allen,	Falkenstein,	McDermott,	Shreiner,
Altenburg,	Ferko,	McDevitt,	Shugarts,
Andrews,	Finnerty,	McElroy,	Siegel,
Anthony,	Fitch,	McHenry,	Simon,
Arnold,	Flanagan,	McKinney,	Simpson,
Atkins,	Flinchbaugh,	Melchiorre,	Sinwell,
Aukerman,	Flynn,	Mentzer,	Sloan,
Baine,	Forrest,	Merrell,	Smith, J. A.,
Baker, F. T.,	Gates,	Moomaw,	Smith, W. G.,
Baker, J. J.,	Gerard,	Mooney,	Snyder, F. E.,
Baldi,	Gillette,	Moore,	Snyder, J. L.,
Barber,	Greenstein,	Moran,	Sowers,
Barnhardt,	Habbyshaw,	Moul,	Sproul,
Beadman,	Haberlen,	Muir,	Stank,
Bernhard,	Hagerty,	Munley,	Stevens,
Blumberg,	Haluska,	Murrin,	Stewart,
Boose,	Hamilton, F. P.,	Nagel,	Stockham
Boyer,	Hamilton, R. S.,	Nothnagle,	Stone,
Bradley,	Harkins,	O'Keefe,	Stott,
Brancato,	Harmuth,	Ominsky,	Sumney,
Brennan,	Hartman,	O'Neill,	Surface,
Brown, H. S.,	Hefferon,	Panton,	Sweeney
Brown, J. E.,	Hermansen,	Parks,	Tahl,
Brownfield,	Hetrick,	Patterson, C.,	Terry,
Brumbaugh,	Hindman,	Patterson, J. W.,	Tronzo,
Burke,	Hirsch,	Perry,	Trout,
Cannon,	Hoffner,	Peters,	Tumelty,
Caputo,	Holland,	Pfaff,	Van Allsburg,
Carr,	Holstrom,	Phillips,	VanSickle,
Carson,	Hoopes,	Piole,	Wall,
Castor,	Horst,	Powers,	Wasserman,
Chervenak,	Jones,	Reising,	Weidemann,
Coakley,	Kane,	Reynolds,	Weiss,
Cochran,	Kelder,	Rhys,	Welliver,
Cohen,	Kelso,	Rinn,	Welsh,
Coleman,	Kenney,	Roan,	Westrick,
Condon,	Kilroy,	Rooney,	White,
Coolahan,	Kinney,	Root,	Wickersham,
Cooper,	Klinger,	Rover,	Witkin,
Cordier,	Kobelak,	Ruffennach,	Wood,
Davies,	LaRue,	Sarraf,	Woodside,
Decker,	Linderman	Scanlon,	Yeakel,
Dent,	Long,	Schaeffer,	Yourishin,
Diehl,	Longaker,	Schrock,	Zappala,
Dilley,	Lovett,	Schropt,	Zimmerman,
Downey, G. E.,	Lynch,	Schwab,	Furman,
Downey, J. J.,	Male,	Serrill,	Speaker
Duffort,	Mallen,	Shaw,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 56, as follows:

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from slate quarries and anthracite and bituminous coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred thirty-six

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven hundred thousand dollars ($700,000) or as much thereof as may be necessary is hereb specifically appropriated to the Department of Health to defray the cost of pumping the water from slate quarries and anthracite and bituminous coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred thirty-six including the purchase and installation of pumps motors and other equipment the purchase of electric power and all necessary incidental expenses

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SPROUL. Mr. Speaker, may I interrogate one of the sponsors of the bill?

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. COLEMAN. I will, Mr. Speaker.

Mr. SPROUL. Mr. Speaker, may I ask first whether a legal opinion has been rendered by the Attorney General as to whether we are within our rights in appropriating an amount,—an expenditure like this on private property.

Mr. COLEMAN. Mr. Speaker, in answer to the gentleman, it is my understanding that the Governor, before he sent telegrams to the members of the General Assembly had an interpretation, a legal opinion from the Attorney General's office giving him the legal right to do so.

Mr. SPROUL. Mr. Speaker, may I ask the gentleman how much has already been expended and whether expenditures are still being made upon the projects.

Mr. COLEMAN. Mr. Speaker, I am not in a position to tell the amount of money spent at this particular time because it is my understanding that there have been several pumps installed and tested in the Pittston mine area preparatory to dewatering the mines. It is not within my knowledge at the present time just how much has been spent.

Mr. SPROUL. Mr. Speaker, would the sponsor of this bill object to a resolution asking for a complete report of the expenditures to this House, and on whose territory they were expended.

Mr. COLEMAN. Mr. Speaker, in answer to that, I do not personally have any objection to the House having a definite knowledge as to the money expended and how it is spent. I personally will not oppose the presentation or the adoption of a resolution asking for that information.

Mr. SPROUL. Mr. Speaker, while I know that there were some other industries that would have been glad for employment reasons to have been helped out of this same difficulty, is there any reason why we cannot recover from the mine owners, by agreement or otherwise, the moneys expended, to reimburse the State?

Mr. COLEMAN. Mr. Speaker, in answer to the gentleman, the mine owners have consented to spend twice the amount that the State will appropriate for dewatering the mines. To me it is a question of common sense, and to the Governor and to all the members of the Assembly that have given him the right to spend this money it is a common sense business proposition. In the event the mines were not dewatered within a limited time it would cost the State six hundred thousand dollars a month for relief purposes only. The thing is a common sense business proposition.

Mr. SPROUL. Mr. Speaker, would the sponsor of this bill mind putting it on the postponed calendar until we get a little additional information.

Mr. COLEMAN. No. I will not agree, Mr. Speaker.

Mr. SPROUL. Mr. Speaker, the reason that I asked the question regarding whether we could recover a portion of the expenditure,—I didn't necessarily mean all of it,—I also assented to the Governor's telegram in which were not included the other two industries, but I see no reason why we should not make an attempt to recover some of

the expense, and I expect possibly to introduce a resolution later, embodying this matter and also a report on those expenditures.

The SPEAKER. For the information of the members of the House, the title of this bill as it appears on the calendar is not correct. However, the bills which are on file are correct and include the amendments which were offered to the title last night. The printer's number is 52.

Mr. COLEMAN. Mr. Speaker, the Governor had the approval of the majority of the members of the House and the Senate to permit the Department of Public Health to spend seven hundred thousand dollars for the purpose of dewatering the mines. The anthracite mines in the Pittston area which threw out of employment some six thousand miners were the ones vitally affected at the time. However, the attention of the Administration has been called to the fact that there are some bituminous mines and some slate quarries that have been similarly affected. I do not know whether the members who do not represent anthracite and bituminous mining districts appreciate that there is a certain natural seepage of water into the mines, even when we have no threat of a flood, and in the Pittston area the water was seeping into the mines at the rate of thirty-six thousand gallons a minute, and the engineers estimated that within a month or six weeks all of the mines in the anthracite region would be flooded, thereby throwing out of employment some fifteen thousand miners. It is my understanding that the Administration will not object to the use of the pumps for any other mines that were affected by the flood waters during the month of March. If the gentleman has in mind any mines that he would like to have taken care of in the same fashion, that were affected by the flood waters, and which constitutes an emergency, I am quite certain that upon proper application the use of the pumps will be granted.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165

Achterman,	Falkenstein,	Mason,	Schwab,
Alexander,	Ferko,	McDermott,	Serrill,
Allen,	Finnerty,	McDevitt,	Shaw,
Andrews,	Fitch,	McElroy,	Shepard,
Anthony,	Flanagan,	McHenry,	Shortz,
Arnold,	Flinchbaugh,	Melchiorre,	Shreiner,
Aukerman,	Flynn,	Mentzer,	Shugarts,
Baine,	Forrest,	Moomaw,	Siegel,
Baker, F. T.,	Gerard,	Mooney,	Simon,
Baker, J. J.,	Greenstein,	Moore,	Simpson,
Baldi,	Habbyshaw,	Moran,	Sinwell,
Barber,	Haberlen,	Moul,	Smith, J. A.,
Barnhardt,	Hagerty,	Munley,	Smith, W. G.,
Bernhard,	Haluska,	Murrin,	Sproul,
Blumberg,	Hamilton, F. P.,	Nagel,	Stank,
Bradley,	Hamilton, F. P.,	Nothnagle,	Stevens,
Brancato,	Harkins,	O'Keefe,	Stockham,
Brown, H. S.,	Harmuth,	Ominsky,	Stone,
Brown, J. E.,	Hartman,	O'Neill,	Sumney,
Brownfield,	Hefferon,	Panton,	Sweeney,
Brumbaugh,	Hermansen,	Parks,	Tahl,
Burke,	Hetrick,	Patterson, Cliff,	Tronzo,
Cannon,	Hindman,	Patterson, J. W.,	Tumelty,
Caputo,	Hirsch,	Pearson,	Turner,
Carson,	Holland,	Perry,	VanSickle,
Castor,	Holstrom,	Peters,	Wall,
Chervenak,	Jones,	Pfaff,	Wasserman,
Coakley,	Kane,	Phillips,	Weidemann,
Cochran,	Kelder,	Piole,	Weiss,
Cohen,	Kelso,	Powers,	Welliver,
Coleman,	Kenney,	Reising,	Welsh,
Coolahan,	Kilroy,	Rhys,	Westrick,
Davies,	Kinney,	Rinn,	Wickersham,
Decker,	Klingler,	Roan,	Witkin,
Denning,	Kobelak,	Rooney,	Woodside,
Dent,	LaRue,	Royer,	Yeakel,
Diehl,	Linderman	Ruffennach,	Yourishin,
Dilley,	Long,	Sarraf,	Zappala,
Downey, G. E.,	Longaker,	Scanlon,	Zimmerman,
Downey, J. J.,	Lovett,	Schaeffer,	Furman,
Eberharter,	Lynch,	Schrope,	Speaker
Eroe,	Maie,		

NAYS—25

Altenburg,	Gates,	Muir,	Stewart,
Beadman,	Hoffner,	Schrock,	Stott,
Boose,	Hoopes,	Sloan,	Terry,
Boyd, R.,	Mallen,	Snyder, F. E.,	VanAllsburg,
Boyer,	McCreary,	Snyder, J. L.,	White,
Condon,	McKinney,	Sowers,	Winner,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 39, entitled:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing, the Signing, the Ratification by Pennsylvania, and the Final Adoption and Promulgation, of the Constitution of the United States, to be held at Philadelphia, and elsewhere, on the fifteenth, sixteenth and seventeenth days of September, one thousand nine hundred thirty-seven, and subsequent anniversary dates, in connection therewith; and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—195

Achterman,	Downey, J. J.,	Mallen,	Shaw,
Alexander,	Duffort,	Mason,	Shepard,
Allen,	Eberharter,	McCreary,	Shortz,
Altenburg,	Eroe,	McDermott,	Shreiner,
Andrews,	Falkenstein,	McDevitt,	Shugarts,
Anthony,	Ferko,	McElroy,	Siegel,
Arnold,	Finnerty,	McHenry,	Simon,
Atkins,	Fitch,	McKinney,	Simpson,
Aukerman,	Flanagan,	Melchiorre,	Sinwell,
Baine,	Flinchbaugh,	Mentzer,	Smith, J. A.,
Baker, F. T.,	Flynn,	Merrell,	Smith, W. G.,
Baker, J J.,	Forrest,	Moomaw,	Snyder, F. E.,
Baldi,	Gerard,	Mooney,	Sowers,
Barber,	Gillette,	Moore,	Sproul,
Barnhardt,	Greenstein,	Moran,	Stank,
Beadman,	Habbyshaw,	Moul,	Stevens,
Bernhard,	Haberlen,	Muir,	Stewart,
Blumberg,	Hagerty,	Munley,	Stockham,
Boose,	Haluska,	Murrin,	Stone,
Boyd, R.,	Hamilton, F. P.,	Nagel,	Stott,
Boyer,	Hamilton, R. S.,	Nothnagle,	Sumney,
Bradley,	Harkins,	O'Keefe,	Surface,
Brancato,	Harmuth,	Ominsky,	Sweeney,
Brennan,	Hartman,	O'Neill,	Tahl,
Brown, H. S.,	Hefferon,	Panton,	Tronzo,
Brown, J. E.,	Hermansen,	Parks,	Trout,
Brownfield,	Hetrick,	Patterson, Cliff,	Tumelty,
Brumbaugh,	Hindman,	Patterson, J. W.,	Turner,
Burke,	Hirsch,	Perry,	VanAllsburg,
Cannon,	Holland,	Peters,	Van Sickle,
Caputo,	Holstrom,	Pfaff,	Wall,
Carr,	Horst,	Phillips,	Wasserman,
Carson,	Jackson,	Piole,	Weidemann,
Chervenak,	Jones,	Powers,	Weiss,
Coakley,	Kane,	Reising,	Welliver,
Cochran,	Kelder,	Reynolds,	Welsh,
Cohen,	Kelso,	Rhys,	Westrick,

Coleman,	Kenney,	Rinn,	White,
Condon,	Kilroy,	Roan,	Wickersham,
Coolahan,	Kinney,	Rooney,	Winner,
Cooper,	Klingler,	Root,	Witkin,
Cordier,	Kobelak,	Royer,	Wood,
Davies,	LaRue,	Ruffennach,	Woodside,
Decker,	Linderman,	Sarraf,	Yeakel,
Denning,	Long,	Scanlon,	Yourishin,
Dent,	Longaker,	Schaeffer,	Zappala,
Diehl,	Lovett,	Schrope,	Zimmerman,
Dilley,	Lynch,	Schwab,	Furman,
Downey, G. E.,	Male,	Serrill,	Speaker

NAYS—8

Castor,	Hoffner,	Schrock,	Snyder, J. L.,
Gates,	Hoopes,	Sloan,	Terry,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 50, entitled:

A supplement to the act, approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one), entitled "An act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended", making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. ATKINS. Mr. Speaker and members of the House, I rise in support of this bill because it appropriates $600,000 as a reserve fund for Mothers' Assistance. It also enables Pennsylvania to get $1,800,000 of federal funds. These two sums together with the funds now allocated will be sufficient money to grant pensions to widows and their dependent children.

I sometimes think that we don't give sufficient thought to the greatest of all social service bills, the Mothers' Assistant Fund. We pass appropriations going into the millions of dollars with little thought by the members of this House. For the past year we have not had sufficient funds to take care of these widows and their dependent children. I personally made investigations and find that we are greatly in need of additional funds. I hope that the members will feel that $600,000 together with a $1,800,000 will be sufficient to take care of every home that is maintained by widows trying to keep fatherless children together. They are to be the future citizens of this great Commonwealth. These mothers cannot go out and support these children in their distressed condition; the children cannot go out and do it.

Each member of this House when he goes back to his home should take a personal interest in Mothers' Assistance. You might not get many votes from this work but you will certainly put yourself into one of the greatest social security works this country has today.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	Duffort,	Mallen,	Shepard,
Alexander,	Eberharter,	Mason,	Shortz,
Allen,	Eroe,	McCreary,	Shreiner,
Altenburg,	Falkenstein,	McDermott,	Shugarts,
Andrews,	Ferko,	McDevitt,	Siegel,
Anthony,	Finnerty,	McElroy,	Simon,
Arnold,	Fitch,	McHenry,	Simpson,
Atkins,	Flanagan,	McKinney,	Sinwell,
Aukerman,	Flinchbaugh,	Melchiorre,	Sloan,
Baine,	Flynn,	Mentzer,	Smith, J. A.,
Baker, F. T.,	Forrest,	Merrell,	Smith, W. G.,
Baker, J. J.,	Gates,	Mobmaw,	Snyder, F. E.,
Baldi,	Gerard,	Mooney,	Snyder, J. L.,
Barber,	Gillette,	Moore,	Sowers,
Barnhardt,	Greenstein,	Moran,	Sproul,
Beadman,	Habbyshaw,	Moul,	Stank,
Bernhard,	Haberlen,	Muir,	Stevens,
Blumberg,	Hagerty,	Munley,	Stewart,
Boose,	Haluska,	Murrin,	Stockham,
Boyd, R.,	Hamilton, F. P.,	Nagel,	Stone,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stott,
Bradley,	Harkins,	O'Keefe,	Sumney,
Brancato,	Harmuth,	Ominsky,	Surface,
Brennan,	Hartman,	O'Neill,	Sweeney,
Brown, H. S.,	Hefferon,	Panton,	Tahl,
Brown, J. E.,	Hermansen,	Parks,	Terry,
Brownfield,	Hetrick,	Patterson, C.,	Tronzo,
Brumbaugh,	Hindman,	Patterson, J. W.,	Trout,
Burke,	Hirsch,	Perry,	Tumelty,
Cannon,	Hoffner,	Peters,	Turner,
Caputo,	Holland,	Pfaff,	VanAllsburg,
Carr,	Holstrum,	Phillips,	VanSickle,
Carson,	Hoopes,	Piole,	Wall,
Castor,	Horst,	Powers,	Wasserman,
Chervenak,	Jackson,	Reising,	Weidemann,
Coakley,	Jones,	Reynolds,	Weiss,
Cochran,	Kane,	Rhys,	Welliver,
Cohen,	Kelder,	Rinn,	Welsh,
Coleman,	Kelso,	Roan,	Westrick,
Condon,	Kenney,	Rooney,	White,
Coolahan,	Kilroy,	Root,	Wickersham,
Cooper,	Kinney,	Royer,	Winner,
Cordier,	Klingler,	Ruffennach,	Witkin,
Davies,	Kobelak,	Sarraff,	Wood,
Decker,	LaRue,	Scanlon,	Woodside,
Denning,	Linderman,	Schaeffer,	Yeakel,
Dent,	Long,	Schrock,	Yourishin,
Diehl,	Longaker,	Schrope,	Zappala,
Dilley,	Lovett,	Schwab,	Zimmerman,
Downey, G. E.,	Lynch,	Serrill,	Furman,
Downey, J. J.,	Male,	Shaw,	Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 54, entitled:

A Supplement to Act No. 57-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Act of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance", making an appropriation for the payment of old age assistance to applicants in counties which

do not have sufficient funds available to pay assistance to such applicants.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	Duffort,	Mallen,	Shepard,
Alexander,	Eberharter,	Mason,	Shortz,
Allen,	Eroe,	McCreary,	Shreiner,
Altenburg,	Falkenstein,	McDermott,	Shugarts,
Andrews,	Ferko,	McDevitt,	Siegel,
Anthony,	Finnerty,	McElroy,	Simon,
Arnold,	Fitch,	McHenry,	Simpson,
Atkins,	Flanagan,	McKinney,	Sinwell,
Aukerman,	Flinchbaugh,	Melchiorre,	Sloan,
Baine,	Flynn,	Mentzer,	Smith, J. A.,
Baker, F. T.,	Forrest,	Merrell,	Smith, W. G.,
Baker, J. J.,	Gates,	Moomaw,	Snyder, F. E.,
Baldi,	Gerard,	Mooney,	Snyder, J. L.,
Barber,	Gillette,	Moore,	Sowers,
Barnhardt,	Greenstein,	Moran,	Sproul,
Beadman,	Habbyshaw,	Moul,	Stank,
Bernhard,	Haberlen,	Muir,	Stevens,
Blumberg,	Hagerty,	Munley,	Stewart,
Boose,	Haluska,	Murrin,	Stockham,
Boyd, R.,	Hamilton, F. P.,	Nagel,	Stone,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stott,
Bradley,	Harkins,	O'Keefe,	Sumney,
Brancato,	Harmuth,	Ominsky,	Surface,
Brennan,	Hartman,	O'Neill,	Sweeney,
Brown, H. S.,	Hefferon,	Panton,	Tahl,
Brown, J. E.,	Hermansen,	Parks,	Terry,
Brownfield,	Hetrick,	Patterson, C.,	Tronzo,
Brumbaugh,	Hindman,	Patterson, J. W.,	Trout,
Burke,	Hirsch,	Perry,	Tumelty,
Cannon,	Hoffner,	Peters,	Turner,
Caputo,	Holland,	Pfaff,	Van Allsburg,
Carr,	Holstrom,	Phillips,	Van Sickle,
Carson,	Hoopes,	Piole,	Wall,
Castor,	Horst,	Powers,	Wasserman,
Chervenak,	Jackson,	Reising,	Weidemann,
Coakley,	Jones,	Reynolds,	Weiss,
Cochran,	Kane,	Rhys,	Welliver,
Cohen,	Kelder,	Rinn,	Welsh,
Coleman,	Kelso,	Roan,	Westrick,
Condon,	Kenney,	Rooney,	White,
Coolahan,	Kilroy,	Root,	Wickersham,
Cooper,	Kinney,	Royer,	Winner,
Cordier,	Klingler,	Ruffennach,	Witkin,
Davies,	Kobelak,	Sarraf,	Wood,
Decker,	LaRue,	Scanlon,	Woodside,
Denning,	Linderman,	Schaeffer,	Yeakel,
Dent,	Long,	Schrock,	Yourishin,
Diehl,	Longaker,	Schrope,	Zappala,
Dilley,	Lovett,	Schwab,	Zimmerman,
Downey, G. E.,	Lynch,	Serrill,	Furman,
Downey, J. J.,	Male,	Shaw,	Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 29, entitled:

An Act to provide for the expense of the extraordinary session of the Legislature assembled May fourth Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh Anno Domini one thousand nine hundred thirty-six

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	Duffort,	Mallen,	Shepard,
Alexander,	Eberharter,	Mason,	Shortz,
Allen,	Eroe,	McCreary,	Shreiner,
Altenburg,	Falkenstein,	McDermott,	Shugarts,
Andrews,	Ferko,	McDevitt,	Siegel,
Anthony,	Finnerty,	McElroy,	Simon,
Arnold,	Fitch,	McHenry,	Simpson,
Atkins,	Flanagan,	McKinney,	Sinwell,
Aukerman,	Flinchbaugh,	Melchiorre,	Sloan,
Baine,	Flynn,	Mentzer,	Smith, J. A.,
Baker, F. T.,	Forrest,	Merrell,	Smith, W. G.,
Baker, J. J.,	Gates,	Moomaw,	Snyder, F. E.,
Baldi,	Gerard,	Mooney,	Snyder, J. L.,
Barber,	Gillette,	Moore,	Sowers,
Barnhardt,	Greenstein,	Moran,	Sproul,
Beadman,	Habbyshaw,	Moul,	Stank,
Bernhard,	Haberlen,	Muir,	Stevens,
Blumberg,	Hagerty,	Munley,	Stewart,
Boose,	Haluska,	Murrin,	Stockham,
Boyd, R.,	Hamilton, F. P.,	Nagel,	Stone,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stott,
Bradley,	Harkins,	O'Keefe,	Sumney,
Brancato,	Harmuth,	Ominsky,	Surface,
Brennan,	Hartman,	O'Neill,	Sweeney,
Brown, H. S.,	Hefferon,	Panton,	Tahl,
Brown, J. E.,	Hermansen,	Parks,	Terry,
Brownfield,	Hetrick,	Patterson, C.,	Tronzo,
Brumbaugh,	Hindman,	Patterson, J. W.,	Trout,
Burke,	Hirsch,	Perry,	Tumelty,
Cannon,	Hoffner,	Peters,	Turner,
Caputo,	Holland,	Pfaff,	VanAllsburg,
Carr,	Holstrom,	Phillips,	VanSickle,
Carson,	Hoopes,	Piole,	Wall,
Castor,	Horst,	Powers,	Wasserman,
Chervenak,	Jackson,	Reising,	Weidemann,
Coakley,	Jones,	Reynolds,	Weiss,
Cochran,	Kane,	Rhys,	Welliver,
Cohen,	Kelder,	Rinn,	Welsh,
Coleman,	Kelso,	Roan,	Westrick,
Condon,	Kenney,	Rooney,	White,
Coolahan,	Kilroy,	Root,	Wickersham,
Cooper,	Kinney,	Royer,	Winner,
Cordier,	Klingler,	Ruffennach,	Witkin,
Davies,	Kobelak,	Sarraf,	Wood,
Decker,	LaRue,	Scanlon,	Woodside,
Denning,	Linderman,	Schaeffer,	Yeakel,
Dent,	Long,	Schrock,	Yourishin,
Diehl,	Longaker,	Schrope,	Zappala,
Dilley,	Lovett,	Schwab,	Zimmerman,
Downey, G. E.,	Lynch,	Serrill,	Furman,
Downey, J. J.,	Male,	Shaw,	Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 55, as follows:

An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administration details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties

ARTICLE I

PRELIMINARY PROVISIONS

Section 1 Enacting Clause Be it enacted by the Sen-

ate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 2 Short Title This act shall be known and may be cited as the "Unemployment Compensation Law"

Section 3 Declaration of Public Policy Economic insecurity due to unemployment is a serious menace to the health morals and welfare of the people of the Commonwealth Involuntary unemployment and its resulting burden of indigency falls with crushing force upon the unemployed worker and ultimately upon the Commonwealth and its political subdivisions in the form of poor relief assistance Security against unemployment and the spread of indigency can best be provided by the systematic setting aside of financial reserves to be used as compensation for loss of wages by employes during periods when they become unemployed through no fault of their own The principle of the accumulation of financial reserves the sharing of risks and the payment of compensation with respect to unemployment meets the need of protection against the hazards of unemployment and indigency The Legislature therefore declares that in its considered judgment the public good and the general welfare of the citizens of this Commonwealth require the exercise of the police powers of the Commonwealth in the enactment of this act for the compulsory setting aside of unemployment reserves to be used for the benefit of persons unemployed through no fault of their own

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(a) "Board" means the Unemployment Compensation Board of Review established by this act

(b) "Compensation" means money payments payable to individuals with respect to their unemployment as provided in this act

(c) "Contribution" means the money payments required to be paid into the Unemployment Compensation Fund by employers with respect to employment which payments shall be used for the creation of financial reserves for the payment of compensation as provided in this act

(d) "Department" means the Department of Labor and Industry of the Commonwealth of Pennsylvania

(e) "Employe" means every individual whether male female citizen alien or minor who is or subsequent to January first one thousand nine hundred thirty-six was engaged for hire by an employer in an employment subject to this act

(f) "Employer" means every (1) individual (2) copartnership (3) association (4) corporation domestic or foreign) (5) the legal representative trustee in bankruptcy receiver or trustee of any individual copartnership association or corporation or (6) the legal representative of a deceased person (I) who or which employed or employs any individual in employment subject to this act within each of twenty (20) different weeks during the year one thousand nine hundred thirty-six or any calendar year thereafter whether or not such weeks are consecutive or (II) who or which has elected to become fully subject to this act and whose election remains in force

In determining the number of employes of an employer and in determining the amount of contributions required to be paid by an employer all of the individuals employed by a contractor or subcontractor or helpers or assistants of such individuals with whom the employer contracts for any work which is part of the employer's usual trade occupation profession or business shall be deemed to be employed by such employer who shall alone be liable for the contributions payable with respect to the wages of the employes of such contractor or subcontractor but who may recover from such contractor or subcontractor the amount of such contributions actually paid by him

Where an employer maintains more than one place of employment within this Commonwealth all of the employes at the several places of employment shall be treated for the purposes of this act as if employed by a single employer

Any individual copartnership association or corporation who or which is not subject to this act may elect to become subject thereto by filing with the department his or its written application and if such application is approved by the department the election shall become binding for not less than two calendar years

(g) "Employment" means all personal work including personal work in interstate commerce performed under any contract of hire express or implied written or oral including all contracts entered into by helpers and assistants of employes whether paid by the employer or employe if employed with the knowledge actual or constructive of the employer in which either (1) all or the greater part of the work is performd within this Commonwealth or (2) the contract of employment is entered into within this Commonwealth and the work is in any part performed within this Commonwealth For the purposes of this act contracts entered into by employers subject to this act with persons residing in this Commonwealth shall be deemed to be contracts entered into within this Commonwealth

The word "employment" shall not be construed to include

(1) Agricultural labor

(2) Domestic service in a private home

(3) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States

(4) Service performed by an individual in the employ of his son daughter or spouse and service performed by a child under the age of twenty-one (21) in the employ of his father or mother

(5) Service performed in the employ of the United States Government or of any instrumentality of the United States

(6) Service performed in the employ of a state a political subdivision thereof or an instrumentality of one or more states or political subdivisions.

(7) Service performed in the employ of a corporation community chest fund or foundation organized and operated exclusive for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private shareholder or individual

(h) "Employment Office" means a public employment office or branch thereof operated by the department

(i) "Full-time Weekly Wage" means the weekly wage for a full week's work as determined by the rules and regulations of the department

(j) "Referee" means a referee appointed by the department with the approval of the Governor to hear appeals under this act

(k) "Secretary" means the Secretary of Labor and Industry of this Commonwealth or his duly authorized representative

(l) "Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred thirty-five entitled "An act to provide for the general welfare by esablishing a system of Federal old-age benefits and by enabling the several states to make more adequate provision for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes" as amended

(m) "Social Security Board" means the Social Security Board established by the Social Security Act

(n) "State" includes Alaska Hawaii and the District of Columbia

(o) "Suitable Work" means all work which the employe is capable of performing except work in which (1) the position offered is vacant due directly to a strike lockout or other labor dispute or (2) the wages hours or other conditions of the work offered are substantially less favorable to the employe than those prevailing for similar work in the locality or (3) as a condition of being employed the employe would be required to join a com-

pany union or to resign from or refrain from joining any bona fide labor organization

(p) "Total Unemployment" means that an employe during a particular week has had no work for which wages are payable to him

(q) "Unemployment Trust Fund" means the Unemployment Trust Fund established by the Social Security Act

(r) "Wages" means all remuneration for employment including the cash value of all remuneration paid in any medium other than cash

(s) "Week" means any calendar week ending at midnight Saturday or the equivalent thereof as determined in accordance with general rules adopted by the department

(t) "Week of Employment" means each week occurring after January first one thousand nine hundred thirty-seven within which an employe performed work in an employment subject to this act for an employer subject to this act and in which the employe has earned such fair and reasonable proportion of his full time weekly wages as the department after thorough study and investigation shall prescribe by rule or regulation provided that the proportion so prescribed by the department shall be uniform with respect to all employes subject to this act

Section 5 Constitutional Construction The provisions of this act are severable and if any provisions hereof are held unconstitutional such decision shall not be construed to impair any other provision of this act It is hereby declared as the legsilative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 6 Suspension of Act under Certain Circumstances If the tax imposed by Title IX of the Social Security Act or any amendments thereto or any other Federal tax against which contributions under this act may be credited shall for any cause become inoperative with the result that contributions under this act or some portion thereof may no longer be credited against such Federal tax then the Governor of the Commonwealth shall forthwith by proclamation declare that the provisions of this act by virtue of that fact be suspended in their entirety and any unobligated funds in the Unemployment Compensation Fund or returned by the United States Treasurer because such Social Security Act is inoperative shall be refunded to the employers proportionately to their total contributions under regulations of the department

ARTICLE II

ADMINISTRATION OF ACT

Section 201 General Powers and Duties of Department It shall be the duty of the department to administer and enforce this act It shall have power and authority to adopt amend and rescind such rules and regulations require such reports from employers employes the board and other parties affected by this act make such investigations and take such other action as it deems necessary or suitable Such rules and regulations shall not be inconsistent with the provisions of this act and shall be effective upon publication in the manner the department shall prescribe in such rules and regulations The department shall submit to the Governor a biennial report covering the administration and operation of this act and shall make such recommendations for amendments to this act as it deems proper

Section 202 Personnel and Employment Offices The secretary shall have power to establish such offices and to appoint and fix the compensation of such employes in such office and in the department as he may deem necessary to administer this act The secretary shall also have power to assign such employes of the department as he deems necessary to assist in the administration of this act

Section 203 Unemployment Compensation Board of Review (a) There is hereby created in the department an Unemployment Compensation Board of Review The board shall consist of three members one of whom shall be a representative of employers one a representative of employees and one a representative of the public nominated and appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate for terms of six years each except that the terms of the members first taking office shall commence on July first one thousand nine hundred thirty-seven and shall be for two four and six years respectively as designated by the Governor at the time of appointment. The Governor shall designate one of the members as chairman Vacancies in said board shall be filled for the unexpired terms. The chairman of the board shall receive a salary at the rate of nine thousand dollars per annum The other members of the board shall receive salaries at the rate of eight thousand five hundred dollars per annum Such salaries shall be paid from the Administration Fund Two members of the board shall be a quorum and no action of the board shall be valid unless it shall have the concurrence of at least two members A vacancy on the board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the board

(b) The board shall be a departmental administrative board and shall have all the powers and perform all the duties generally vested in and imposed upon departmental administrative boards and commissions by The Administrative Code of one thousand nine hundred twenty-nine and its amendments

(c) It shall be the duty of the board to hear appeals arising from claims for compensation adopt amend and rescind such rules of procedure undertake such investigations and take such other action required for the hearing and disposition of appeals as it deems necessary and consistent with this act Such rules of procedure shall be effective upon publication in such manner as the board shall prescribe in such rules and shall not be inconsistent with this act Any investigation hearing or appeal which the board has power to undertake hold hear or before any one or more of the members of the board but any determination ruling or order of a member or members upon any such investigation hearing or appeal undertaken held or heard by him or them shall not become and be effective until approved and confirmed by at least a quorum of the board The chairman of the board shall have the power as often as he may deem the work of the board requires to designate the time and place for the conducting of investigations hearings and appeals and to assign cases to a member or members for such purposes

(d) The secretary with the approval of the Governor shall appoint and fix the compensation of such referees as may be deemed necessary with power to take testimony in any appeals coming before the board

(e) The board shall submit to the department a biennial report concerning the performance of its powers and duties and shall make such recommendations for the improvement of its service and the amendment of this act as it deems proper

Section 204 Advisory Councils The department shall have power to create and appoint members of State-wide and local advisory councils composed in each case of an equal number of employer and employe representatives who may fairly be regarded as representative because of their vocation employment or affiliations On each such council there shall also be members representing the general public

Such councils shall aid the department in formulating policies in discussing problems related to the administration of this act in assuring impartiality and freedom from political influence in the administration of this act in taking steps to reduce and prevent unemployment and in making studies relating to partial and seasonal unemployment

The members of such advisory councils shall serve without compensation but shall be entitled to be reimbursed out of the Administration Fund for all necessary expenses incurred in the discharge of their duties

Section 205 Stabilization of Employment Partial and Seasonal Unemployments The department shall take appropriate steps to (a) reduce and prevent unemployment (b) encourage and assist in the adoption of practical methods of vocational training and guidance (c) investigate recommend advise and assist in the establishment by political subdivisions of reserves for public works to be used in times of business depression and unemployment (d) promote the reemployment of unemployed workers (e) make studies of partial unemployment and recom-

mendations in respect to provisions for the payment of compensation for partial unemployment and (f) make studies of reasonal unemployment and recommendations in respect to provisions for seasonal industries under this system of unemployment compensation

Copies of all such studies and recommendations shall be transmitted to the Governor

Section 206 Records of and Reports by Employers Each employer shall keep accurate employment records in such form and containing such information as may be prescribed by the rules and regulations adopted by the department Such records shall be open to inspection by the department and its agents at any reasonable time and as often as may be deemed necessary The department may require from such employers such reports as it deems necessary which shall be sworn to if required by the department

Information thus obtained shall not be made public or be open to public inspection other than to the members of the board and the officers and employes of the department and the Social Security Board in the performance of their public duties but any claimant at a hearing of his claim shall upon request be supplied with information for such records to the extent necessary for the proper presentation of his claim

Any officer or employe of the department or the board or any other public employe who shall violate any of the provisions of this section shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than two hundred dollars and in default of the payment of such fine and costs of prosecution shall be sentenced to imprisonment for not longer than thirty days

Section 207 Co-operation with Social Security Board and Other Agencies (a) In the administration of thic act the department shall co-operate to the fullest extent consistent with the provisions of this act with the Social Security Board It shall make such reports in such form and containing such information as the Social Security Board may from time to time require and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports

(b) Upon request therefor the department shall furnish to any agency of the United States charged with the administration of public works or assistance through public employment the name address ordinary occupation and employment status of each recipient of compensation and such recipient's rights as to further compensation under this act

(c) The department is hereby authorized to enter into reciprocal arrangements and compacts with the proper authorities of other states and the Federal Government for the purpose of carrying out the objectives of the unemployment compensation acts of this and other states or adopted by the Congress of the United States

ARTICLE III
CONTRIBUTIONS BY EMPLOYERS

Section 301 Contributions by Employers of Eight or More Employes Each employer who has employed eight or more employes in employment shall pay for each calendar year beginning with the calendar year one thousand nine hundred thirty-six contributions into the Unemployment Compensation Fund which shall be equal to but not more than the amount of the maximum credit allowable to taxpayers for such calendar year by Section nine hundred two of the Social Security Act against the Federal excise tax with respect to employment payable by employers under Section nine hundred one of the Social Security Act Such payments shall be made at such times and in such manner as the department shall prescribe Such contributions in order to be no more and no less than the maximum credit allowance under the Social Security Act against such Federal excise tax shall be equal to the following percentages of total wages paid by the employer for such calendar year

(1) Nine-tenths of one per centum for the calendar year one thousand nine hundred thirty-six

(2) One and eight-tenths per centum for the calendar year one thousand nine hundred thirty-seven and

(3) Two and seven-tenths per centum for the calendar year one thousand nine hundred thirty-eight and each calendar year thereafter

Section 302 Contributions by Employers of Less Than Eight Employes Each employer other than employers subject to Section three hundred one of this act shall pay for each calendar year beginning with the calendar year one thousand nine hundred thirty-six contributions into the Unemployment Compensation Fund equal to the following percentages of total wages paid by the employer for such calendar year

(1) Nine-tenths of one per centum for the calendar year one thousand nine hundred thirty-six

(2) One and eight-tenths per centum for the calendar year one thousand nine hundred thirty-seven and

(3) Two and seven-tenths per centum for the calendar year one thousand nine hundred thirty-eight and each calendar year thereafter

Section 303 Period and Termination of Contributions (a) Any employer who or which becomes subject to this act during any calendar year shall be subject to this act during the whole of such calendar year

(b) Any employer subject to this act shall cease to be so subject only upon written application to the department and finding by the department that he has not had any employe in employment subject to this act within each of twenty different weeks during the previous or current calendar year whether or not such weeks are consecutive

Section 304 Reports by Employers Each employer shall file with the department such reports at such times and containing such information as the department shall require for the purpose of ascertaining and paying the contributions as required by this act

Section 305 Payment of Contributions Concurrently with each report the employer shall pay to the department the amount of contributions imposed by this act for the period covered by the report but the department may in proper cases upon request made permit an extension of time for the payment of contributions due The amount of the contributions in respect of which an extension is granted shall be paid (with interest at the rate of one-half of one per centum per month) on or before the expiration of the period of extension

Section 306 Fractions of a Cent In the payment of any contributions a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more in which case it shall be increased to one cent

Section 307 Interstate Commerce No employer required by this act to pay contributions shall be relieved from compliance therewith on the ground that he is engaged in interstate commerce or that this act does not distinguish between employes engaged in interstate commerce and those engaged in intrastate commerce

Section 308 Interest on Past Due Contributions Contributions unpaid on the date on which they are due and payable as prescribed by the department shall bear interest at the rate of one per centum per month from the date they become due until paid

Section 309 Collection of Contributions and Interest If after notice by the department any employer fails neglects or refuses to pay any contributions due or the interest due thereon the amount due shall be collected by civil action in the name of the Commonwealth Civil actions brought under this section to collect contributions or interest thereon from any employer shall be heard by the court at the earliest possible date and shall be entitled to preference upon the calendar of the court over all other civil actions except petitions for judicial review under this act and cases arising under the Workmen's Compensation Law of this Commonwealth

Section 310 Priorities Under Legal Dissolutions and Distributions In the event of any distribution of an employer's assets pursuant to an order of any court under the laws of this Commonwealth including any receivership assignment for benefit of creditors adjudicated insolvency composition or similar proceeding contribution or install-

ments thereof or interest thereon then or thereafter due shall be paid in full prior to all other claims except taxes claims arising under the Workmen's Compensation Law of this Commonwealth and claims for wages of not more than two hundred and fifty dollars to each claimant earned within six months of the commencement of the proceeding In the event of an employer's adjudication in bankruptcy judicially confirmed extension proposal or composition under the Federal Bankruptcy Act of one thousand eight hundred ninety-eight as amended contributions and interest then or thereafter due shall be entitled to such priority as is provided in Section sixty-four (b) of that Act (United States Code Title II Section one hundred four (b)) as amended

Section 311 Deduction of Contributions No employer shall deduct the contributions required to be paid by him or any part thereof from the remuneration of individuals in his employ.

Section 312 Refunds and Adjustments If not later than one year from the payment of any contribution or interest thereon an employer shall make application for an adjustment thereof in connection with subsequent contribution payments or if such adjustment cannot be made for a refund thereof and the department shall determine that such contribution or interest or any portion thereof was erroneously collected the department shall allow such employer to make an adjustment thereof without interest in connection with subsequent contribution payments by him or if such adjustment cannot be made the department shall refund said amount without interest out of the Unemployment Compensation Fund For like cause and within the same period an adjustment or refund may be so made on the initiative of the department

ARTICLE IV
COMPENSATION

Section 401 Qualifications Required to Secure Compensation Compensation shall be payable to any employe who becomes totally unemployed after January first one thousand nine hundred thirty-eight and who

(a) Has accumulated at least thirteen weeks of employment within the fifty-two weeks preceding his registration as unemployed

(b) Has registered for work at a designated employment office at such times and in such manner as the department may prescribe

(c) Has made a claim for compensation in the proper manner prescribed by the department

(d) Is able to work and available for work and

(e) Has been totally unemployed for a waiting period of at least three weeks prior to any week for which he claims compensation Such three weeks shall not include any week in which the employe was ineligible for compensation under Section four hundred two of this act or was ineligible for compensation under any provision of this section excepting however paragraphs (a) and (c) of this section Three weeks of total unemployment need not be consecutive but may be accumulated over the period of fifty-two consecutive weeks preceding any week for which he claims compensation Provided That this requirement shall not interrupt the payment of compensation for consecutive weeks of unemployment

Section 402 Ineligibility for Compensation An employe shall be ineligible for compensation for any week in which his unemployment is due to

(a) Failure without good cause either to apply for suitable work when so directed by the employment office or to accept suitable work when offered to him by the employment office In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness and prior training and experience and the distance of the available work from his residence

(b) Voluntarily leaving work

(c) A strike in which he is directly involved

Section 403 Amount and Payment of Weekly Compensation Compensation shall be payable at the rate of fifty per centum of the employes' full-time weekly wage but the amount shall not be more than fifteen dollars nor less than five dollars a week Compensation shall be computed to the nearest multiple of five cents Compensation shall be paid through employment offices at such times and in such manner as the department may prescribe

Section 404 Weeks of Compensation An employe's compensation shall be limited by and charged against his most recent fifty-two weeks of employment in the chronological order in which such weeks occurred and in the proportion of one week of compensation for each four weeks of employment No week of employment shall be counted in computing such fifty-two weeks of employment unless such week occurs within the one hundred four consecutive weeks preceding the date of his first registration in connection with any continuous period of unemployment Provided that no week of employment shall be so counted that occurred prior to January first one thousand nine hundred thirty-seven Not more than thirteen weeks of compensation shall be thus payable to any employe in any period of fifty-two consecutive weeks

Section 405 Duties of Employers Each employer shall post in a conspicuous place or places in his establishment or establishments any printed statement or notice required by the rules and regulations of the department

ARTICLE V
DETERMINATION OF COMPENSATION APPEALS REVIEWS PROCEDURE

Section 501 Initial Determination of Compensation Appeals The department shall promptly examine any claim filed and on the basis of the facts found by it shall determine whether or not the claim for compensation is valid and if valid the week with respect to which compensation shall commence the weekly compensation payable and the maximum duration thereof The claimant and other affected parties shall be promptly notified of the decisions and the reasons therefor Unless the claimant or other affected parties file an appeal from such decision to the board within ten calendar days after such notification was mailed to his last known post office address and applies for a hearing such decision of the department shall be final and compensation shall be paid or denied in accordance therewith In the event that an appeal is filed with the board the payment of compensation shall be withheld pending determination of the claim by a referee When a referee or the board affirms a decision of the department allowing compensation such compensation shall be paid notwithstanding any further appeal which may thereafter be taken

Section 502 Decision of Referee Further Appeals and Reviews Where an appeal from the decision of the department is taken a referee shall after affording the parties reasonable opportunity for a fair hearing affirm modify or reverse the findings of fact and the decision of the department as to him shall appear just and proper The parties shall be duly notified of the referee's decision and the reasons therefor which shall be deemed the final decision of the board unless within ten days after the date of such decision the board acts on its own motion or upon application permits any of the parties to institute a further appeal before the board A memorandum of testimony of any hearing before any referee shall be made and be preserved for a period of two years

Section 503 Disqualifications to Participate in Hearings No referee or no member of the board or no employe of department shall sit in the hearing of any case in which he himself is an interested party The board may designate an alternate to serve in the absence of disqualification of any referee

Section 504 Powers of Board Over Claims The board shall have power on its own motion or on appeal to remove transfer or review any case pending before or decided by a referee and in any such cases and in cases where a further appeal is allowed by the board from the decision of a referee may affirm modify or reverse the decision of the department or referee on the basis of the evidence previously submitted in the case or direct the taking of additional evidence A complete record shall be kept of each case heard before

the board All testimony at any hearing before the board whether on appeal or otherwise shall be taken by a reporter but need not be transcribed unless the disputed claim is further appealed

Section 505 Rules of Procedure The manner in which appeals shall be taken the reports thereon required by the secretary the claimant and employers and the conduct of hearings and appeals shall be in accordance with rules of procedure prescribed by the board whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure

Section 506 Power to Administer Oaths Subpoenas In the discharge of the duties imposed by this act the secretary the members of the board any agent duly authorized in writing by the board and any referee shall have power to administer oaths and affirmations take depositions and certify to official acts The board shall have power to issue summons or subpoenas to compel the attendance of witnesses and the production of books papers correspondence memoranda and other records deemed necessary as evidence in connection with the disputed claim or the administration of this act Such summons or subpoenas shall be signed by the chairman of the board or some person authorized in writing by the board

Section 507 Procedure where Summons or Subpoenas Disobeyed In case any person refuses fails or neglects to obey a summons or subpoena issued under the authority of this act or fails refuses or neglects to produce any books papers correspondence memoranda or record the board or its agent duly authorized in writing may petition the court of common pleas of the county in which the inquiry is being carried on or within which or transacts business setting forth the facts whereupon the court shall have jurisdiction to issue to such person its subpoena requiring such person to appear before the court at a time fixed and there to give testimony touching the matter under investigation or to produce such other evidence as may be required

Any person who shall without just cause fail neglect or refuse to obey a subpoena of the court or who shall without just cause fail or refuse to attend and testify or to answer any lawful injuiry or to produce books papers correspondence memoranda and other records if it is in his power so to do in obedience to a subpoena of the court may be punished by said court for contempt

Section 508 Protection Against Self-Incrimination No person shall be excused from attending or testifying or from producing books papers correspondence memoranda and other records before the department the board or any referee or court in obedience to any summons or subpoena on the ground that the testimony or evidence documentary or otherwise required of him may tend to incriminate him or subject him to a penalty or forfeiture but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he is compelled after having claimed his privilege against self-incrimination to testify or produce evidence except that such individual shall not be exempt from prosecution and punishment for perjury committed in so testifying

Section 509 Finality of Decisions Any decision made by the department or any referee or the board shall become final after ten days after the date thereof unless appealed from as hereinbefore provided but any decision of the board or of a referee where an appeal has been disallowed by the board shall nevertheless be subject to appeal to the Superior Court after the same has become final

Section 510 Appeals to Superior Court An appeal to the Superior Court may be taken by any party claiming to be aggrieved but only after he has exhausted his remedies before the board In any such appeal the board shall be made the party defendant Every appeal to the Superior Court must be taken within thirty days after the decision of the referee or board became final The appeal shall be by petition and shall state the grounds upon which a judicial review is sought A copy of such appeal petition shall be served upon a member or agent of the board and sufficient additional copies shall be left with the board to enable the board to furnish a copy to every party in interest in the proceeding who has not joined in the appeal The board shall file an answer in the Superior Court within thirty days after the petition has been served on it and shall at the same time file with the court certified copies of all documents and papers a record of all testimony taken and all findings of facts and decisions thereon The board may also in its discretion certify to such court questions of law involved in any decision by it

In any appeal to the Superior Court the findings of the board or referee as the case may be as to the facts if supported by the evidence and in the absence of fraud shall be conclusive and in such cases the jurisdiction of the court shall be confined to questions of law and shall be given precedence over all other civil cases except cases arising under the Workmen's Compensation Law

Section 511 Exceptions and Bond not Necessary No Supersedeas to be Granted In order to take an appeal to the Superior Court it shall not be necessary to enter exceptions to the rulings of the board and no bond shall be required for entering an appeal No appeal to the Superior Court shall act as a supersedeas

Section 512 Final Order of Board Upon the final determination of any appeal the board shall enter an order in accordance with the decree of the court

ARTICLE VI

UNEMPLOYMENT COMPENSATION FUND AND ADMINISTRATION FUND

Section 601 Unemployment Compensation Fund There is hereby created a special fund to be known as the Unemployment Compensation Fund All contributions together with interest thereon received or collected by the department from employers under the provisions of this act shall be paid into the Unemployment Compensation Fund and shall be credited by the department to a ledger account to be known as the Employers' Contribution Account All moneys in the Unemployment Compensation Fund shall be mingled and undivided All moneys from time to time received and credited to the Employers' Contribution Account shall be paid promptly by the department into the Unemployment Trust Fund

As often as may be necessary the department shall requisition from the Unemployment Trust Fund such amounts as shall be necessary to provide adequate funds for the payment of compensation as provided in this act Upon receipt of such requisitioned funds the department shall deposit them into the Unemployment Compensation Fund to the credit of a ledger account to be known as the Compensation Account and shall expend such moneys solely for the payment of compensation as provided by this act All moneys to the credit of the Compensation Account shall be mingled and undivided The department shall pay all compensation authorized by this act out of moneys standing to the credit of the Compensation Account

Section 602 Administration Fund There is hereby created a special fund to be known as the Administration Fund which shall consist of all moneys or other property received by the department from the United States of America or any agency thereof including the Social Security Board or from any other source whatsoever to be used for the administration of this act Also all fines and penalties collected under the provisions of this act shall be paid into this fund The department shall pay all costs required for the administration and operation of this act out of the Administration Fund

Section 603 State Treasurer as Custodian The State Treasurer shall be the custodian of the Unemployment Compensation Fund and the Administration Fund He shall give a bond or bonds with corporate sureties conditioned upon the faithful performance of his duties as custodian of such funds in such amount or amounts as shall be determined and fixed by the Executive Board Premiums for such bond or bonds shall be paid by the department out of the moneys in the Administration Fund All moneys belonging to such funds (exclusive of moneys on deposit in the Unemployment Trust Fund as provided in Section 601) shall be deposited by the State

Treasurer in any banks or public depositories in which general funds of the Commonwealth may be deposited but no public deposit insurance charge or premium shall be paid out of moneys in the Unemployment Compensation Fund Any law to the contrary notwithstanding all payments from such funds shall be made by the State Treasurer upon requisitions presented to him by the department All requisitions issued by the department shall bear the signature of the Secretary or his duly authorized agent for such purpose

Section 604 Budgetary Provisions Not Applicable The provisions of Article six of The Administrative Code of one thousand nine hundred twenty-nine as amended shall not apply to the funds created under the provisions of this act

ARTICLE VII

PROTECTION OF RIGHTS AND COMPENSATION

Section 701 Certain Agreements Void Penalty No agreement by any employe to waive release or commute his rights to compensation or any other rights under this act shall be valid No agreement by an employe or by employes to pay all or any portion of any employer's contributions required under this act from any employer shall be valid No employer shall directly or indirectly make or require or accept any deduction from the remuneration of individuals in his employ to finance contributions required from him under this act or require or accept any waiver by an employe of any right hereunder Any employer or officer or agent of an employer who violates any provision of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced for each offense to pay a fine of not less than one hundred dollars nor more than one thousand dollars or be imprisoned for not more than six months or both

Section 702 Limitation of Fees No employe shall be charged fees of any kind in any proceeding under this act by the department the board or any of its officers or agents Any individual claiming compensation in any proceeding before the department the board or a referee may be represented by counsel or other duly authorized agent but no such counsel or agent shall either charge or receive any greater fee for such services than is approved by the board Any person who violates any provision of this subsection shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars or be imprisoned for not more than six months or both

Section 703 No Assignment of Compensation Exemptions No assignment pledge or encumbrance of any right to compensation which is or may become due or payable under this act shall be valid and such rights to compensation shall be exempt from levy execution attachment or any other remedy whatsoever provided for the collection of debt Compensation payments received by an employe so long as they are not mingled with other funds of the employe shall be exempt from any remedy whatsoever for the collection of all debts except debts incurred for necessaries furnished to such individual or his spouse or dependents during the time when such individual was unemployed No waiver of any exemption provided for in this subsection shall be valid

ARTICLE VIII

PENALTY PROVISIONS

Section 801 False Statements and Representations to obtain or Increase Compensation Whoever makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact to obtain or increase any compensation or other payment under this act either for himself or for any other person shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than fifty dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment for not longer than thirty days and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense

Section 802 False Statements and Representations to Prevent or Reduce Compensation Any employer or any officer or agent of any employer or any other person who makes a false statement or representation knowing it to be false or who knowingly fails to disclose a material fact to prevent or reduce the payment of compensation to any employe entitled thereto or to avoid becoming or remaining subject hereto or to avoid or reduce any contribution or other payment required from an employer under this act or who wilfully fails or refuses to make any such contribution or other payment or to furnish any reports required hereunder or who wilfully fails or refuses to produce or permit the inspection or copying of records as required hereunder shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty dollars nor more than two hundred and in default of the payment of such fine and costs shall be sentenced to imprisonment for not longer than thirty days and each such false statement or representation or failure to disclose a material fact and each day of such failure or refusal shall constitute a separate offense

Section 803 Violation of Act and Rules and Regulations Any person who shall wilfully violate any provision of this act or any rule or regulation thereunder the violation of which is made unlawful or the observance of which is required under the terms of this act and for which a penalty is neither prescribed herein nor provided by any other applicable statute shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than two hundred dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment for not longer than thirty days and each day such violation continues shall be deemed to be a separate offense

Section 804 Liability to Repay Compensation Unlawfully Received Any person who by reason of the nondisclosure or misrepresentation by him or by another of a material fact (Irrespective of whether such non-disclosure or misrepresentation was known or fraululent) has received any sum as compensation under this act while any conditions for the receipt of compensation imposed by this act were not fulfilled in his case or while he was disqualified from receiving compensation shall be liable to repay to the Unemployment Compensation Fund a sum equal to the amount so received by him and such sum shall be collectible in the manner provided in this act for the collection of past due contributions

ARTICLE IX

SAVING CLAUSE REPEALS EFFECTIVE DATE

Section 901 Saving Clause The General Assembly reserves the right to amend or repeal all or any part of this act at any time and there shall be no vested right of any kind against such amendment or repeal All the rights privileges or immunities conferred by this act or by acts done pursuant thereto shall exist subject to the power of the General Assembly to amend or repeal this act at any time

Section 902 Repeals All acts or parts of acts inconsistent herewith are hereby repealed

Section 903 Effective Date This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

Mr. SPROUL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Page 10, Section 203, Line 13, by striking out the word "nine" and inserting in lieu thereof the word "seven"

Amend Page 10, Line 15, Section 203, by striking out the word "eight" and inserting in lieu thereof the word "six"

The SPEAKER. Will the House give unanimous con-

sent to the insertion of the amendments at this time? Is there objection?

Mr. MOOMAW. Mr Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

MOTION TO RECONSIDER VOTE

Mr SPROUL Mr Speaker, I move that the vote by which this bill passed third reading be reconsidered. It is not necessary for me to state my purpose, but it is for the purpose of considering amendments.

On the question,

Will the House agree to the motion?

The SPEAKER declared the nays appear to have it, whereupon, a division was called for, seventy-two members voting in the affirmative and one hundred seven in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WICKERSHAM. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Franklin, Mr. Moomaw permit himself to be interrogated?

Mr. MOOMAW. I will, Mr. Speaker.

Mr. WICKERSHAM. Mr. Speaker, I would ask the sponsor of the bill to inform the House what the estimated annual revenue is that will be paid by employers into the unemployment compensation fund by the terms of this act for the first, second and third years of its operation.

Mr. MOOMAW. Based on the most accurate information available, which at best is only an estimate, it is estimated that the fund will receive during this year $18,000,000. Of course, that would be doubled in the second year—it would double in the amount of percentage; and it would double for the third year due to the stepup in percentage.

Mr. WICKERSHAM. Will the gentleman from Franklin inform this House what the estimated annual charge against the unemployment fund will be as soon as the act is in full operation.

Mr. MOOMAW. Mr. Speaker in estimating this fund in Pennsylvania there is absolutely no precedent. Whether or not the estimates are correct is something that only experience will determine. Once this act is enacted the department will have the power to obtain federal data for the first few months of this year, so that by the end of this year we will really have some concrete information on which to work. The percentage of three percent is established by the Federal Social Security Act, was made after a number of studies of statistics which were available to the various departments in Washington and they took the period from 1923 to 1933 in establishing that 3 percent figure. Now, by having this information, at the next session of the legislature such amendments as may be found necessary can be made to this act, for after all no payments are to be made for compensation until January 1, 1938.

Mr. WICKERSHAM. Mr. Speaker, do I understand the gentleman to say then that there are no estimates as to what the annual charge will be at the present time when this act will be in full operation?

Mr. MOOMAW. Not as far as Pennsylvania is concerned other than the figures from various bureaus and statistics obtained in Washington and the meager checks we have been able to make here in this state.

Mr. WICKERSHAM. Will the gentleman from Franklin inform us whether or not the receipts and expenditures have been computed on what is known as an actuarial basis

Mr. MOOMAW. It has, Mr. Speaker.

Mr. WICKERSHAM. Will the gentleman inform us what percentage of payroll contribution would be required to place the unemployment compensation fund on an actuarial basis?

Mr. MOOMAW. I don't have the information at hand to answer that particular point.

Mr. WICKERSHAM. Will the gentleman inform me whether or not I am correct in stating that this tax or contribution must be paid by employers regardless of whether or not their business is operated at a profit or at a loss?

Mr. MOOMAW. The act does not differentiate in regard to that point.

Mr. WICKERSHAM. Mr Speaker, the bill now up for consideration is one of the most important that has ever come before this House. The problem of unemployment has always been and doubtless always will be with us. If House Bill No. 55 solved its difficulties, it would merit our whole-hearted support, regardless of its cost. Unfortunately, it is only a stop-gag, not a solution. It is for the short haul, not the long pull. That its benefits are of little advantage in a long drawn out depression is evidenced by the fact that the maximum period of payments is but thirteen weeks. And its cost, not only to the employer, but to the unemployed and to every man, woman and child in Pennsylvania, will be terrific.

However, we have no alternative but to pass the Bill. Our right to consider, our right to deliberate has been taken from us. The Federal Government, using its taxing power as an economic shot gun, has placed the weapon at our heads and commanded us to sign. The punishment for failure to comply is too great to consider. If Congress has such a power under the Constitution, then the separate sovereignty of the States is at an end. It can only be a question of time before all governmental functions are centralized in Washington. That the power to tax is the power to destroy was early recognized, and here today we see that economic bludgeon being used to crush beyond recognition the most important right heretofore reserved to the separate States, the right to decide for itself domestic problems within its own borders.

Fortunately, there is nothing within the Federal Act that prevents our attempting to point out to the people of Pennsylvania what they must pay for this legislation.

As we all know, this levy must be paid by the employer regardless of whether his business is run at a profit or at a loss. It rates therefore as a cost of production, the chief determining factor in price levels, and must inevitably result in a general rise in prices, something that must be borne by every man, woman and child in the State. This, regardless of name and no matter how concealed, will be a general Sales Tax, something that could never be passed if so styled, but can be easily adopted if introduced under an alias. The responsibility can not be shifted, the Democratic Congress in Washington is forcing us to adopt a Sales Tax, a tax that falls on the poor with crushing violence, while easily assimilated by the wealthy. Every article of merchandize, including the necessities of life,

will have a higher price as a result of this tax. For proof, I submit the experience of Europe, where price indices increased as soon as unemployment insurance was adopted.

Only one alternative can prevent a price rise, and that is a lowering of the wage scale to counter-balance the increased cost of production. The Act forbids the employer withholding 3% of wages to pay the tax, but there is nothing to prevent an employer from reducing his wage scale by a corresponding amount. Such action will accomplish the same result, but is an even greater evil than a general rise in prices.

Nor can it be argued that a very successful business can absorb these charges out of earnings. If it does, it will undersell the less successful competitior and force him to a speedy bankruptcy, with resulting increases in the unemployment rolls and permanent economic loss. The Act will, to that extent, play into the hands of Big Business at the expense of the Little Fellow.

One thing is certain. The only one who will have to bear this charge out of his own pocket is the man with only one, two or three employees, and no production cost through which to pass it on. The man with a little store, or a small business, the grocer, the druggist, the doctor; in short, the class now hardest hit by taxation. When we remember that the total tax to the employer under the Social Security Act is 6% of his gross payroll, we can readily see that the added burden means something to him.

What other results should Labor anticipate from the Act? A further curtailment of employment is a certainty. In an effort to keep down the cost of production, border-line employees will be dropped everywhere. Payrolls will be scrutinized with even greater care to eliminate those not absolutely indispensible. Finally, labor-saving machines not now justified under present labor costs, will be adopted because of savings they will make possible.

Finally, and probably most important of all, the best available information indicates that the proposed Bill is not based on an actuarial basis and therefore will in the immediate future necessitate large grants or subsidies from the Commonwealth to make up the deficits that will result. Such funds can only be raised by new taxes to be imposed on the people of Pennsylvania already overburdened with back-breaking taxes.

Based on the experiences of European countries having similar legislation, a pay-roll tax of from 4% to 6% is estimated to be necessary to place unemployment compensation on an actuarial basis. Seven of the eleven states in this country having unemployment insurance have recognized this by providing for employee contribution, usually at one per cent (1%), to be added to the contributions of employers. Pennsylvania will have but 2.7% at the maximum, all of which comes from employers. Additional taxes are therefore, a certainty.

In Germany, a payroll tax of 6½% borne equally by employer and employe, is levied for unemployment compensation. The maximum payment is $4.80 per week for twenty weeks, but despite this low maximum rate large contributions are required from the Central government.

In France, the rate is 7%, shared on an equal basis by employers and employees, yet an additional 600,000,000 francs is required to round out the deficit.

In England, with a maximum payment of approximately $4.25 per week, Parliament in 1935 had to appropriate from the general fund over 50% of the total raised from employer and employee contributions, in order to balance receipts with disbursements.

Pennsylvanians, may, therefore reasonably anticipate substantial new taxes in addition to a concealed general Sales Tax and increased unemployment as a result of this Act. The responsibility, however, belong to the administration in Washington. We are given no opportunity to weigh the relative merits and demerits of the proposal; the right has been taken from us to determine whether or not the cost overbalances possible benefits. Of one thing we may be certain, the cost burden will reach and be felt by every resident of Pennsylvania. Anyone who argues that employers alone will bear the expense, simply ignores the fundamental principles of economics. It will require some years for us to estimate the final cost, but one thing is certain, it will be extreme.

Mr. MOOMAW. Mr. Speaker and members of the House, the remarks of the gentleman from Dauphin may or may not have merit, depending entirely upon the viewpoint. There is one thing, however, that is certain, and which he has admitted, that Pennsylvania must enact a measure of this kind in order to protect the payroll tax which would otherwise go to the Federal Government and from which Pennsylvanians would receive no benefit. This measure has been carefully gone over and when the gentleman from Dauphin states that to the best of his knowledge it was not gone over from an actuarial standpoint, I might say that when the President of the United States appointed a Board of Economic Security, they carefully went into the various measures of this particular act. They took census figures, payroll and employment indices and employment studies in arriving at the figure which they have placed, namely three per cent, when the act becomes fully effective. As I stated in my previous remarks, this was taken over the period from 1923 to 1933, we had practically every condition that is experienced in in which I believe every member of the House will agree we had practically every condition that is experienced in our industrial and commercial life in America. This particular measure was carefully checked, and before being drafted the Department of Labor and Industry in Pennsylvania had Dr. Kulp of the University of Pennsylvania and Professor Simpson of the University of Pennsylvania to go over this measure in its entirety along with the Federal Security Act . Dr. Kulp, I might state, has been called in by previous administrations in Pennsylvania to help work out and to use his data and information regarding the Workmen's Compensation Act and other measures of this kind. He is also the consultant of the State of New York and set up the stystem in the State of New Hampshire. So, his ability is certainly unquestioned.

This measure in its present form was carefully gone over by the Social Security Board at Washington and approved in its entirety as being what they termed a model measure. With that thought in mind, plus the fact that we want to protect this money for Pennsylvania, I ask the members of the House to vote "aye" on this bill.

Mr. TURNER. Mr. Speaker and members of the House, I quite agree with the two previous speakers, my colleagues from Dauphin and from Franklin, but under the circumstances, no matter how we may feel about this legislation, we are left no choice but to vote for some form of an unemployment compensation bill at this session, in

order that we may save the workers of Pennsylvania the twenty million dollars that it is estimated will be collected by the Federal Government.

I do not want to take the time now to discuss some of the features of the act which I believe are not in accordance with what is considered by the experts of the country and I believe abroad, as the proper features of an unemployment compensation act of this kind. But I do want to recall to the members of this House and the people of this Commonwealth a feature of this bill that has placed it in such a position that it makes it very difficult for me to vote for it. That is the provision that permits the Federal Government to take this money out of the Commonwealth of Pennsylvania in the guise of a tax upon our manufacturers, upon their payrolls, to take it into the Federal treasury and then to remit a percentage of that money for the administration of this measure in the Commonwealth, not by turning that money back to the Commonwealth of Pennsylvania, not by turning it over to a department of our to admnister in accordance with the general practice of administration of our administrative departments under the Administrative Code in Pennsylvana, but gives them a free hand, freed of all the restrictions of the Administrative Code, to set up the kind of an organization that the Federal Government shall dictate, not the kind of an organization that we in Pennsylvania would like to have out of the money which we are contributing. Of course, the answer of the Federal Government will be "We are collecting this ten percent, we are returning this money out of the Federal Treasury, and therefore, have a right to direct it." But I say to you that that is but a smoke screen on the part of those who are so minded that they believe in concentrating everything in the hands of this great paternaustic and centralized Federal Government of ours. They do not trust us to set up the kind of a department we want, but they must keep their fingers and their eyes on the organization in Pennsylvania in such a way that they will set up in Pennsylvania an appropriate amount of money to be expended in administration, and the kind of organization we will have, free of all restrictions that we place upon our departments by the provisions of the Administrative Code, and the determination there as to how the bureau shall be set up and as to the taxing of the payroll.

I have heard it estimated that there will be possibly three million five hundred thousand dollars come back to the State of Pennsylvania for administrative purposes. That is more money—I have forgotten the figures, but about twice as much money as we give to the Department of Labor and Industry for the administration of that department; it is at least twice that much, and I think it is more, if I have the accurate figures before me. I do not object to a large organization to administer this money in Pennsylvania, this bill will require a great army of employes in Pennsylvania to administer it, because you will have to keep track of everybody who is employed in Pennsylvania, but inasmuch as that will set up a great army for supervision, I think that is all the more reason why in Pennsylvania we should have some way of setting up a check and balance upon what we have done in setting up such an organization. We have had such a great example from Washington in the last few years of the great expansion of bureaus, a great army of people upon the payrolls of the Federal Government, until today we have pretty nearly as many people working under the Federal Government, if you take those on WPA, as there are those working in all industry in the United States. Anyone knows that that can only mean the breaking down of our Government and the breaking down of the backs of the taxpayer. Now let us have some common sense in this, let us see if we cannot raise our voice to in some way put some sort of a check and balance upon the cost of administration of this act in Pennsylvania and the cost of its administration.

Mr. DENT. Mr. Speaker and members of the House, the Social Security Act of the Federal Government does not establish any unemployment compensation system for the various states. The states are invited to enact laws for the compensation of their unemployed. The Federal Government does not require or seek to force them to enact laws of a particular type. They are permitted to enact laws which are best suited to their local conditions and problems. That is an answer to any of the insinuations or influences that the Federal Government is stepping into Pennsylvania or any other State and demanding that we pass legislation that they themselves would have passed if so allowed to do.

May I suggest at this time that during the talk by one of the previous speakers an attempt was made to infer that this particular tax placed upon the payrolls of the employers of the State of Pennsylvania would result in lower wages, due to the fact that this tax would come from profits. We all realize that profits, in a major sense, control the amount of wages paid, but we also realize that profits do not wholly control the amount paid out in wages.

We who come from the laboring ranks realize this, that a standard of minimum wages is set up in the community and whether the corporations and companies in that community are making money or whether they are losing money, that minimum is adhered to. We find a corporation which made enormous profits in the past few years paying the same scale of wages as a corporation alongside of it, which has lost money in the past few years, therefore the argument that this is a tax placed directly upon the employee is untrue.

Let us admit that unemployment insurance certainly needs more study, but how can we or any other group of men interested in any law assume the responsibility for passing a good law until we have at least tried the best we have at hand. You men who are opposed to this particular bill have the privilege to introduce a bill that you think will fill the gap. You have stated this as a stop gap piece of legislation. We all realize that, but we are willing to study your type of legislation to answer this problem. Unemployment insurance is a vital question and therefore a vital issue to all the people of Pennsylvania, whether they are employers or employes.

The statement has been made that machinery would come into more use than it has in the past due to this tax. That is particularly untrue, because machinery is developed not with the idea of evading taxes but with the idea of making more profits, and if any machine can be devised to make more profits, regardless of taxes, that machine will be devised.

Members of the House, this bill is particularly necessary at this time and I certainly hope you will give serious consideration to its passage.

Mr. MASON. Mr. Speaker, I would like to interrogate

the sponsor of this bill, the gentleman from Franklin, Mr. Moomaw.

The SPEAKER. Will the gentleman from Franklin permit himself to be interrogated?

Mr. MOOMAW. I will, Mr. Speaker.

Mr. MASON. Mr. Speaker, it is my understanding, and I believe the understanding of the sponsor of the bill, that there will be a public hearing on this bill held in the Senate.

Mr. MOOMAW. Mr. Speaker, I have been given to understand that that is to be the case.

Mr. MASON. Mr. Speaker and members of the House, after the answer as submitted by the sponsor of the bill, there is no doubt that the members of this House must vote in favor of the passage of the measure in this present form. I regret exceedingly, however, that we must pass it as a House and by registering our individual votes in its present form in what I would rather call a rather blindfold fashion. I regret exceedingly that it is perhaps the feeling of the sponsor of the bill and the Administration that this act must be passed with such speed. In my opinion this is going to be the most important piece of legislation that will be passed at the present session of the Legislature. I have studied the Unemployment Insurance Act of the various, states, including New Hampshire and New York State, that the sponsor of the bill mentioned in his own address. I have attended several conferences which took place with regard to the types of unemployment insurance acts that have been passed and I assure you that each and every individual bill that has been passed, as far away as the State of Washington, down to the State of Alabama, and from there up to New Hampshire, vary in the essential principals. For that reason I had thought that perhaps in this session that the State would propose and this lower body of two hundred eight members would work out some bill that would be agreeable to everybody, and for that reason I regret exceedingly that we must vote on the bill as it is at the present time. However, as has been stated by each of the previous speakers, we must pass an unemployment insurance bill, not only must we do it, but we must do it at this session of the Legislature. I would add to the thought that when the bill reaches the Senate there will be an opportunity for a public hearing, at which we may offer amendments, if they are necessary, and when we can discuss the merits or demerits of the legislation. I urge each and every member of the House to vote for the pasage of this bill.

Mr. WICKERSHAM. Mr. Speaker and members of the House, I will be very brief. I just want to answer one point raised by the gentleman from Westmoreland when he said that the Federal Government merely invites the states to enact legislation and does not exercise any control over the legislation adopted by the states. If the gentleman has read the Social Security Act he will know that it contains a provision that unless the Federal Social Security Board gives its stamp of approval to the State legislation, that the employers of the State will not be entitled to the credit of ninety percent on their Federal tax

Mr. JONES. Mr. Speaker, I would like to interrogate the sponsor of the bill, the gentleman from Franklin, Mr. Moomaw.

The SPEAKER. Will the gentleman from Franklin, Mr. Moomaw, permit himself to be interrogated?

Mr. MOOMAW. I will, Mr. Speaker.

Mr. JONES. Mr. Speaker, may I inform Mr. Moomaw that in Luzerne County the second day after election that there were three thousand WPA workers laid off, and that last Friday there were 1250 more laid off. Will those four thousand, as well as between forty and fifty thousand in the State, come under the provisions of this Social Security Act, or will we have to appropriate that additional money in this Session from the taxpayers of Pennsylvania to take care of those forty or fifty thousand WPA workers who have been laid off?

Mr. MOOMAW. Mr. Speaker, in answer to the gentleman from Luzerne, Mr. Jones, I would say that this act does not cover WPA workers or any other workers of any other governmental agency, along with certain other exemptions which are in the act,—I do not have the section.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197.

Achterman,	Falkenstein,	McCreary,	Shepard,
Alexander,	Ferko,	McDermott,	Shortz,
Allen,	Finnerty,	McDevitt,	Shreiner,
Andrews,	Fitch,	McElroy,	Shugarts,
Anthony,	Flanagan,	McHenry,	Siegel,
Arnold,	Flinchbaugh,	McKinney,	Simon,
Atkins,	Flynn,	Melchiorre,	Simpson,
Aukerman,	Forrest,	Mentzer,	Sinwell,
Baine,	Gates,	Merrell,	Sloan,
Baker, J. J.,	Gerard,	Moomaw,	Smith, J. A.,
Baldi,	Gillette,	Mooney,	Smith, W. G.,
Barber,	Greenstein,	Moore,	Snyder, F. E.,
Barnhardt,	Habbyshaw,	Moran,	Snyder, J. L.,
Beadman,	Haberlen,	Moul,	Sowers,
Bernhard,	Hagerty,	Muir,	Stank,
Blumberg,	Haluska,	Munley,	Stevens,
Boose,	Hamilton, F. P.,	Murrin,	Stewart,
Boyd, R.,	Hamilton, R. S.,	Nagel,	Stockham,
Boyer,	Harkins,	Nothnagle,	Stone,
Bradley,	Harmuth,	O'Keefe,	Stott,
Brancato,	Hartman,	Ominsky,	Sumney,
Brennan,	Hefferon,	O'Neill,	Surface,
Brown, H. S.,	Hermansen,	Panton,	Sweeney,
Brown, J. E.,	Hetrick,	Parks,	Tahl,
Brownfield,	Hindman,	Patterson, Cliff,	Terry,
Brumbaugh,	Hirsch,	Patterson, J. W.,	Tronzo,
Burke,	Hoffner,	Pearson,	Trout,
Cannon,	Holland,	Perry,	Tumelty,
Caputo,	Holstrom,	Pfaff,	Turner,
Carr,	Hoopes,	Phillips,	Van Allsburg,
Carson,	Horst,	Piole,	VanSickle,
Castor,	Jackson,	Powers,	Wall,
Chervenak,	Jones,	Reising,	Wasserman,
Coakley,	Kane,	Reynolds,	Weidemann,
Cochran,	Kelder,	Rhys,	Weiss,
Cohen,	Kelso,	Rinn,	Welliver,
Coleman,	Kenney,	Roan,	Welsh,
Condon,	Kilroy,	Rooney,	Westrick,
Coolahan,	Kinney,	Root,	Wickersham,
Cooper,	Klingler,	Royer,	Wilson,
Davies,	Kobelak,	Ruffennach,	Winner,
Decker,	LaRue,	Sarraf,	Witkin,
Dent,	Linderman,	Scanlon,	Wood,
Diehl,	Long,	Schaeffer,	Woodside,
Dilley,	Longaker,	Schrock,	Yeakel,
Downey, G. E.,	Lovett,	Schrope,	Yourishin,
Downey, J. J.,	Lynch,	Schwab,	Zappala,
Duffort,	Male,	Serrill,	Zimmerman,
Eberharter,	Mallen,	Shaw,	Furman,
Eroe,	Mason,		Speaker

NAYS—4.

Altenburg,	Peters,	Sproul,	White,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 41, entitled:

An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by making further provisions relative to the filing of consolidated reports.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Achterman,	Eberharter,	Mallen,	Schrock,
Alexander,	Eroe,	Mason,	Schrope,
Allen,	Falkenstein,	McCreary,	Schwab,
Altenburg,	Ferko,	McDermott,	Serrill,
Andrews,	Finnerty,	McDevitt,	Shaw,
Anthony,	Fitch,	McElroy,	Shepard,
Arnold,	Flanagan,	McHenry,	Shortz,
Atkins,	Flinchbaugh,	Melchiorre,	Shreiner,
Aukerman,	Flynn,	Mentzer,	Shugarts,
Baine,	Gates,	Moomaw,	Siegel,
Baker, J. J.,	Gerard,	Mooney,	Simon,
Baldi,	Gillette,	Moore,	Sinwell,
Barber,	Greenstein,	Moran,	Smith, J. A.,
Barnhardt,	Haberlen,	Moul,	Smith, W. G.,
Bernhard,	Hagerty,	Muir,	Snyder, F. E.,
Blumberg,	Haluska,	Munley,	Snyder, J. L.,
Boose,	Hamilton, F. P.,	Murrin,	Sowers,
Boyd, R.,	Hamilton, R. S.,	Nagel,	Sproul,
Bradley,	Harkins,	Nothnagle,	Stank,
Brancato,	Harmuth,	O'Keefe,	Stevens,
Brennan,	Hartman,	Ominsky,	Stone,
Brown, H. S.,	Hefferon,	O'Neill,	Surface,
Brown, J. E.,	Hermansen,	Panton,	Sumney,
Brownfield,	Hetrick,	Parks,	Tahl,
Brumbaugh	Hindman,	Patterson, C.,	Terry,
Burke,	Hirsch,	Patterson, J. W.,	Tronzo,
Cannon,	Holland,	Perry,	Trout,
Caputo,	Holstrom,	Peters,	Tumelty,
Carson,	Hoopes,	Pfaff,	Van Allsburg,
Castor,	Horst,	Phillips,	VanSickle,
Chervenak,	Jackson,	Piola,	Wall,
Coakley,	Kane,	Powers,	Wasserman,
Cochran,	Keiger,	Reising,	Weidemann,
Cohen,	Kelso,	Reynolds,	Weiss,
Coleman,	Kenney,	Rhys,	Welliver,
Condon,	Kilroy,	Rinn,	Welsh,
Coolahan,	Kinney,	Roan,	Westrick,
Cooper,	Klingler,	Rooney,	Wickersham,
Davies,	Kobelak,	Root,	Winner,
Decker,	LaRue,	Royer,	Wood,
Deni,	Linderman,	Ruffennach,	Yourishin,
Diehl,	Long,	Sarraf,	Zappala,
Dilley,	Lovett,	Scanlon,	Zimmerman,
Downey, G. E.,	Lynch,	Schaeffer,	Furman,
Downey, J. J.,	Male,		Speaker

NAYS—22.

Baker, F. T.,	Hoffner,	Sloan,	Turner,
Boyer,	Jones,	Stewart,	White,
Carr,	Longaker,	Stockham,	Witkin,
Duffort,	McKinney,	Stott,	Woodside,
Forrest,	Merrell,	Sweeney,	Yeakel,
Habbyshaw,	Simpson,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 42, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand eight hundred ninety-seven (Pamphlet Laws, one hundred seventy-eight), entitled "An act taxing certain stocks of building and loan associations for State purposes," by adding a new section providing for the filing of reports and imposing penalties; by increasing the rate of tax on full paid, prepaid, and fully matured or partly matured stock of building and loan associations; and by modifying the procedure for the settlement, collection, and payment of such tax.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. HAGERTY. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of amendment and further study.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 45, entitled:

An Act validating certain proceedings and elections of political sub-divisions had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Achterman,	Eroe,	Mason,	Shepard,
Alexander,	Falkenstein,	McCreary,	Shortz,
Allen,	Ferko,	McDermott,	Shreiner,
Altenburg,	Finnerty,	McDevitt,	Shugarts,
Andrews,	Fitch,	McElroy,	Siegel,
Anthony,	Flanagan,	McHenry,	Simon,
Arnold,	Flinchbaugh,	McKinney,	Simpson,
Atkins,	Flynn,	Melchiorre,	Sinwell,
Aukerman,	Forrest,	Mentzer,	Sloan,
Baine,	Gates,	Merrell,	Smith, J. A.,
Baker, F. T.,	Gerard,	Moomaw,	Smith, W. G.,
Baker, J. J.,	Gillette,	Mooney,	Snyder, F. E.,
Baldi,	Greenstein,	Moore,	Snyder, J. L.,

Barber,	Habbyshaw,	Moran,	Sowers,
Barnhardt,	Haberlen,	Moul,	Sproul,
Beadman,	Hagerty,	Muir,	Stank,
Bernhard,	Haluska,	Munley,	Stevens,
Blumberg,	Hamilton, F. P.,	Murrin,	Stewart,
Boose,	Hamilton, R. S.,	Nagel,	Stockham,
Boyd, R.,	Harkins,	Nothnagle,	Stone,
Boyer,	Harmuth,	O'Keefe,	Stott,
Bradley,	Hartman,	Ominsky,	Sumney,
Brancato,	Hefferon,	O'Neill,	Surface,
Brennan,	Hermansen,	Panton,	Sweeney,
Brown, H. S.,	Hetrick,	Parks,	Tahl,
Brown, J. E.,	Hindman,	Patterson, C.,	Terry,
Brownfield,	Hirsch,	Patterson, J. W.,	Tronzo,
Brumbaugh,	Hoffner,	Perry,	Trout,
Burke,	Holland,	Peters,	Tumelty,
Cannon,	Holstrom,	Pfaff,	Turner,
Caputo,	Hoopes,	Phillips,	VanAllsburg,
Carr,	Horst,	Piole,	Van Sickle,
Carson,	Jackson,	Powers,	Wall,
Castor,	Jones,	Reising,	Wasserman,
Chervenak,	Kane,	Reynolds,	Weidemann,
Coakley,	Kelder,	Rhys,	Weiss,
Cochran,	Kelso,	Rinn,	Welliver,
Cohen,	Kenney,	Roan,	Welsh,
Coleman,	Kilroy,	Rooney,	Westrick,
Condon,	Kinney,	Root,	White,
Coolahan,	Klingler,	Royer,	Wickersham,
Cooper,	Kobelak,	Ruffennach,	Winner,
Davies,	LaRue,	Sarraf,	Witkin,
Decker,	Linderman,	Scanlon,	Wood,
Dent,	Long,	Schaeffer,	Woodside,
Diehl,	Longaker,	Schrock,	Yeakel,
Dilley,	Lovett,	Schrope,	Yourishin,
Downey, G. E.,	Lynch,	Schwab,	Zappala,
Downey, J. J.,	Male,	Serrill,	Furman,
Duffort,	Mallen,	Shaw,	Speaker
Eberharter,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 43, entitled:

An Act To further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by increasing the rate of tax.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Achterman	Dent,	LaRue	Root,
Alexander,	Diehl,	Linderman,	Royer
Allen,	Dilley,	Long,	Ruffennach,
Altenburg,	Downey, G. E.,	Lovett,	Sarraf,
Andrews,	Downey, J. J.,	Lynch,	Scanlon,
Anthony	Eberharter,	Male,	Schaeffer,
Arnold,	Eroe,	Mallen,	Schrope,
Atkins	Falkenstein,	Mason,	Schwab,
Aukerman,	Ferko,	McCreary	Serrill,
Baine,	Finnerty,	McDermott,	Shaw
Baker, J. J.,	Fitch,	McDevitt,	Shepard,
Bard	Flanagan,	McElroy,	Shortz,
Barber,	Flinchbaugh,	McHenry,	Shugarts,
Barnhardt,	Gates,	Melchiorre	Siegel,
Beadman,	Gerard,	Mentzer,	Simon,
Bernhard,	Greenstein,	Merrell,	Sinwell,
Boyd, R.,	Haberlen,	Moomaw,	Smith, J. A.,
Boyer,	Hagerty,	Mooney,	Smith, W. G.,
Bradley,	Haluska,	Moran,	Sowers,
Brancato,	Hamilton, F. P.,	Moul,	Stank,
Brennan,	Hamilton, R. S.,	Muir,	Stevens,
Brown, H. S.,	Harkins,	Munley,	Stone,
Brown, J. E.,	Harmuth,	Murrin,	Stott,
Brownfield,	Hartman,	Nagel,	Sumney,
Brumbaugh,	Hefferon,	O'Keefe,	Surface,
Burke,	Hermansen,	Ominsky,	Sweeney,
Cannon,	Hetrick,	O'Neill,	Terry,
Caputo,	Hindman,	Panton,	Tronzo,
Carr,	Hirsch,	Patterson, C.,	Trout,
Carson,	Holland,	Patterson, J. W.,	Tumelty,
Castor,	Holstrom,	Pearson,	Van Allsburg,
Chervenak,	Hoopes,	Pfaff,	Van Sickle,
Coakley,	Jackson,	Phillips,	Weiss,
Cochran,	Kane,	Piole,	Welliver,
Cohen,	Kelder,	Powers,	Welsh,
Coleman,	Kelso,	Reising,	Westrick,
Condon,	Kenney,	Reynolds,	Yourishin,
Coolahan,	Kilroy,	Rhys,	Zappala,
Cooper,	Kinney,	Rinn,	Furman,
Davies,	Klingler,	Roan,	Speaker
Decker,	Kobelak,	Rooney,	

NAYS—40.

Baker, F. T.,	Jones,	Simpson,	Wasserman,
Blumberg,	Longaker,	Sloan,	Weidemann,
Boose,	McKinney,	Snyder, F. E.,	White,
Duffort,	Moore,	Snyder, J. L.,	Wickersham,
Flynn,	Nothnagle,	Sproul,	Winner,
Forrest,	Parks,	Stewart,	Witkin,
Gillette,	Perry,	Stockham,	Wood,
Habbyshaw,	Peters,	Tahl,	Woodside,
Hoffner,	Schrock,	Turner,	Yeakel,
Horst,	Shreiner,	Wall,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 47, as follows:

An Act to amend section one of the act approved the sixteenth day of May one thousand nine hundred and thirty-five (Pamphlet Laws one hundred seventy-six) entitled "An act requiring cities of the second and third class to allow members of the police departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by extending the provisions thereof to cities of the second class A

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the sixteenth day of May one thousand nine hundred and thirty-five (Pamphlet Laws one hundred seventy-six) entitled "An act requiring cities of the second and third class to allow members of the police departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city of the second second class A and third class having a police department shall allow and permit every member of such police department to have at least twenty-four consecutive hours of rest in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebration and to have an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance or resolution of such city

This act shall become effective Jan. 1st, 1937

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Achterman,	Eberharter,	Mason,	Shepard,
Alexander,	Eroe,	McCreary,	Shortz,
Allen,	Falkenstein,	McDermott,	Shreiner,
Altenburg,	Ferko,	McDevitt,	Shugarts,
Andrews,	Finnerty,	McElroy,	Siegel,
Anthony,	Fitch,	McHenry,	Simon,
Arnold,	Flanagan,	McKinney,	Simpson,
Atkins,	Flinchbaugh,	Melchiorre,	Sinwell,
Aukerman,	Flynn,	Mentzer,	Sloan,
Baine,	Forrest,	Merrell,	Smith, J. A.,
Baker, F. T.,	Gates,	Moomaw,	Smith, W. G.,
Baker, J. J.,	Gerard,	Mooney,	Snyder, F. E.,
Baldi,	Gillette,	Moore,	Snyder, J. L.,
Barber,	Greenstein,	Moran,	Sowers,
Barnhardt,	Habbyshaw,	Moul,	Sproul,
Beadman,	Haberlen,	Muir,	Stank,
Bernhard,	Hagerty,	Munley,	Stevens,
Blumberg,	Haluska,	Murtin,	Stewart,
Boose,	Hamilton, F. P.,	Nagel,	Stockham,
Boyd, R.,	Hamilton, R. S.,	Nothnagle,	Stone,
Boyer,	Harkins,	O'Keefe,	Stott,
Bradley,	Harmuth,	Ominsky,	Sumney,
Brancato,	Hartman,	O'Neill,	Surface,
Brennan,	Hefferon,	Panton,	Sweeney,
Brown, H. S.,	Hermansen,	Parks,	Tahl,
Brown, J. E.,	Hetrick,	Patterson, C.,	Terry,
Brownfield,	Hindman,	Patterson, J. W.,	Tronzo,
Brumbaugh,	Hirsch,	Perry,	Trout,
Burke,	Hoffner,	Peters,	Tumelty,
Cannon,	Holland,	Pfaff,	Turner,
Caputo,	Holstrom,	Phillips,	Van Allsburg,
Carr,	Hoopes,	Piole,	Van Sickle,
Carson,	Horst,	Powers,	Wall,
Castor,	Jackson,	Reising,	Wasserman,
Chervenak,	Jones,	Reynolds,	Weidemann,
Coakley,	Kane,	Rhys,	Weiss,
Cochran,	Kelder,	Rinn,	Welliver,
Cohen,	Kelso,	Roan,	Welsh,
Coleman,	Kenney,	Rooney,	Westrick,
Condon,	Kilroy,	Root,	White,
Coolahan,	Kinney,	Royer,	Wickersham,
Cooper,	Klingler	Ruffennach,	Winner,
Davies,	Kobelak,	Sarraf,	Witkin,
Decker,	LaRue,	Scanlon,	Wood,
Denning,	Linderman,	Schaeffer,	Woodside,
Dent,	Long,	Schrock,	Yeakel,
Diehl,	Longaker,	Schrope,	Yourishin,
Dilley,	Lovett,	Schwab,	Zappala,
Downey, G. E.,	Lynch,	Serrill,	Zimmerman,
Downey, J. J.,	Male,	Shaw,	Furman,
Duffort,	Mallen,		Speaker

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 27, as follows:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax removing certain exemptions changing the listing date the date of filing reports and the date and manner of payment of the tax and making further provisions with regard to penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of th same That Sections three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three and twenty-four of the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" be and the same are hereby amended to read as follows

Section 3 Tax on Mortgages Judgments Et Cetera Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for State purposes at the rate of [one mill] four mills on each dollar of the value thereof as of a date to be fixed annually in the manner provided in section five of this act and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes all loans issued by any corporations association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section [nineteen] eighteen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government [except] including shares of stock in any [bank] corporation or limited partnership that may be liable to a tax on [its share or] its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on [its shares or] capital stock for State purposes by the laws of the Commonwealth Provided That this section shall not apply to shares of stock in any bank bank and trust company national bank or savings institution that may be liabile to a tax on its shares for State purposes under the laws of this Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned or used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars ($200) Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or

banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest-bearing accounts in any bank or banking institution savings institution or trust company and provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said [one mill] four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said [one mill] four mills tax on any of the said securities bonds or other evidences of indebtedness as may be held owned or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief owned by or owing to the said savings institution having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for any local purpose under the laws of this Commonwealth except for county purposes and in cities coextensive with counties for city and county purposes as now provided by law And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated hereafter received from any person or persons copartnership or unincorporated association or company non-resident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth

Section 4 Returns and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under the third section of this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of [March] February of each year to transmit to the department upon a form prescribed prepared and furnished by the department a return in duplicate the original under oath or affirmation of

(1) The aggregate value of each of the different classes of property made taxable by the third section of this act held owned or possessed by such resident as of the date fixed annually in the manner provided in section five of this act either in his own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

(2) The amount of interest dividends or other income derived from each class of such property at any time during the preceding calendar year and

(3) Such other information as may be required by the department concerning such property The duplicate unsworn return shall be forwarded by the Department of Revenue to the county commissioners Board of Revision of Taxes or board for the assessment and revision of taxes as the case may be of the county from which the return was made for its use and information

The failure of any taxable resident to receive or procure a return form shall not excuse him from making a return

(b) The return so made shall be sworn or affirmed to by the person making the same if an individual and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making the return prescribed by this section for the taking of which oath or affirmation no charge shall be made Any such agent who shall make any charge for administering such oath or affirmation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year either or both in the discretion of the court

(d) The tax imposed by section three hereof shall be due and payable when such return is required to be filed and every resident at the time of making every return shall compute and pay to the department the tax due the Commonwealth by such resident

Section 5 Listing Date The department shall on or before the [first] fifteenth day of [February] January one thousand nine hundred [thirty-six] thirty-seven and annually thereafter fix a day as of which the property made taxable by the third section of this act shall be listed and assessed The day so fixed shall be between the first and the fifteenth days of the [immediately preceding] month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property [if] If through inadvertence mistake or otherwise the department fails to designate or fix such date or if such date does not appear on the form for making return of such property the date as of which such property shall be listed and assessed shall be the immediately preceding first day of January

[Section 6 Original Assessment Notice The Department shall originally assess the tax imposed by the third section of this act on the basis of the return duly made Promptly after the date of such original assessment the department shall give or send by mail or otherwise a notice thereof to the taxpayer If the taxpayer is dissatisfied with the original assessment so made he may petition for a reassessment in the manner hereinafter provided]

Section [7] 6 Estimated Assessment Notice If any resident liable for or believed by the department to be liable for the tax imposed by the third section of this act shall fail to refuse to file a return in the manner and within the time prescribed by this act the department shall make an estimated assessment against him The department shall promptly threafter give or send by mail or otherwise notice of such estimated assessment to such resident At any time within thirty (30) days after notice of such estimated assessment is so given or sent such resident may file a return under oath or affirmation with the department [and if the department is satisfied that such return is correct and includes all property made taxable by the third section of this act or that such resident owned held or possessed no such taxable property it shall assess the tax if any on the basis of the return so made together with a penalty of ten per centum of the gross amount of taxable property returned] and at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of [six]

twelve per centum per annum from the time such property should have been returned [to the date of assessment and shall cancel the estimated assessment] together with a penalty of ten per centum of the amount of the tax due Any resident against whom an estimated assessment is made who shall fail or refuse to file a return and compute and pay the tax interest and penalty in the manner and within the time provided in this section shall have no right to appeal therefrom or to petition for a reassessment and in any suit for the collection of a tax so assessed shall not be permitted to set up as a defense that he owned held or possessed no property made taxable by the third section of this act or any other matter of defense whatsoever If any resident shall file a return [is filed] before an estimated assessment is made but not within the time required by this act [a penalty of ten per centum shall be added to the amount of property so returned and the tax assessed on the basis thereof with interest at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] such resident at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of twelve per centum per annum from the time such property should have been returned together with a penalty of ten per centum of the tax due

Section [8] 7 Additional Assessment Notice If any taxable resident shall fail to include in any return all of his property made taxable by the third section of this act or shall fail to compute and pay tax thereon as required in this act the department shall make an additional assessment of tax against such resident [of] on the amount of such omitted property together with a penalty of ten per centum of such [amount and interest thereon at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] additional assessment Promptly thereafter the department shall give or send by mail or otherwise notice thereof to such resident If such resident is dissatisfied with the additional assessment so made he may petition for a reassessment in the manner hereinafter provided

Section [9] 8 Assessments Made at any Time within Five Years An additional assessment or estimated assessment as heretobefore provided may be made by the department at any time within five (5) years after any property owned held or possessed or alleged to have been so owned held or possessed by an resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and nothwithstanding the department shall have made previous additional or estimated assessments against such resident In any such case no credit shall be given for any penalty formerly assessed and paid

Section [10] 9 Petition for Reassessment Appeal (a) Any resident against whom [any original assessment or] an additional assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department [prior to the time the amount becomes due and payable to wit Within] within thirty (30) days after notice of such [original assessment or] additional assessment is given or sent by the department to the taxpayer as provided in this act The department shall hold such hearings in each county as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who has duly notified the department or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the ground upon which it is claimed the [original or] additional assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

(b) If such petitioner is dissatisfied with the action of the department on his petition for reassessment [or if any resident against whom an estimated assessment is made and who has duly thereafter made a return as heretofore provided is dissatisfied with the refusal of the department to assess the tax on the basis of the return so made and to cancel the estimated assessment] he shall have the right to appeal to the court of common pleas of the proper county at any time within thirty (30) days after notice of such action [or refusal] is given to him by the department If any resident shall fail to give due notice of an intention to petition for a reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as aforesaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section [11] 10 Information at Source Reports (a) The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal estate of such decedent for the purpose of determining the transfer inheritance tax imposed theron by existing law shall in addition thereto file with such register of wills or clerk of the orphans' court a statement in duplicate under oath or affirmation setting forth the items included in such inventory or affidavit which may be liable to the tax imposed by the third section of this act The register or clerk with whom the same is filed shall forthwith send one copy thereof to the department It shall be the duty of the department to proceed at once to assess the tax due from such decedent with interest and penalties as heretofore provided in this act and to present a claim therefor through the Department of Justice to the orphans' court of the proper county or to proceed by action or suit at law through the Department of Justice in any court of competent jurisdiction for the recovery thereof or to take any or all appropriate steps or procedure necessary for the collection of such tax

(b) It shall be the duty of the recorder of deeds in each and every county in this Commonwealth to keep a daily record separate and apart from all other records of every mortgage or article of agreement given to secure the payment of money entered in his office for recording which record shall set forth the following information to wit The date of the mortgage or agreement the names of the parties thereto the just sum of money secured the precise residence of the mortgagee or person to whom interest is payable a brief description of the real estate upon which such mortgage is secured and the date or several dates when the said sum or portion of the said sum shall become due and payable and a like daily record of every assignment of a mortgage or an article of agreement given to secure the payment of money and also the number of mortgages and agreements together with the amount of same and the names of the parties thereto which shall have been that day satisfied of record For the purpose of obtaining with accuracy the precise residence of all mortgagees assignees and persons to whom interest is payable on articles of agreements it shall be the duty of the recorder of deeds in each county whenever a mortgage assignment or agreement given to secure the payment of money shall be presented to him for record to refuse the same unless the mortgage assignment or agreement has attached thereto and made part thereof a certificate signed by the mortgagee assignee or person entitled to interest or his duly authorized attorney or agent setting forth the precise residence of such mortgagee assignee or person entitled to interest and such certificate shall be recorded with the mortgage assignment or agreement Every recorder of deeds on the first Monday of

each month shall file the aforesaid daily record or a copy thereof with the department

(c) It shall be the duty of the prothonotary or clerk of the court of common pleas in each and every county in this Commonwealth forthwith upon the passage of this act to keep a daily record separate and apart from all other records of every single bill bond judgment or other instrument securing a debt entered of record in his office Such daily record shall set forth the following information to wit The date of the instrument the names of the plaintiff and defendant together with the precise residence of the plaintiff or person to whose use such bill bond judgment or other obligation to pay money is marked whenever such residence can be ascertained the just sum secured and the date or several dates when the said sum or portion of the same shall become due and payable with the further information whether any of said bonds or judgments are accompanied with mortgages and also the number of every single bill bond judgment or other instrument securing a debt together with the amount of same and the names of the plaintiff and defendant thereto which shall have been that day satisfied The prothonotary or clerk of the court of common pleas shall file the aforesaid daily record or a copy thereof with the department on the first Monday of each month

Section [12] 11 Compensation of Recorders and Prothonotaries The several recorders of deeds prothonotaries and court clerks as aforesaid shall be entitled to receive ten cents for each and every mortgage judgment or lien assignment or satisfaction thereof reported to the department as heretofore required in this act Such fees shall be paid by the respective county treasurers on the presentation of proper vouchers certified by the department and shall be applied in like manner as other fees received by such recorders prothonotaries or clerks Provided That no fee shall be allowed in any case where the residence of any plaintiff mortgagee or assignee is omitted in such reports And provided further That the amount allowed any prothonotary or clerk or recorder of deeds under this act shall not exceed the sum of six hundred dollars ($600.00) per annum

Section [13 Payment and] 12 Due Date All taxes [penalties and interest resulting from any original] whether a report is filed as herein required or whether an estimated or additional assessment is made by the department shall be due and payable [within thirty (30) days after notice of such original or additional assessment is given or sent by the department as heretofore provided if no petition for reassessment is taken or within thirty (30) days after notice of the determination of such petition if no appeal is taken All taxes penalties and interest resulting from any estimated assessment made by the department shall be due any payable within thirty (30) days after the expiration of the time within which a return may be made in such cases if no return is made and thirty (30) days after notice of the assessment made on the basis of such return is given or sent as heretofore provided if such return is made and the tax assessed on the basis thereof] on the fifteenth day of February of each year

Section [14] 13 Interest The tax imposed by the third section of this act shall bear interest at the rate of twelve per centum per annum from the date such tax is due and payable until paid except that any tax found due as the result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six per centum per annum from the date the tax was originally due and payable until paid [Any balance finally found due by the department as a result of a reassessment shall bear interest at the rate of twelve per centum per annum from the time such amount was originally due and payable until paid]

Section [15] 14 Lien of Taxes (a) All taxes imposed under the third section of this act together with all penalties and interest shall be considered a public account after [being assessed] becoming due and payable in the manner prescribed in this act and as such shall be a lien upon the franchises and real property of the resident against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchises or property are situated.

(b) The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by the third section of this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section [16] 15 Credits for Overpayment The Board of Finance and Revenue may allow a credit for any taxes imposed by the third section of this act and penalties and interest thereon [alleged to have been] paid [as the result of an error of law or of fact or of both law and fact] to the Commonwealth and which the Commonwealth is not rightfully or equitably entitled Claims for such credits shall be made in accordance with the provisions of "The Fiscal Code" relative to petitions for refunds of taxes No petition for such credit shall be considered by the board unless filed with the board within two (2) years of the payment alleged to have been erroneously made

Upon the allowance of any such petition the credit so determined may be applied against any amount due or subsequently becoming due by such petitioner on account of taxes imposed by the third section of this act and penalties and interest thereon or may be assigned in whole or in part to any other taxable resident to be applied against any amount due or subsequently becoming due by such resident on account of taxes imposed by the third section of this act and penalties and interest thereon Upon the allowance of a petition for credit the board shall issue its certificate under its hand and seal and no credit claimed whether assigned or not shall be allowed unless evidenced by such certificate

Section [17] 16 Penalties Costs (a) Every person or officer who shall wilfully and corruptly make a false and fraudulent return of property made taxable by the third section of this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law

(b) Any wilful failure on the part of recorders of deeds or prothonotaries or clerks to carry out the duties imposed upon them by section [eleven] ten of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the descretion of the court

(c) Every register of wills who shall fail to send copies of affidavits filed with him by executors or administrators to the department as required by section [eleven] ten of this act shall be guilty of a misdemeanor and upon conviction thereof the register so failing shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the descretion of the court

(d) Every executor or administrator who fails to file the affidavit with the register of wills as required by section [eleven] ten of this act shall be subject to a penalty of twenty-five dollars ($25.00) for the first day and ten dollars ($10.00) for each succeeding day during which such affidavit is not filed to be collected by the department through the Department of Justice in the same manner as debts are by law collected

(e) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(f) Any person who shall fail neglect or refuse to make the return required by section four of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred dollars ($200.00) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the descretion of the court

Section [18] 17 Enforcement Rules and Regulations In-

quisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by the third section of this act Every such resident is hereby directed and required to give the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized The department is hereby authorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such property The procedure for such hearing or examination shall be the same as that provided by "The Fiscal Code" relating to inquisitorial powers of fiscal officers

Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act shall be confidential except for official purposes and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred ($500.00) or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

(c) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section [19] 18 Tax on Script Bonds Et Cetera Imposition and Rate of Tax All script bonds certificates and evidences of indebtedness issued and all script bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth and all script bonds certificates and evidences of indebtedness issued are hereby made taxable [for the year one thousand nine hundred and thirty-six and annually thereafter] for State purposes during the calendar year one thousand nine hundred thirty-six on reports filed for the calendar year one thousand nine hundred thirty-five or for the fiscal year beginning in the calendar year one thousand nine hundred thirty-five at the rate of one mill on each dollar of the nominal value thereof and during the calendar year one thousand nine hundred thirty-seven on reports filed for the calendar year one thousand nine hundred thirty-six or the fiscal year beginning in the calendar year one thousand nine hundred thirty-six at the rate of four mills on each dollar of the nominal value thereof which tax shall be in addition to the tax imposed for State purposes by section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements Provided That Whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten (10) days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidence of indebtedness under the provisions of the third section of this act that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of the third section of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in the third section of this act Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deductions from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest-bearing accounts in any bank banking institution savings institution or trust company And provided further That the provisions of his act shall not apply to building and loan associations r to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said (one mill) four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said [one mill] our mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under

this section are not taxable under the third section of this act and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under the third section of this act.

Section [20] 19 Collection of Tax The tax for State purposes imposed upon obligations of private and public corporations by section [nineteen] eighteen of this act shall be collected in the same manner as the tax imposed for State purposes upon such obligations by section seventeen of the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements it being the true intent and meaning of this act that the provisions of the law in force at the time of the passage of this act relating to the manner of the collection of the State tax upon such obligations shall remain unaffected by this act.

Section [21] 20 Disposition of Tax Interest Fees Fines Forfeitures and Penalties All taxes and interest that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury through the department

All moneys paid into the State Treasury from taxes for the first year for which a tax is imposed by the provisions of this act shall be used only for unemployment relief purposes and for such purposes are hereby appropriated and all moneys paid into the State Treasury during the second year this act is in effect shall be credited to the General Fund

Section [22] 21 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional sentence section clause or part thereof not been included herein

Section [23] 22 Effect on Other Acts of Assembly Nothing contained in this act shall be deemed to repeal or modify the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and its amendments or supplements The taxes imposed by this act shall be in addition to all other taxes which are now or hereafter imposed by law

Section [24] 23 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force for the assessment and collection of taxes under section three of this act for the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven and for the collection of taxes under section [nineteen] eighteen of this act during the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the majority leader, the gentleman from York.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I desire to ask the majority leader, the gentleman from York, whether it is his intention to bring House Bill No. 61, Printer's No. 41, on Page 1 of the calendar today, to a vote upon the floor of this House.

Mr. COHEN. Mr. Speaker, I understand that the bill to which the gentleman from Cambria, Mr. Andrews, refers is the income tax of two percent, with a twenty dollar exemptions and no graduations. It is my intention if I can speak for the Democratic caucus, although I do not wish to assume that responsibility, but it is my intention and I think it is the intention of all the members of this House to get a vote upon an income tax measure, provided a measure can be devised which will not place too heavy a burden upon those least able to pay.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman from York, and I construe his statement to mean that he, speaking as majority leader, will either bring House Bill No. 61, Printer's No. 41, to the floor of this House for a vote as it stands in its present form or as it may be amended in the course of the deliberations of this House.

Mr. SPROUL. Mr. Speaker and members of the House, in discussing the stock increase in the personal property tax, I am concerned with the provision which may result in a great deal of our personal property being moved out of the State of Pennsylvania to other states which do not tax personal wealth. In a few minutes in my office the other day I contacted one institution and they gave me a list of six different cases in those few minutes, one of them amounting to between five and ten million dollars which was being transferred now to the City of Camden and on which the City of Philadelphia or Philadelphia county will lose four mills in addition to a mill of the State's. A further study would reveal that similar action is being taken in institutions throughout the State of Pennsylvania, especially on the borders.

I feel that if this tax is imposed, it will create an undue burden on those whose dependency is upon such things as mortgages which have defaulted and stocks and bonds which may not be paying dividends.

I have no brief for those who should pay a proportionate share of the burden but I believe that it should be on an income basis, of which I am sure quite a number of these people are in favor who are moving out, and I hate to see these institutions gradually being withdrawn from the State of Pennsylvania and going to other states. I know that solicitations are being made by other states for trust estates, which will decrease our personal property tax.

My conclusions in asking the House to vote against the bill, and in parenthesis may I say I am in favor of a straight income tax bill, are based on the fact that I should like to keep—and I am sure Pennsylvania would—this personal property in Pennsylvania instead of sending it to other states because it will go there rapidly.

Mr. HARKINS. Mr. Speaker and members of the House, I arise to ask the support of the members of this House for this bill. This bill increases the present State levy of one mill by an additional three mills on personal property.

It is a well known fact that the owners of personal property have been evading or have been avoiding their just and proportionate share of the expenses for maintenance of our government. The burden of taxation hith-

erto has fallen upon the small home owner and the owner of real estate.

The entire proceeds of this tax are to be used for the purpose of relief. The total amount to be raised, it is estimated by the Department of Revenue, will be forty million dollars. At the present the estimated amount of returns from the one mill State tax now in effect appears to be eight million dollars. In addition to the twenty-four million dollars that will be raised by the three mill tax the removal of certain exemptions now granted to foreign corporations will net sixteen million dollars.

It seems to me that the argument advanced by the gentleman from Delaware, Mr. Sproul, that we will have a removal of capital, that we will see an out-going of wealth that now is in the nature of personal property is far-fetched and does not represent what is reasonable to infer actually will occur. This additional three mill levy is only for the term and space of one year. It does not seem reasonable to me that we should expect those people who have considerable wealth to uproot themselves from their homes, from their business associations, from all of those things that they hold dear merely to escape what they should consider is a just share of the burden, which they have long avoided hitherto.

I ask the support of the members of this House on this bill, because this money raised by this tax will go back in the nature of relief for the maintenance of people in the various local counties and it will, in that sense, be a return to the individual counties. It will lessen the burden that those individual counties now have, because there has been inserted a provision, an amendment by Mr. Wickersham last evening, which will enable the counties to check in the enforcement of their own personal property tax and by the increase raised by that provision to enable the counties to check with the State and to rigidly enforce their local personal property tax act, and that will, in turn, reduce the amount of money necessary to be raised by local taxation on real estate in the counties.

I say to you members of the House that this is an opportunity for you to demonstrate whether or not you are serious in this particular session. This is an opportunity to demonstrate whether or not you believe that the relief burden which has been maintained hitherto by various other taxes should be properly shared by those most able to bear their share of the tax burden.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. BLUMBERG. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—113

Achterman,	Dilley,	Kobelak,	Rinn,
Alexander,	Downey, G. E.,	LaRue,	Rooney,
Allen,	Downey, J. J.,	Long,	Ruffennach,
Anthony,	Eberharter,	Lovett,	Sarraf,
Arnold,	Eroe,	Lynch,	Scanlon,
Aukerman,	Falkenstein,	Male,	Schaeffer,
Baine,	Ferko,	McCreary,	Schrope,
Baker, J. J.,	Finnerty,	McDermott,	Schwab,
Barber,	Fitch,	McElroy,	Shaw,
Bradley,	Flanagan,	McHenry,	Shepard,
Brancato,	Flinchbaugh,	Melchiorre,	Shugarts,
Brown, H. S.,	Gates	Mentzer,	Simon,
Brown, J. E.,	Gerard,	Merrell,	Sinwell,
Brownfield,	Haberlen,	Moomaw,	Smith, W. G.,
Brumbaugh,	Hagerty,	Mooney,	Stank,
Burke,	Hamilton, F. P.,	Moran,	Stevens,
Cannon,	Harkins,	Moul,	Stone,
Caputo,	Harmuth,	Munley,	Sumney,
Carson,	Hartman,	Nagel,	Tronzo,
Chervenak,	Hindman,	O'Keefe,	Tumelty,
Coakley,	Hirsch,	Ominsky,	VanSickle,
Cochran,	Holland,	O'Neill,	Weiss,
Cohen,	Holstrom,	Patterson, C.,	Welliver,
Coleman,	Hoopes,	Patterson, J. W.,	Welsh,
Coolahan,	Kelso,	Pfaff,	Westrick,
Decker,	Kilroy,	Piole,	Yourishin,
Dent,	Kinney,	Powers,	Zappala,
Diehl,	Klinger,	Reising,	Furman,
Haluska,			Speaker

NAYS—79.

Altenburg,	Gillette,	Murrin,	Sproul,
Atkins,	Greenstein,	Nothnagle,	Stewart,
Baker, F. T.,	Habbyshaw,	Panton,	Stockham,
Baldi,	Hamilton, R. S.,	Parks,	Stott,
Barnhardt,	Hermansen,	Perry,	Surface,
Beadman,	Hetrick,	Peters,	Sweeney,
Bernhard,	Hoffner,	Phillips,	Tahl,
Blumberg,	Horst,	Reynolds,	Terry,
Boose,	Jackson,	Rhys,	Turner,
Boyd, R.,	Jones,	Roan,	VanAllsburg,
Boyer,	Kane,	Schrock,	Wall,
Brennan,	Kelder,	Serrill,	Wasserman,
Carr,	Kenney,	Shortz,	Weidemann,
Castor,	Longaker,	Siegel,	White,
Condon,	Mallen,	Simpson,	Winner,
Davies,	Mason,	Sloan,	Witkin,
Denning,	McDevitt,	Smith, J. A.,	Woodside,
Duffort,	McKinney,	Snyder, F. E.,	Yeakel,
Flynn,	Moore,	Snyder, J. L.,	Zimmerman,
Forrest,	Muir,	Sowers,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. MURRIN. Mr. Speaker, I desire to file the following reasons for my vote:

House Bill 27 does not repeal present four mill county personal property tax; does not carry a real estate reduction clause; nor does it provide in any manner benefits for the Public Schools.

BILLS ON FINAL PASSAGE

Mr. HARKINS. Mr. Speaker, I desire to call up at this time House Bill No. 26, Printer's No. 17, on page 7 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Harkins.

The House resumed the consideration on final passage of House Bill No. 26, entitled.

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (Pamphlet Laws, six hundred forty), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and incumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and

savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April the twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by increasing the rate of tax for a limited period of time, and further modifying the method of computing the tax.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and weer as follows, viz:

YEAS—136.

Achterman,	Eberharter,	LaRue,	Root,
Alexander,	Eroe,	Long,	Royer,
Allen,	Falkenstein,	Longaker,	Ruffennach,
Andrews,	Ferko,	Lovett,	Sarraf,
Anthony,	Finnerty,	Lynch,	Scanlon,
Arnold,	Fitch,	Male,	Schaeffer,
Aukerman,	Flanagan,	Mallen,	Schrope,
Baine,	Flinchbaugh,	McCreary,	Schwab,
Baker, J. J.,	Flynn,	McDermott,	Shaw,
Barber,	Gates,	McElroy,	Shepard,
Boyer,	Gerard,	McHenry,	Shortz,
Bradley,	Haberlen,	Melchiorre,	Shreiner,
Brancato,	Hagerty,	Mentzer,	Shugarts,
Brown, H. S.,	Haluska,	Moomaw,	Siegel,
Brown, J. E.,	Hamilton, F. P.,	Mooney,	Simon,
Brownfield,	Hamilton, R. S.,	Moran,	Sinwell,
Brumbaugh,	Harkins,	Moul,	Smith, J. A.,
Burke,	Harmuth,	Munley,	Smith, W. G.,
Cannon,	Hartman,	Murrin,	Stank,
Caputo,	Hefferon,	Nagel,	Stevens,
Carson,	Hermansen,	O'Keefe,	Stone,
Chervenak,	Hetrick,	Ominsky,	Sumney,
Coakley,	Hindman,	O'Neill,	Tronzo,
Cochran,	Hirsch,	Panton,	Tumelty,
Cohen,	Holland,	Parks,	VanAllsburg,
Coleman,	Holstrom,	Patterson, C.,	VanSickle,
Coolahan,	Hoopes,	Patterson, J. W.,	Weiss,
Davies,	Horst,	Pfaff,	Welliver,
Decker,	Jackson,	Piole,	Welsh,
Dent,	Kelso,	Powers,	Westrick,
Diehl,	Kilroy,	Reising,	Yourishin,
Dilley,	Kinney,	Reynolds,	Zappala,
Downey, G. E.,	Klingler,	Rinn,	Furman,
Downey, J. J.,	Kobelak,	Rooney,	Speaker

NAYS—67.

Altenburg,	Forrest,	Perry,	Sweeney,
Atkins,	Gillette,	Peters,	Tahl,
Baker, F. T.,	Greenstein,	Phillips,	Terry,
Baldi,	Habbyshaw,	Rhys,	Trout,
Barnhardt,	Hoffner,	Roan,	Turner,
Beadman,	Jones,	Schrock,	Wall,
Bernhard,	Kane,	Serrill,	Wasserman,
Blumberg,	Kelder,	Simpson,	Weidemann,
Boose,	Kenney,	Sloan,	White,
Boyd, R.,	Linderman,	Snyder, F. E.,	Wickersham,
Brennan,	Mason,	Snyder, J. L.,	Winner,
Carr,	McDevitt,	Sowers,	Witkin,
Castor,	McKinney,	Sproul,	Wood,
Condon,	Merrell,	Stewart,	Woodside,
Cooper,	Moore,	Stockham,	Yeakel,
Denning,	Muir,	Stott,	Zimmerman,
Duffort,	Nothnagle,	Surface,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Mr. Harkins. Mr. Speaker, I desire to call up at this time House Bill No. 28, Printer's No. 21, on page 7 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Harkins.

The House resumed the consideration on final passage of House Bill No. 28, entitled:

An Act To further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

On the question, recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—121.

Achterman,	Dilley,	Kobelak,	Root,
Alexander,	Downey, G. E.,	LaRue,	Ruffennach,
Allen,	Downey, J. J.,	Long,	Sarraf,
Anthony,	Eberharter,	Lovett,	Scanlon,
Arnold,	Eroe,	Lynch,	Schaeffer,
Aukerman,	Falkenstein,	Male,	Schrope,
Baine,	Ferko,	McDermott,	Schwab,
Baker, J. J.,	Finnerty,	McElroy,	Shaw,
Barber,	Fitch,	McHenry,	Shepard,
Bradley,	Flanagan,	Melchiorre,	Shugarts,
Brancato,	Flinchbaugh,	Mentzer,	Siegel,
Brown, H. S.,	Gerard,	Moomaw,	Simon,
Brown, J. E.,	Haberlen,	Mooney,	Sinwell,
Brownfield,	Hagerty,	Moran,	Smith, J. A.,
Brumbaugh,	Haluska,	Moul,	Smith, W. G.,
Burke,	Hamilton, F. P.,	Munley,	Stank,
Cannon,	Harkins,	Murrin,	Stevens,
Caputo,	Harmuth,	Nagel,	Stone,
Carson,	Hartman,	O'Keefe,	Sumney,
Chervenak,	Hefferon,	Ominsky,	Tronzo,
Coakley,	Hetrick,	O'Neill,	Tumelty,
Cochran,	Hindman,	Panton,	VanSickle,
Cohen,	Hirsch,	Patterson, Cliff,	Weiss,
Coleman,	Holland,	Patterson, J. W.,	Welliver,
Coolahan,	Holstrom,	Pfaff,	Welsh,
Cooper,	Hoopes,	Piole,	Westrick,
Davies,	Kelso,	Powers,	Yourishin,
Decker,	Kilroy,	Reising,	Zappala,
Dent,	Kinney,	Rinn,	Furman,
Diehl,	Klingler,	Rooney,	Speaker

NAYS—81.

Altenburg,	Gillette,	Muir,	Stockham,
Andrews,	Greenstein,	Nothnagle,	Stott,
Atkins,	Habbyshaw,	Parks,	Surface,
Baker, F. T.,	Hamilton, R. S.,	Perry,	Sweeney,
Baldi,	Hoffner,	Peters,	Tahl,
Barnhardt,	Horst,	Phillips,	Terry,
Beadman,	Jackson,	Reynolds,	Trout,
Bernhard,	Jones,	Rhys,	Turner,
Blumberg,	Kane,	Royer,	VanAllsburg,
Boose,	Kelder,	Schrock,	Wall,
Boyd, R.,	Kenney,	Serrill,	Wasserman,
Boyer,	Linderman,	Shortz,	Weidemann,
Brennan,	Longaker,	Shreiner,	White,
Carr,	Mallen,	Simpson,	Wickersham,
Castor,	Mason,	Sloan,	Winner,
Condon,	McCreary,	Snyder, F. E.,	Witkin,
Denning,	McDevitt,	Snyder, J. L.,	Wood,
Duffort,	McKinney,	Sowers,	Woodside,
Flynn,	Merrell,	Sproul,	Yeakel,
Forrest,	Moore,	Stewart,	Zimmerman,
Gates,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

REPORT FROM COMMITTEE

Mr. MENTZER, from the Committee on Municipal Corporations, re-reported as amended, House Bill No. 1, entitled:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes and prohibiting the sale of heal property for the non-payment of any such taxes for a certain period."

BILLS INTRODUCED AND REFERRED

By O'NEILL. HOUSE BILL No. 96.

An Act to amend section five hundred sixty-one of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended; providing for discounts and penalties on taxes in school districts of the third and fourth classes.

Referred to the Committee on Education.

By Mr. BALDI. HOUSE BILL No. 97.

An Act to enable cities of the first class and taxing authorities of other political subdivisions within or coextensive with such cities to recover in part delinquent taxes levied on diliapidated unrented property by providing for the adjustment, revision and reduction of assessments thereon and the payment of delinquent taxes on the basis of such new assessments.

Referred to the Committee on Cities.

By Mr. HARMUTH. HOUSE BILL No. 98.

An Act to create a State Planning Board; prescribing its powers and duties; imposing certain duties upon political subdivisions; and making an appropriation.

Referred to the Committee on State Government.

ANNOUNCEMENTS BY THE CLERK

There will be a meeting of the Committee on Appropriations in the House caucus room immediately after this session.

There will be a meeting of the Committee on Judiciary Local upon adjournment in room 324.

There will be a meeting of the Committee on Constitutional Amendments immediately after this session in the House conference room.

A meeting of the Committee on Agriculture immediately after this session in the House caucus room.

A meeting of the Committee on Pensions and Gratuities immediately after this session in room 323.

The SPEAKER. The members will find in their boxes in the postoffice new lists of the committees which have been prepared and revised for the special session by the Chief Clerk.

LEAVE OF ABSENCE

Mr. MURRIN asked and obtained leave of absence for himself for the balance of the week.

ADJOURNMENT

Mr. TUMELTY. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 10:00 o'clock.

The motion was agreed to and (at 2:05 P. M.) the House adjourned until Wednesday, May 20, 1936, at 10:00 A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., WEDNESDAY, MAY 20, 1936. No. 10.

SENATE

WEDNESDAY, MAY 20, 1936.

The Senate met at 10:30 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D.D., offered the following prayer:

For the refreshing rest of the past night and the light of a new day, we thank Thee, O God. May this day be fraught with opportunities for service—may we be given vision to discern these opportunities and willingness to embrace them. We ask Thy pardon for past sins and Thy guidance in coming days. We would pray with David, the sweet singer of Israel, "Create in me a clean heart, O God, and renew a right spirit within me." Liberate us from the fact of sin within so that we may be free from the acts of sin without. May what is done today by this Senate meet Thy approval. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. RANKIN, the further reading was dispensed with, and the Journal was approved.

PETITIONS

PROTESTING AGAINST HOUSE BILL No. 35

The Chair cleared his table and laid before the Senate petition from the Methodist Ministers' Meeting, Philadelphia, protesting against House Bill No. 35.

Which was referred to the Committee on Finance.

PROTESTING AGAINST HOUSE BILL No. 36

The Chair also laid before the Senate petition from P. L. Moore, of Philadelphia protesting against House Bill No. 36.

Which was referred to the Committee on Finance.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following presons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Anna M. Gauscheman, 104-8 W. North Ave., Pittsburgh.

PHILADELPHIA COUNTY

William L. Keeley, 23 S. 23rd Street, Philadelphia.
Miss Helen B. Wick, 4937 Duffield Street, Philadelphia.

GEORGE H. EARLE.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 22 (House Bill No. 14), as follows:

An Act ratifying confirming and validating the transfer of money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the purpose of this transfer is to provide funds for the action of the Governor the Auditor General and State Treasurer in transferring from the Motor License Fund to the General Fund in accordance with the provisions of the act of May twenty-sixth one thousand nine hundred and thirty-three (Pamphlet Laws one thousand eighty-eight) and concurrent resolution Serial No. three approved by the Governor May thirteenth one thousand nine hundred and thirty-six the sum of three million six hundred and thirty thousand dollars ($3.630,000), in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board is hereby ratified confirmed and validated To the extent to which said transfer makes it necessary the use of the transferred fund for its ordinary purposes shall be postponed but not otherwise modified

Section 2 The amounts so transferred from the Motor License Fund to the General Fund shall be repaid to the Motor Licenses Fund out of the General Fund not later than May thirty-first one thousand nine hundred thirty-seven

Section 3 This act shall become effective immediately upon final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 33 (House Bill No. 29), as follows:

An Act to provide for the expenses of the extraordinary session of the Legislature assembled May fourth Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh Anno Domini one thousand nine hundred thirty-six.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or as much thereof as may be necessary be and the same are hereby specifically appropriated for the payment of the expenses of the Legislature assembled in extraordinary session the fourth day of May Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor dated the twenty-seventh day of April Anno Domini one thousand nine hundred thirty-six

TO THE SENATE

The total sum of one hundred and five thousand nine hundred ninety-nine dollars and eighty cents ($105,999.80) or as much thereof as may be necessary to be paid in the manner prescribed by law

For the payment of the salaries of the Senators and extra compensation allowed by law to the President Pro Tempore of the Senate

For the payment of the mileage of the Senators

For the payment of the postage allowed by law to each Senator the sum of fifty dollars ($50)

To the chief clerk and assistants for the payment of postage the sum of seventy-five dollars ($75)

The the chief clerk for the payment of the postage on the Legislative Journal bills and calendars the sum of two thousand five hundred dollars ($2,500)

For the payment of the salaries of the officers and employes of the Senate during and for the completion of the work of the extraordinary session also for the payment of the mileage of the officers and employes of the Senate

For the payment of the expenses of the Committee on Appropriations of the Senate extraordinary session of one thousand nine hundred thirty-six the sum of one thousand five hundred dollars ($1,500) or as much thereof as may be necessary to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for the same the chairman to file an account with the Audtor General thirty days after the adjournment of the extraordinary session of the Legislature.

For the contingent expenses including extra clerical and stenographic charges of the President Pro Tempore of the Senate during the period of the extraordinary session the sum of five hundred dollars ($500) or as much thereof as may be necessary and for the payment of the necessary expenses including extra labor in the office of the chief clerk during the extraordinary session the sum of six thousand dollars ($6,000) or as much thereof as may be necessary

To the secretary of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate during the extraordinary session the sum of five hundred dollars ($500)

TO THE HOUSE OF REPRESENTATIVES

The total sum of two hundred and fifty-seven thousand eight hundred sixty-eight dollars and seventy-four cents ($257,868.74) or as much thereof as may be necessary to be paid in the manner prescribed by law.

For the payment of the salaries of the Members of the House of Representatives and extra compensation allowed by law to the Speaker of the House.

For the payment of mileage of the Members

For the postage allowed by law to each Member the sum of fifty dollars ($50)

To the chief clerk and assistants for the payment of postage the sum of seventy-five dollars ($75)

To the chief clerk for the payment of the postage on the Legislative Journal bills and calendars the sum of five thousand dollars ($5000)

For the payment of the salaries of the officers and employes of the House of Representatives during and for the completion of the work of the extrardinary session also for the payment of the mileage of the officers and employes of the House of Representatives

For the payment of the expenses of the Committee on Appropriations of the House of Representatives extraordinary session of one thousand nine hundred thirty-six the sum of three thousand six hundred dollars ($3,600) or as much thereof as may be necessary to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for the same said chairman to file an account with the Auditor General within thirty days after the adjournment of the extraordinary session of the Legislature.

For the contingent expenses including extra clerical and stenographic charges of the Speaker of the House of Representatives during the period of the extraordinary session the sum of five hundred dollars ($500) or as much thereof as may be necessary and for the payment of the necessary expenses including extra labor in the office of the chief clerk during the extraordinary session the sum of ten thousand dollars ($10,000) or as much thereof as may be necessary

For payment to W C Wakefield Sergeant-at-arms of the House of Representatives for mileage salary and incidental expenses for serving writs of special election in the following legislative districts Forest County third and fourth districts of Berks County second district of Lancaster County and sixth tenth thirteenth and twenty-first district of the city of Philadelphia the sum of one hundred thirty-seven dollars and fifty cents ($137.50) or so much thereof as may be necessary to be paid on warrant of the Auditor General upon presentation of specifically itemized vouchers

LEGISLATIVE JOURNAL

For payment to the chief clerk of the Senate and chief clerk of the House of Representatives for making indices of the journal of each house for the extraordinary session the sum of two hundred fifty dollars ($250)

For the work of the Legislative Journal officials after the close of the extraordinary session on the Legislative Journal also proofreading of appendix and index thereto as provided by law the sum of one thousand five hundred dollars ($1,500)

For the payment of the person or persons appointed to index the Legislative Journal of the extraordinary session in accordance with the act establishing said Journal the sum of five hundred dollars ($500)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 34 (House Bill No. 34), as follows:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing the Signing the Ratification by Pennsylvania and the Final Adoption and Promulgation of the Constitution of the United States to be held at Philadelphia and elsewhere on the fifteenth sixteenth and seventeenth days of September one thousand nine hundred thirty-seven and subsequent anniversary dates in connection therewith and making an appropriation

Whereas The Congress of the United States has created the United States Constitution Sesquicentennial Commission to provide for a suitable commemoration on behalf of the Nation of the One Hundred Fiftieth Anniversary

of the Framing Signing Ratification Adoption and Promulgation of our Federal Constitution to be held at Philadelphia and elsewhere on the fifteenth sixteenth and seventeenth days of September one thousand nine hundred thirty-seven and on the subsequent appropriate anniversary dates and

Whereas Pennsylvania is more deeply concerned in the public commemoration of those exalted events than any other State not alone by reason of the services of her eight distinguished sons in the original Constitutional Convention but as well because she provided her Capitol the old State House of Pennsylvania now known as the Hall of Independence as the scene for those epoch-making actions extending her hospitality therefor to the Governors and peoples of the then confederated United States and

Whereas It is desired to make of said celebrations memorable occasions of national reunion and

Whereas To commemorate these momentous events Pennsylvania again should offer to the Government of the United States and to the entire Nation invitations to the same inviting the entire Nation to rejoice where the Constitution was born and should herself as the Keystone State commemorate the birth of our Government under law on the soil of this Commonwealth and

Whereas Fifty years ago on the occasion of the Centennial Celebration of the Constitution Pennsylvania by the act approved the third day of June one thousand eight hundred eighty-seven (Pamphlet Laws three hundred thirty-eight) provided a suitable commemoration for the Commonwealth and extended its hospitality to the Government of the United States to the Governors and peoples of the other States of the Union and of foreign governments providing a suitable appropriation therefor and

Whereas the General Assembly by earlier acts has created the Pennsylvania Historical Commission to represent the Commonwealth in such matters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Public Instruction is hereby authorized and directed for and on behalf of the Commonwealth of Pennsylvania to arrange for the participation of the Commonwealth of Pennsylvania in any national celebration of the aforementioned historical events.

In performing its duties under this act the Department of Public Instruction shall appoint such committee or committees of representative citizens as it may find desirable the same however to include the Governor the Chief Justice of the Supreme Court the Lieutenant Governor the President Pro Tempore of the Senate and the Speaker of the House and shall cooperate with the United States Sesquicentennial Commission and county municipal or other authorized committees or commissions including the Pennsylvania Federation of Historical Societies and other historical associations

Section 2 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for use in carrying out the purposes of this act

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 33, (House Bill No. 29), entitled:

An Act to provide for the expenses of the extraordinary session of the Legislature assembled May fourth Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh Anno Domini one thousand nine hundred thirty-six

be recommitted to the Committee on Appropriations.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT PRO-TEMPORE (Mr. John G. Homsher) in the Chair.

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 32, (Senate Bill No. 45), entitled:

An Act making an appropriation to the Trustees of the Connellsville State Hospital at Connellsville, Pennsylvania, for the erection and equipment of a laundry and the erection of an ambulance garage.

Which was committed to the Committee on Appropriations.

TIME OF NEXT MEETING

He also informed the Senate that the Hous has concurred in Resolution from the Senate as follows:

In the Senate, May 19, 1936.

Resolved (if the House of Representatives concur, That when the Senate adjourns this week is reconvene on Monday evening, May 25, at nine o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening, May 25, at nine o'clock Eastern Standard Time.

ADJOURNMENT

Mr. HARRIS. Mr. President, I move that the Senate do now adjourn.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:51 A. M. until 9 o'clock Monday evening, May 25, 1936.

HOUSE OF REPRESENTATIVES

WEDNESDAY, May 20, 1936

The House met at 10:00 A. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

O, Father God, Thou Who hast been our dwelling place in all generations, we pray Thee as we gather here that we may have a realizing sense of Thy presence. Hold out Thy light and Thy truth. Let them lead us in all that we shall undertake. Bless us and our families who are at home, and all of our various interests.

These and other blessings we ask in His name and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday when, on motion of Mr. STONE the further reading was dispensed with and the Journal approved.

COMMUNICATIONS AND PETITIONS

AMENDMENT OF CONSTITUTION

A resolution from the Taxpayers' Forum of Pennsylvania favoring amendment of Article XVIII, Section 1 of the Constitution of Pennsylvania.

Referred to the Committee on Constitutional Amendment.

GASOLINE TAX

A telegram from Philadelphia Board of Trade protesting increase in gasoline tax.

Referred to the Committee on Ways and Means.

A communication and resolution from Board of Commissioners of the Township of Haverford protesting increase in gasoline tax.

Referred to the Committee on Ways and Means.

FLOQD CONTROL

A resolution from the Council of the Borough of Donora urging adoption of adequate flood control system.

Referred to the Committee on Forestry.

FUEL OIL TAX

A telegram from Germantown Oil Burner Co., protesting passage of fuel oil tax.

Referred to the Committee on Ways and Means.

LEAVES OF ABSENCE

Mr. Stone asked and obtained leave of absence for Mr. CARSON for the balance of the week on account of illness.

Mr. Holstrom asked and obtained leave of absence for Mr. RINN and Mr. ZAPPALA for the balance of the week.

Mr. KELDER asked and obtained leave of absence for himself for the balance of the week.

Mr. Baldi asked and obtained leave of absence for Mr. WALL for the balance of the week on account of illness.

Mr. Aukerman asked and obtained leave of absence for Mr. LYNCH for the balance of the week.

REPORTS FROM COMMITTEES

Mr. HOMER S. BROWN, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 74, entitled

A Joint Resolution proposing an amendment to section eight, article nine, of the Constitution of the Commonwealth of Pennsylvania.

Mr. BEADMAN, from the Committee on Pensions and Gratuities, reported as committed, House Bill No. 57, entitled

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons; authorizing the appointment of trustees for certain persons; providing for the recovery of moneys expended for assistance in certain cases; providing penalties; and repealing inconsistent acts.

Mr. Allen, from the Committee on Pensions and Gratuities, reported as committed, House Bill No. 59, entitled

An Act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen, and to repeal section two of the act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards and trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," by providing for the appointment of a board of trustees for each county; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers assistance, except under certain circumstances; providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board; and authorizing the Department of Welfare to cooperate with, and to accept and disburse moneys received from, the United States government for aid to dependent children.

Mr. WESTRICK, from the Committee on Agriculture, reported as committed, House Bill No. 67, entitled

An Act to promote flood control and the prevention of soil erosion, and, incidental therewith, to promote agriculture, by providing for cooperation by the Commonwealth of Pennsylvania, through the Department of Agriculture of the United States, in effectuating the purposes of, and carrying into effect, the provisions of the Federal "Soil Conservation and Domestic Allotment Act," approved the twenty-ninth day of February, one thousand nine hundred thirty-six, so as to enable agricultural producers to receive Federal grants-in-aid; defining the powers and duties of said department; creating the Pennsylvania Soil Conservation Board; and making an appropriation.

Mr. COAKLEY, from the Committee on Judiciary Local, reported as committed, House Resolution No. 10.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 52, entitled

An Act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth under certain conditions in lieu of the redemption thereof and defining the powers and duties of the Governor the Auditor General the State Treasurer and the duly authorized loan and transfer agent of the Commonwealth in relation thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 66, entitled

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs alterations and additions to and replacement of existing buildings and equipment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 53, entitled

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania Series "D" for the purpose of refunding redeeming and retiring said Series "D" authorizing the exchange of bonds of said Series "D" for those issued hereunder defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 73, entitled

An Act to enable persons associations partnership and corporations to borrow money and secure the repayment there of by the execution and recordation of chattel mortgages on any chattels of any kind or description providing for bonds with confessions of judgments regulating the assignment and release of such mortgages and designating the operation and effect of the lien of such mortgages.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 35, entitled

An Act to provide funds in the present emergency providing for and legalizing lotteries to raise approximately eighty-five million dollars ($85,000,000) for such purpose creating a committee to conduct such lotteries conferring powers and imposing duties on certain State officers departments and agencies and prescribing the powers and duties of the board with reference thereto

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth sections were separately read and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a special Emergency Tax Relief Committee of five in number is hereby created to conduct a series of lotteries or drawings in the manner hereinafter provided until such Committee has raised approximately eighty-five million dollars ($85,000,000) to finance the present emergency and the said committee shall be appointed by the Governor

Section 2 Each member of the Committee shall receive a salary for services and expenses not to exceed two hundred and fifty dollars ($250) for each drawing the amount to be fixed by the Governor

Section 3 The Committee may employ assistants the number and compensation of whom shall be fixed by the Committee with the advice and consent of the Governor

Section 4 All salaries and compensation and all other expenses in connection with the preparation and sale of tickets and the drawing shall be paid out of money realized from the sale of tickets Provided That the total of all such payments shall in no case exceed five per centum of the cash received by the Committee for tickets on any one drawing

Section 5 The Committee is hereby given power to adopt and put into effect such rules and regulations not inconsistent with the provisions of this act or the laws of this Commonwealth as may be necessary to carry out the provisions of this act

Section 6 The Committee shall have printed by a printer in the Commonwealth of Pennsylvania a series of tickets numbered from 0,000,000 to 9,999,999 in books or packages of two hundred and thirty (230) each except the last book which shall be of sixty (60) tickets All tickets shall be for sale at ten cents per ticket which price shall be printed on each ticket together with a notice that the tickets are sold as an emergency tax relief measure

Section 7 It shall be stipulated in the contract for the printing of such tickets that payment therefor shall be made only out of the proceeds from the sale of tickets and shall await the sale of a sufficient number of tickets to meet the same

Section 8 The Committee shall sell at the City of Harrisburg such books or packages of tickets by personal delivery only to distributors and shall charge and receive cash for each book or package the sum of twenty dollars ($20.00) except for the last book or package of sixty (60) tickets for which it shall receive the sum of five dollars and ten cents ($5.10)

Section 9 The distributors may sell the tickets so purchased by them in the Commonwealth of Pennsylvania only and by personal delivery of the tickets to the purchasers They shall not use the mails or express or messenger service in any wise in connection with the advertising sale or distribution of any such tickets

Section 10 The ownership of all tickets may at any time be transferred by delivery of possession and the holder of any ticket shall be conclusively deemed to be the owner thereof and recognition and payment by the Committee of any prize to the holder of any such ticket shall be final and conclusive

Section 11 All moneys received by the Committee from the sale of books or packages of tickets shall be allocated and applied as follows

(a) Not more than five per centum (5%) thereof may be applied on the payment of the expenses of conducting each drawing

(b) Twenty per centum (20%) thereof shall be paid into the State Treasury from time to time as such moneys become available without waiting until any of the drawings hereinafter provided for have been completed and at the conclusion of the last drawing all unexpended balances of moneys withheld for the payment of the expenses of conducting the drawings shall also be paid into the State Treasury

(c) Seventy-five per centum (75%) thereof shall be distributed as prizes to the holders of the winning tickets as determined by the drawings hereinafter provided for

Section 12 The amounts expended under the provisions of this section shall be audited by the Auditor General as provided by law

Section 13—No prize awarded hereunder except the last prize shall exceed the sum of five hundred dollars ($500) in amount The moneys set aside for prizes shall be distributed as follows

¼ thereof in $500 prizes
¼ thereof in $250 prizes
¼ thereof in $ 50 prizes
¼ thereof in $ 25 prizes

any odd money left over after the foregoing distribution shall be awarded as the last prize

Section 14 The Committee shall at Harrisburg pay all prizes not less than seven days after each drawing and then only upon personal presentation of the winning tickets The possession of each ticket shall be conclusive evidence of ownership for the purpose of payment and no one shall be permitted to dispute that the payment was not properly and lawfully made

The fifteenth section was read as follows:

Section 15 Not less than seven days after the Committee has sold the last book or package of tickets the Committee shall hold a drawing which may be continued from day to day to be conducted in the manner hereinafter provided

On the question,

Will the House agree to the section?

Mr. BEADMAN. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend as follows: Page 5, Section 15, line 14, by striking out the word "seven" and inserting in lieu thereof the word "five".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixteenth section was read as follows:

Section 16 The Committee shall provide a container of ten balls of equal and like weight on which shall be stamped the numbers 0 1 2 3 4 5 6 7 8 and 9 The container shall be such as will permit shaking and shall have a neck with a mechanical device to release the balls one at a time The balls shall be placed in the container and shall be released one at a time The number appearing on the first ball released shall be the first digit of the first winning number The balls shall then all be replaced in the container and the number appearing on the next ball released shall be the second digit of the first winning number and so on repeatedly until seven balls shall have been drawn The numbers thus appearing on the balls in the order in which they have been released shall be the digits of the winning number of the first prize The next fifty prizes shall be the fifty numbers nearest to the first prize number numbers greater than being given preference in order to numbers lower than the one drawn This shall be repeated for all the prizes The Committee shall conduct all the drawings in public at Harrisburg Pennsylvania and in the presence of who shall desire to be present

On the question,

Will the House agree to the section?

Mr. BEADMAN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Page 6, section 16, line 5, by striking out the word "fifty" and inserting in lieu thereof the word "ten".

Page 6, section 16, line 5, by striking out the word "fifty" at the end of the line and inserting in lieu thereof the word "ten".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventeenth, eighteenth, nineteenth, twentieth, and twenty-first sections and preamble and title were separately read and agreed to as follows:

Section 17 New sets of tickets may be printed and sold and new drawings had thereon from time to time all in accordance with the provisions and requirements hereinbefore made Provided That no new drawing shall be held until at least five days shall have expired since the last drawing

Section 18 When the Committee has through successive drawings raised and paid over to the State Treasurer as hereinbefore provided a sum in the aggregate equalling eighty-five million dollars ($85,000,000) no further drawings shall be held except the one for which tickets have already been sold Upon the completion of such drawing and the payment of the prizes thereunder all the powers and duties of the Committee hereunder shall cease and the Committee shall cease to exist

Section 19 All drawings or lotteries authorized by this act shall be legal any Act of Assembly of this Commonwealth to the contrary notwithstanding No person shall be prosecuted for any violation of any criminal statute of this Commonwealth because of taking part in any of the activities authorized by this act except for embezzlement larceny of other dishonest conduct in handling moneys or tickets or contracts

Section 20 All acts and parts of acts inconsistent herewith are hereby repealed to the extent that they interfere with the operation of this act during the period this act is in force

Section 21 The provisions of this act shall become effective immediately upon its final enactment

Whereas the Governor of the Commonwealth of Pennsylvania has stated substantially that approximately eighty-five million dollars ($85,000,000) is needed to finance the present emergency and the placing of this upon the tax payers of Pennsylvania is an extraordinary burden and the usual means of raising money have been utilized to the limit and the gravity of the situation demands the employment of unusual means and among such unusual means lotteries are best suited to accomplish the purpose

An Act to provide funds in the present emergency providing for and legalizing lotteries to raise approximately eighty-five million dollars ($85,000,000) for such purpose creating a committee to conduct such lotteries conferring powers and imposing duties on certain State officers departments and agencies and prescribing the powers and duties of the board with reference thereto

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. SOWERS. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of a public hearing.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1, as follows:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes and prohibiting the sale of real property for the non-payment of any such taxes for a certain period

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes for the tax year one thousand nine hundred and thirty-four and all previous years assessed against any real estate shall be abated by the authority levying the tax if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of this act twenty per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid before the first day of December one thousand nine hundred and thirty-six twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-seven twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-eight twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-nine

and the final twenty per centum on or before the thirty-first day of December one thousand nine hundred and forty And provided That after the first installment shall have been paid the respective current taxes on such parcel or parcels of real estate for the subsequent years during such installment periods levied by such taxing authority shall be paid during the then current year and if such current taxes for any such year are not paid during such year then the penalties and interest abated on the installment due for such year if such installment has already been paid shall be added to the first remaining installment of unpaid delinquent taxes and be paid in the same manner as such installment

If any taxpayer availing himself of the provisions of this act shall fail to pay any installment of taxes as hereinbefore provided for the tax year one thousand nine hundred and thirty-four and all previous years then the penalties and interest due on such unpaid installments shall not be abated

Section 2 Any taxpayer may anticipate the payment of such delinquent taxes for the tax year one thousand nine hundred and thirty-four and previous years at any time before December first one thousand nine hundred and thirty-six by paying the entire amount of or the balance due on such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes levied for the year one thousand nine hundred and thirty-five or one thousand nine hundred and thirty-six shall not be required

Section 3 This act shall be construed to apply to all taxes whether or not liens for such taxes have been returned for nonpayment or have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court in said county and the taxpayer shall not be or become liable for the payment of any fees or costs incurred in the filing of satisfaction of such liens or in the prosecution of such proceedings except the actual prothonotaries fees or costs

Section 4 The benefits of this act shall extend to and accrue to any grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied anything in the permanent statutes of this Commonwealth to the contrary

For the purposes of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax

Section 5 Any taxpayer shall have the right to pay the deliquent taxes levied against any parcel or parcels of real estate without being required to pay the delinquent taxes levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision Upon the request of the taxpayer it shall be the duty of the proper officials charged with the duty of assessing property or with the levy and collection of taxes to separate the assessments and the taxes assessed against any two or more parcels of real estate in the same ward district or municipal subdivision

Section 6 Within thirty days after the effective date of this act and once again during the last week of October one thousand nine hundred and thirty-six the county commissioners of each county shall have published in each daily newspaper published within such county a notice relative to the provisions of this act which shall read as follows

Notice to Delinquent Taxpayers

Under the provisions of Act No. approved 1936 all persons owing any county city borough town township school district or poor district taxes for the year one thousand nine hundred and thirty-four or previous years may have all penalties and interest thereon abated and may pay such taxes or any of them at face in five equal annual installments if the first twenty per centum installment is paid on or before the last day of November one thousand nine hundred and thirty-six Further information may be obtained from any tax collector

Upon application either in person or in writing by any taxpayer the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayer a statement of the delinquent taxes owed by him to such municipal sub-division showing the face amount the penalty if any the interest if any and any other costs or charges against such real property as shown by the records in his custody

Section 7 In order to receive the benefits of this act the taxpayer shall submit to the person authorized to receive such taxes a correct and complete statement of all delinquent taxes due on the parcel or parcels of real estate upon which he desires to pay under the terms of this act including liened taxes or taxes returned to the county treasurer Whereupon the person authorized to receive such taxes shall accept such statement and accept the payment tendered forthwith anything in the permanent statutes of this Commonwealth to the contrary but if the taxpayer shall submit any false or incorrect statement he shall become liable for the payment in the manner provided by law of all penalties and interest abated on the delinquent taxes paid

Section 8 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for non-payment of taxes before December first one thousand nine hundred and thirty-six and any tax sale may be adjourned or readjourned as may be necessary for this purpose If any tax sale is adjourned or readjourned after advertisement no additional advertisement or notice shall be necessary for the adjourned or readjourned sale No such adjournment or readjournment failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid but the lien of all such taxes shall be fully preserved until December first one thousand nine hundred and thirty-six notwithstanding that the period fixed by existing law as the life of such a tax lien has expired

Section 9 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 10 All acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 11 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 32, as follows:

An Act making an appropriation to the Department of Property and Supplies for the erection and equipment of a laundry and the erection of an ambulance garage at the Connellsville State Hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-five thousand dollars ($45.000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the erection and equipment of a laundry and the erection of a garage for the ambulance at the Connellsville State Hospital at Connellsville Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Achterman,	Downey, J. J.,	Longaker,	Schwab,
Alexander,	Duffort,	Lovett,	Serrill,
Allen,	Eberharter,	Male,	Shaw,
Altenburg,	Eroe,	Mason,	Shepard,
Andrews,	Falkenstein,	McCreary,	Shortz,
Anthony,	Ferko,	McDermott,	Shugarts,
Arnold,	Finnerty,	McDevitt,	Siegel,
Atkins,	Fitch,	McElroy,	Simon,
Aukerman,	Flanagan,	McHenry,	Simpson,
Baine,	Flinchbaugh,	McKinney,	Sinwell,
Baker, F. T.,	Flynn,	Melchiorre,	Sloan,
Baker, J. J.,	Forrest,	Mentzer,	Smith, J. A.,
Baldi,	Gates,	Merrell,	Smith, W. G.,
Barber,	Gerard,	Moomaw,	Snyder, F. E.,
Barnhardt,	Gillette,	Mooney,	Snyder, J. L.,
Beadman,	Habbyshaw,	Moore,	Sowers,
Bernhard,	Haberlen,	Moran,	Sproul,
Boose,	Hagerty,	Moul,	Stank,
Boyd, R.,	Haluska,	Muir,	Stevens,
Boyer,	Hamilton, F. P.,	Munley,	Stewart,
Bradley,	Hamilton, R. S.,	Murrin,	Stockham,
Brancato,	Harkins,	Nagel,	Stone,
Brennan,	Harmuth,	Nothnagle,	Stott,
Brown, H. S.,	Hefferon,	O'Keefe,	Sumney,
Brown, J. E.,	Hermansen,	Ominsky,	Surface,
Brownfield,	Hetrick,	O'Neill,	Sweeney,
Brumbaugh,	Hindman,	Parks,	Terry,
Burke,	Hirsch,	Patterson, Cliff,	Trout,
Cannon,	Hoffner,	Patterson, J. W.,	Tumelty,
Caputo,	Holland,	Pfaff,	Turner,
Carr,	Holstrom,	Phillips,	VanAllsburg,
Castor,	Hoopes,	Piole,	VanSickle,
Chervenak,	Horst,	Powers,	Wasserman,
Coakley,	Jackson,	Reising,	Weidemann,
Cochran,	Jones,	Reynolds,	Weiss,
Cohen,	Kelder,	Rhys,	Welliver,
Coleman,	Kelso,	Roan,	Welsh,
Condon,	Kenney,	Rooney,	Westrick,
Coolahan,	Kilroy,	Royer,	Wickersham,
Cooper,	Kinney,	Ruffennach,	Winner,
Davies,	Klingler,	Sarraf,	Wood,
Decker,	Kobelak,	Scanlon,	Woodside,
Dent,	LaRue,	Schaeffer,	Yeakel,
Diehl,	Linderman,	Schrock,	Yourishin,
Dilley,	Long,	Schrope,	Furman,
Downey, G. E.,			Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 71, entitled

An Act providing for the appropriation of certain waters of the Commonwealth to the Commnwealth for the benefit of the people thereof; declaring void certain condemnations and appropriations of waters by municipalities, corporations, copartnerships, or persons; providing for the ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities, corporations copartnerships, or persons, and appeals therefrom; conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto; providing for future condemnations and appropriations of waters by municipalities, corporations, copartnerships, or persons, and compensation therefor; and conferring powers and imposing duties upon the Water and Power Resources Board.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. WEISS. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 70, entitled:

An Act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for assessment of benefits against property benefited, and against municipalities, counties and townships, and for their collection; providing for appeals; conferring certain powers on municipalities, counties and townships, the Public Service Commission and the Department of Highways; and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

Mr. WEISS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 11, page 9, by inserting between lines 13 and 14 the following paragraph: "The board shall have the power to authorize the Federal Government or any of its instrumentalities or agencies to acquire outside the Commonwealth such property, easements, rights of way and water courses as are deemed necessary for the construction of any public works or improvements provided for in this act and to order the payment therefor out of the Special Flood Control Fund to the Federal Government or its instrumentality or agency, not, however, exceeding amounts of money made available or to be made available in the flood control fund."

Amend Section 29, page 22, line 27, by inserting after the part-word "provements" the following: "or to the Federal Government or any of its instrumentalities or agencies supervising the construction of such works or improvements.

The board is further authorized to empower the Federal Government or any of its instrumentalities or agencies to supervise the construction of such interstate flood control works and improvements.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 68, entitled:

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and water conservation and the coordination of any Federal and State flood control program and making and appropriation

On the question,
Will the House agree to the bill on third reading?
It was agreed to,
On the question,
Shall the bill pass finally?

BILL POSTPONED

Mr. WEISS. Mr. Speaker, I move that this bill be placed upon the postponed calendar.
The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 69, entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective and making an appropriation

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED

Mr. WEISS. Mr. Speaker, I move that this bill be placed upon the postponed calendar.
The motion was agreed to.

STATEMENT BY MR. TURNER

Mr. TURNER asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, on May 12 I introduced a resolution which among other things called attention to the SERB, and the fact that there has been an agreement or statement by the Federal Government that all of the employables who needed relief would be taken care of by the WPA. I asked that the SERB cause to be kept an accurate account of money paid for relief to employables and that statements be submitted from time to time to the Federal Emergency Relief Administration. That resolution has received no action on the part of the Committee on Judiciary Special. I have just talked to the Chairman of that committee, and he tells me that there has been no opportunity to have a meeting, and that in addition he was awaiting an opinion from the Legislative Reference Bureau as to whether this resolution could properly be considered at this special session. In the meantime this question is becoming rather acute. I am advised by the gentleman from Luzerne, Mr. Jones, that according to public press accounts some four thousand WPA workers have been laid off in his county and that these people have been returned to the relief rolls.

I asked the Relief Administration in Pennsylvania for a statement of the number of WPA workers who had been returned during the recent weeks, and I found that in the week of May 2 there were some three thousand cases of workers who were returned to the relief rolls in Pennsylvania. It must be apparent to any sensible person or any intelligent person that if we are going to determine the amount of relief we are going to give in Pennsylvania we have got to have an answer to this question. This is not a political or partisan matter, although some of my friends on the other side of the House have a tendecy to treat all these questions from that standpoint. I believe every member of the House wants to see every deserving needy person taken care of. I believe every member of this House wants to see every person entitled to relief receive relief, receive adequate relief, but for some reason some of my friends on the other side of this House who in the session of 1935 were most strenuously objecting to the relief situation in Pennsylvania have become suddenly silent, and it has become difficult for me to understand that situation.

Now, therefore, as the matter is urgent, as we must know what we are going to appropriate for relief over the next eight or nine months; as we must know something about this, I have taken another course of getting this information, because it is apparent that no action will be taken upon my resolution within the time remaining. I have, therefore, Mr. Speaker, addressed to the State Emergeny Relief Board a letter as follows:

The State Emergency Relief Board,
Harrisburg, Pennsylvania.
Gentlemen:

Through the public press and otherwise, I am advised that large numbers of workers are being discharged by WPA.

As it has been the policy of those administering unemployment relief in Pennsylvania to place these discharged WPA workers on the relief rolls after a three weeks' waiting period (this rule is not strictly enforced) it is but reasonable to expect that the relief rolls in Pennsylvania will be materially increased. During the week of May 2nd the relief rolls were increased by over three thousand cases, each one being a discharged WPA worker.

I am told that in one county alone four thousand men were discharged by WPA last week. It is, therefore, reasonable to expect that these cases will be back on your lists.

When the present Federal program of work relief was announced by President Roosevelt he stated that the Federal Government would supply such relief for the employables and that the states would have to take care of the unemployables.

It, therefore, seems to me that it becomes the duty of your board to go to Washington at once and ascertain from the Federal Relief Administration whether or not they intend to supply relief for the employables and the number which it is intended to employ during the balance of this biennium, or whatever period their program covers.

No intelligent relief program can be built in Pennsylvania until these questions are answered.

In addition I believe that there is a very serious legal question involved that may have an extensive effect upon the propriety of the payment of relief by your Board to certain individuals. I call your attention to the Constitutional restriction as to charitable appropriations and the decision in the Talbot Act case setting forth the historical treatment of poor relief in Pennsylvania. Now, in appropriating for relief we use the term "without means of support". The question, therefore, arises as to whether those who are employed on WPA are "without means of support".

From the foregoing, it is apparent that the Legislature must have more definite information as to the whole WPA Program—the intent of the Federal Government to take care of employables; the extent to which they intend to go; and what your Board intends to do in the future in reference to relief for this class of cases.

I realize that I am asking this as an individual member of the Legislature, but, nevertheless, I feel that the matter is of such public interest that it should have your careful consideration.

I would appreciate a reply.

Sincerely,
ELLWOOD J. TURNER.

Mr. Speaker and members of the House, I feel that we must have some action upon this situation, we must know something about the future of WPA and what it intends to do. We must know whether men who worked for the WPA and have worked there for a few weeks or a few months will be shifted back to our rolls. They are certainly employables if they work on WPA. If the Federal Government is to take care of the employables, then our relief rolls in Pennsylvania should be relieved of that burden.

Mr. SIMON. Mr. Speaker and members of the House, in explanation of the matter referred to by the gentleman from Delaware, as to his resolution, I want to explain the position of the Committee on Judiciary Special on the resolution of our friend, the gentleman from Delaware, Mr. Turner, and two other resolutions that we have.

It has been the policy of our committee, and I think of other committees of the House, to get an opinion as to whether or not the subject matter was within the call. In the first place, these resolutions were not received by me until this week. They were referred to the committee on the thirteenth—one on the eleventh and two on the thirteenth. And last Wednesday, after the House adjourned, I stopped in the Clerk's office and there was nothing there that I had not already taken up.

As I said before, I received these on Monday, and I immediately asked Mr. Fertig for an opinion as to whether they came within the call, and I received his advice this morning. I think that the gentleman from Delaware, Mr. Turner, who is always fair minded, will know that there were no dilatory tactics on the part of the committee in handling this resolution.

QUESTION OF PERSONAL PRIVILEGE

Mr. ANDREWS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Cambria will state his question of personal privilege.

Mr. ANDREWS. Mr. Speaker and members of the House, I have a number of newspaper clippings which tell about a dilly-dallying Legislature, and I have here a picture from a metropolitan newspaper which shows the Legislature engaged in a series of partisan, factional contentions, with a picture of two pathetic figures on the side, termed "needy", and these needy are saying, as usual, "They are forgetting all about us".

The Legislature, the first week, was in session three days. We could not have passed any bills in this House. Anyway we are supposed to read them or at least try to read them. The second week we devoted three days to the consideration of business and one day to the consideration of the gentleman from Berks. This week we have put in two working days. So I would say that we have had available for the consideration of business possibly five days. During those five days we have approved tax legislation approximating the sum of sixty-one or sixty-two or sixty-three million dollars. So, we have been grinding out money for these needy at an average rate of at least twelve million dollars per working day. In addition to that, we have sponsored an unemployment compensation bill, which nobody has read and which nobody understands. We have attended to the needs of all the widows and orphans, although I suspect that there will still be a waiting list after we have passed the obtainable appropriation. We have attended to the needs of the aged and made an appropriation to exhaust the waiting list under that law. In fact, in these five days we have passed more legislation than could be intelligently read by anybody except the gentlemen of the Press, perhaps the majority leader and the minority leader. I have no doubt that in those five days the gentlemen of the Press, the majority leader and the minority leader might have possibly read these bills, might possibly have studied the textual inaccuracies and might possibly have learned the import of the legislation we have passed. I am quite confident that a considerable portion of the legislation that is enacted will come back to us amended in essential portions because of errors in draftsmanship, which this House has not had the opportunity to spot, because it has not sufficiently deliberated. I simply desire to call attention to the fact that never in the history of Pennsylvania has the House of Representatives done as much business, as much business of real importance, of transcendent importance, indeed, as this Legislature has done in the past three weeks, and I only hope that the wisdom of the actions we have taken will justify the speed.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

QUESTION OF PERSONAL PRIVILEGE

Mr. TURNER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Delaware, Mr. Turner, will state his question of personal privilege.

Mr. TURNER. Mr. Speaker and members of the House, I always have had the greatest amount of respect, if not for the intelligence, at least for the acumen, of the gentleman from Cambria, but in this instance I have been a little bit perturbed because I realize that he has a habit of writing indelibly upon the records through the Legislative Journal things that may stand a long time after we have departed and gone from here. I always, at the end of the session, take the bound volumes of the Legislative Journal to my home and place them very carefully under a glass cover, in the hope that some day my posterity may take them down and read them over, and in comparison with the things they read therein about myself, and in comparison with those others associated with me, they may be able to gain a true measure of the stature, even if I may modestly say so, of the man who was their progenitor. I should dislike to have among those bound volumes of records for my future generations to read the statement made by the gentleman from Cambria, who has always heretofore been most just to me and most kind to me in his criticism and in his praise. But, during this momentous period when we have been freely bantering around with millions of dollars, when the Administration talks of relief in terms of seventy or eighty millions of dollars, and the unemployed come here and talk in terms of one hundred twenty million dollars, and yesterday I happened to go into a meeting of the Appropriations Committee, where a group were talking about one hundred and forty millions of dollars, I am afraid to go to any further meetings because the ante keeps going up so rapidly.

I should hate to think, as I said in the beginning, that there were only three classes who were intelligent enough, who had the initiative or had the energy, or who were so cognizant of their duties in this session, that they were the only ones who read the bills. Speaking of the ma-

jority and minority leaders, I will say from what I have observed of their actions on the floor, that if it were not for several of their assistants they would not have known what the bills were about when the titles were read.

As for the gentlemen of the press I dislike the slur which has been cast upon them by the gentleman from Cambria. I have always understood that he considers himself a gentleman of the press, too. I think that is true. When he says they were the only people who have read them intelligently, anyone knows that when a man becomes intelligent he does not continue as a member of the press.

Now, Mr. Speaker and members of the House, I have never considered all of this talk about the boondoggling Legislature—That has made a lot of fun for the unemployed,—I have always considered in all of the years I have been here that after all the real question was what was the quality of the legislation we passed; what was the quality of the work done in this House. But, I must say that with the desire of all of us to speed this session, with all the desire of the majority on the other side of the House to get their legislation over into the lap of the Senate, where they won't have to take the fire any longer, but where they can start to throw mud balls at the Republicans, nevertheless, I do feel that we have made too much haste in this session of this Legislature, and that there is legislation of too much importance to have been passed as rapidly as it has and with as little consideration.

The gentleman from Cambria has mentioned an unemployment compensation bill. I remember, I think it was during about the year 1933, I tried to introduce a resolution for the appointment of a commission to study unemployment compensation, and the distinguished gentleman from Berks County pooh-poohed the question of the study of unemployment compensation, stating that everybody knew all about it, that Europe had had it for twenty years, and that it was only poor, dumb reactionary Republicans who wouldn't know anything about it, but I have found since that time, and although I again introduced another resolution, that some of my distinguished colleagues wouldn't let it get very far,—I found that this question is still in the study stage, and I have talked to some of the men, who, I think, have taken a great part in the development of the National legislation, and I think we could have well spent more time in the consideration of this bill, rather than the few days that were allotted to it.

There is a big program here on flood control, which I am glad to see has been placed upon the postponed calendar. That involves some very broad questions too, and yet it would have very likely been pushed through this House this morning and have gone to the Senate without very much consideration of the question. I find among the experts who know something about flood control that there is a very wide difference of opinion on this question, that there are eminent engineers who talked on both sides of the question. Yet I doubt whether any members of the House have given it any consideration, except Pittsburgh and Aliquippa and a few other places out there which are so dear to the hearts of our western representatives, which were damaged by the flood recently, and, therefore, we must rush into this question of flood control. Let us not be disturbed, Mr. Speaker and members of the House, by what is said on the outside, let us not be too prone to rush legislation through this House, let us just be as deliberative as we possibly can, and that does not mean that we have to sit here all summer either.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

QUESTION OF PERSONAL PRIVILEGE

Mr. BURKE. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Philadelphia, will state his question of personal privilege.

Mr. BURKE. Mr. Speaker and members of the House, it is my understanding that the question of personal privilege involves the integrity of the member who is speaking. I must admit that I was a little confused after the gentleman from Delaware, Mr. Turner, got up, because I was unable to discern from his remarks that his integrity had been questioned in any way, but as he proceeded I discerned very definitely a question of his integrity. I have a very warm personal regard for the gentleman from Delaware, Mr. Turner, and on the question of his integrity it is my sincere hope that his progeny will never see and no one will ever tell them of the record that the gentleman from Delaware, Mr. Turner, has made in this House.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 4, 1936.

Whereas The recent floods in this Commonwealth and elsewhere brought loss of life and resulted in damage to public and private property running into millions of dollars and

Whereas The adequate flood control measures are urgently needed and cannot be wholly financed by the states and their local subdivisions and

Whereas Such problems are in many cases not local but of an interstate character therefore be it

Resolved (if the Senate concur) That a joint legislative committee be created composed of two Members of the Senate appointed by the President Pro Tempore of the Senate and three Members of the House of Representatives appointed by the Speaker of the House whose duty it shall be to personally urge upon the President and Congress of the United States the necessity of the immediate adoption of adequate Federal flood control measures designed to eliminate future floods in this Commonwealth and elsewhere

Resolved That said committee shall make report to the General Assembly during its session convening May fourth one thousand nine hundred and thirty-six

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 19, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May 25, at nine o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening, May 25, at nine o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend by striking out "May 25," in the next to the last line of the resolution and inserting in lieu thereof "June 1, 1936"

On the question,

Will the House agree to the amendment?

The SPEAKER. For the information of the members of the House this amendment will only affect the membership of this House and not the Senate.

Mr. SOWERS. Mr. Speaker and members of the House, next week the Knights Templar will convene in Harrisburg for three days, arriving on Sunday, May 24th. In my hotel room yesterday this notice was delivered, "Inasmuch as this room has been reserved for occupancy Sunday, we will greatly appreciate your cooperation in vacating it not later than noon of that date." Signed "The management." We then made inquiries about Harrisburg for Hotel accommodations for next Monday night, and we were informed that there are no accommodations in Harrisburg, that all accommodations have been contracted for to the Knights Templar.

The business of the House of Representatives is well advanced; that of the Senate is behind us; and it seems that inasmuch as our first reading calendar is very light, therefore, our second reading calendar on next Monday night would contain but few bills, and there are practically none that would be on third reading, that this House might properly recess over next week, in order to let the Senate advance its work. Then the great physical difficulty is that it will be impossible for members to obtain hotel accommodations, and the only place we could possibly go would be the Farm Show Building, and I, being from the city, just do not feel like stabling in the Farm Building with my farmer friends.

Mr. EBERHARTER. Mr. Speaker and members of the House, the question as to whether or not the House of Representatives should be in session next week has been deply considered by th members on this side of the House. All of us, I am sure, have among the Knights Templar very many personal friends. We appreciate the inconvenience that may be caused by the lack of hotel accommodations. Perhaps it will be said that the only excuse that we will have if we do not meet in session next week will be that we ourselves will suffer some inconvenience.

I want to recall to the members of this House a statement made a few minutes ago by the gentleman from Delaware, Mr. Turner, wherein he said that perhaps we should give more consideration to all of this legislation that we have before us now, and I think it would be inexcusable on our part to adjourn this session until two weeks from last Monday.

The question before us is whether or not we ourselves are willing to suffer a little inconvenience on account of hotel accommodations or whether or not we want to stay here and try to take care of the great questions before us, —the question of unemployment relief and the question of raising revenue to take care of those people. As you will recall, members of the House, we only appropriated sufficient money to take care of the needs of the unemployed for the month of May. June will be upon us,—in fact the amendment will have the effect of our doing no further work on this unemployment question until we have entirely expended the money that has been appropriated for the unemployed. I think it would be a sad mistake for the members of this House to adjourn until June 1. I ask the members of the House to vote against this amendment.

Mr. Speaker, I ask for a roll call.

Mr. TURNER. Mr. Speaker and members of the House, I am in accord with the amendment offered by the gentleman from Philadelphia. Only yesterday I sought to get my Democratic friends as well as my Democratic enemies to agree to a recess until June 1. I differ with the gentleman from Allegheny in this, while he agreed that we should have greater deliberation upon the legislation. I believe that what we need is not sessions but a breathing space in which we can study the great amount of legislation that has already been introduced. When bills come in here one day, are reported out of committee almost as soon as they are introduced, appear upon the calendar on first, second and third reading, I find that it is almost impossible for me to make an intelligent study of a bill such as House Bill No. 70 in the time that the legislature is in session. I must do that in the interim, and in the time that we have for leisure to study. I think this House could very profitably spend next week at home with the bills that have been introduced, studying them and getting the necessary information so that they can intelligently act upon them.

In the second place, as the gentleman from Philadelphia said, we have now passed a large part of the program which the Democratic administration has introduced. It is over in the Senate. We would give them a chance to catch up on it.

In the next place as to relief, I see no reason, as far as I am concerned,—and I am sure as the members understand it, I would rather stay tomorrow or even Friday of this week and advance these bills that you now have on the calendar and then take a recess, and we would thereby lose no time as far as the calendar is concerned.

As to relief, I want to give you some figures that I think are rather interesting. On April 1 there was a balance in the State treasury for relief of $13,630,000 plus. There was in the hands of the SERB district office $2,294,000 plus, or a total of $15,924,000. The budget for the month of April was $7,370,699 which would leave a balance of over eight million dollars for the month of May. In addition to that, we have already authorized three million six hundred thousand and some odd dollars. If the budget for the month of May was equal to,—and I think it was,—the budget for the month of April, then there ought to be some three to four million dollars in the hands of the Emergency Relief to take care of relief over any few-day period that might exist after the first of June if a resolution could not be put through.

There is no reason in my mind why the administration could not introduce a resolution today, or if necessary stay tomorrow and introduce a resolution so that we might have a resolution passed by this House, because you members on the other side would pass that,—and that end of it would be taken care of. Now, let me say just one other thing: I understand there are some eight to ten thousand people in Pennsylvania who are coming here for this convention. While I believe that the work of the legislature should be paramount, of course,—if there was

an emergency I think we should stay, no matter what the conditions, and I am willing to go out to the Farm Building and cohabit with the agricultural members of this House whether they bring along with them some of their pets or not,—I will put up with it for a few days if necessary. But I believe these people have a right to come into Harrisburg and to have the opportunity to have their convention. They had it planned long before we came here, and therefore I think that we owe some consideration to them also, because with this group that is here occupying the hotels, it is certainly going to inconvenience those people as well as inconvenience ourselves, and therefore I can see on all of these grounds no good reason why we should inconvenience these good people next week, why we should inconvenience ourselves, and I believe the work of the Legislature will be far better done and will proceed better after the first of June if we go along with this amendment.

Mr. SOWERS. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Eberharter.

The SPEAKER. Will the gentleman from Allegheny, Mr. Eberharter, permit himself to be interrogated?

Mr. EBERHARTER. I will, Mr. Speaker.

Mr. SOWERS. Mr. Eberharter, do you persist in your demand for a roll call?

Mr. EBERHARTER. I do, Mr. Speaker.

Mr. SOWERS. May I ask the gentleman, Mr. Speaker, hasn't he received notice that his room will not be available next Monday night?

Mr. EBERHARTER. Mr. Speaker, I have not received such a notice, but I can say further that if I had received such a notice it would have no effect whatsoever upon my desire to remain here next week.

Mr. SOWERS. Mr. Speaker and members of the House, and the gentleman from Delaware, Mr. Turner, very properly argued that we ought not to meet next Monday night. Permit me to say that there is no one that has a more sincere wish and desire to help the poor and needy of the Commonwealth of Pennsylvania, and I hope that my Democratic friends when they return next Monday night will speedily accomplish that result, and with the permission of the House, I ask leave to withdraw the amendment.

On the question recurring,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RECONSIDERATION OF VOTE

Mr. EROE. I move that the vote by which the House agreed to transcribe House Bill No. 1, Printer's No. 61, entitled

An Act abating certain tax penalties and interest on county city (except city fo the first class) borough town township school district (except school district of the first class) and poor district taxes and prohibiting the sale of real property for the non-payment of any such taxes for a certain period

for third reading be reconsidered.

The motion was agreed to.

Mr. EROE. Mr. Speaker, I move that the vote by which the House agreed to the bill on second reading be reconsidered.

The motion was agreed to

Mr. EROE. Mr. Speaker, I move that the vote by which the title was agreed to be reconsidered.

The motion was agreed to.

Mr. EROE. Mr. Speaker, I move that the vote by which the House agreed to the various section be reconsidered.

The motion was agreed to.

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes for the tax year one thousand nine hundred and thirty-four and all previous years assessed against any real estate shall be abated by the authority levying the tax if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of this act twenty per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid before the first day of December one thousand nine hundred and thirty-six twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-seven twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-eight twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-nine and the final twenty per centum on or before the thirty-first day of December one thousand nine hundred and forty And provided That after the first installment shall have been paid the respective current taxes on such parcel or parcels of real estate for the subsequent years during such installment periods levied by such taxing authority shall be paid during the then current year and if such current taxes for any such year are not paid during such year then the penalties and interest abated on the installment due for such year if such installment has already been paid shall be added to the first remaining installment of unpaid delinquent taxes and be paid in the same manner as such installment

If any taxpayer availing himself of the provisions of this act shall fail to pay any installment of taxes as hereinbefore provided for the tax year one thousand nine hundred and thirty-four and all previous years then the penalties and interest due on such unpaid installment or installments shall not be abated

Section 2 Any taxpayer may anticipate the payment of such delinquent taxes for the tax year one thousand nine hundred and thirty-four and previous years at any time before December first one thousand nine hundred and thirty-six by paying the entire amount of or the balance due on such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes levied for the year one thousand nine hundred and thirty-five or one thousand nine hundred and thirty-six shall not be required

The third section was read as follows:

Section 3 This act shall be construed to apply to all taxes whether or not liens for such taxes have been returned for nonpayment or have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court in said county and the taxpayer shall not be or become liable for the payment of any fees or costs incurred in the filing of satisfaction of such liens or in the prosecution of such proceedings except the actual prothonotaries fees or costs.

On the question,

Will the House agree to the section?

Mr. EROE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 3, page 4, by inserting between lines 15 and 16 the following paragraph:

When the time for the making of any such return or for the filing of any such lien has not expired, the making of such return and the filing of such lien shall be deferred, if the taxpayer shall have paid the first installment thereon, and the lien of such tax shall be fully preserved for a period of six months after default in the payment of any one installment of such taxes as provided in this act. If the period for such return or the filing of such lien has not expired at the end of such six months' period, such return shall be made or lien filed in accordance with existing law.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth to the eleventh sections inclusive were separately read and agreed to as follows:

Section 4 The benefits of this act shall extend to and accrue to any grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied anything in the permanent statutes of this Commonwealth to the contrary.

For the purposes of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax.

Section 5 Any taxpayer shall have the right to pay the delinquent taxes levied against any parcel or parcels of real estate without being required to pay the delinquent taxes levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision Upon the request of the taxpayer it shall be the duty of the proper officials charged with the duty of assessing property or with the levy and collection of taxes to separate the assessments and the taxes assessed against any two or more parcels of real estate in the same ward district or municipal subdivision.

Section 6 Within thirty days after the effective date of this act and once again during the last week of October one thousand nine hundred and thirty-six the county commissioners of each county shall have published in each daily newspaper published within such county a notice relative to the provisions of this act which shall read as follows

Notice to Delinquent Taxpayers

Under the provisions of Act No. approved 1936 all persons owing any county city borough town township school district or poor district taxes for the year one thousand nine hundred and thirty-four or previous years may have all penalties and interest thereon abated and may pay such taxes or any of them at face in five equal annual installments if the first twenty per centum installment is paid on or before the last day of November one thousand nine hundred and thirty-six Further information may be obtained from any tax collector.

Upon application either in person or in writing by any taxpayer the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayer a statement of the delinquent taxes owed by him to such municipal subdivisions showing the face amount the penalty if any the interest if any and any other costs or charges against such real property as shown by the records in his custody.

Section 7 In order to receive the benefits of this act the taxpayer shall submit to the person authorized to receive such taxes a correct and complete statement of all delinquent taxes due on the parcel or parcels of real estate upon which he desires to pay under the terms of this act including liened taxes or taxes returned to the county treasurer Whereupon the person authorized to receive such taxes shall accept such statement and accept the payment tendered forthwith anything in the permanent statutes of this commonwealth to the contrary but if the taxpayer shall submit any false or incorrect statement he shall become liable for the payment in the manner provided by law of all penalties and interest abated on the delinquent taxes paid.

Section 8 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for non-payment of taxes before December first one thousand nine hundred and thirty-six and any tax sale may be adjourned or readjourned as may be necessary for this purpose If any tax sale is adjourned or readjourned after advertisement no additional advertisement or notice shall be necessary for the adjourned or readjourned sale No such adjournment or readjournment failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid but the lien of all such taxes shall be fully preserved until December first one thousand nine hundred and thirty-six notwithstanding that the period fixed by existing law as the life of such a tax lien has expired.

Section 9 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act I is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein.

Section 10 All acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect.

Section 11 This act shall become effective immediately upon final enactment.

The title was read as follows:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes and prohibiting the sale of real property for the non-payment of any such taxes for a certain period.

On the question,

Will the House agree to the title?

Mr. EROE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 4 of title, by striking out the word "and" where it appears the second time in said line.

Amend title, page 1, last line of title, by inserting after the word "period" the following: "and preserving certain tax liens"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

USE OF HALL OF HOUSE GRANTED

Mr. FLINCHBAUGH asked and obtained permission for the Committee on Ways and Means to use the Hall of the House on June 2, 1936, between the hours of two and four o'clock p. m. for the purpose of holding a public hearing on House Bill No. 35.

Mr. FLINCHBAUGH asked and obtained permission for the Committee on Ways and Means to use the Hall of the House this afternoon at 2:00 o'clock p. m. for the purpose of holding a public hearing on House Bills Nos. 13 and 25.

LEAVES OF ABSENCE

Mr. FLYNN asked and obtained leave of absence for himself for next Monday and Tuesday (May 25 and 26).

Mr. CHERVENAK asked and obtained leave of absence for himself for next Monday and Tuesday (May 25 and 26).

STATEMENT BY MR. ANDREWS

Mr. ANDREWS asked and received permission to make the following statement:

Mr. Speaker, I desire to state that the majority group, having decided to be in session next week, that it would be unfortunate if there is not a quorum on all the days the House is in session, because I desire to announce, Mr. Speaker, that if at any time next week the House is in session and there is not a quorum I will gladly join with the gentleman from Berks in compelling the presence of the absentees.

STATEMENT BY MR. TURNER

Mr. TURNER asked and received unanimous consent to make the following statement:

Mr. Speaker, I desire to call the attention of the gentleman from Cambria to the fact that the gentleman from Berks is not here.

REPORT OF SLATE COMMITTEE

Mr. COHEN offered a report of the Slate Committee which was read by the Clerk as follows:

In the House, May 12th, 1936.

Resolved, that the following persons be elected officers and employees of the House, to fill vacancies as of May 4th, 1936, as provided for by Act of Assembly:

JOURNAL CLERK

Edward Dolan, 1755 W. Market St., Pottsville, vice Charles Martin, resigned.

TRANSCRIBING CLERK

John A. Schiffhauer, 7708 Campania St., Pittsburgh, vice Bernard McQuade, resigned.

SERGEANT-AT-ARMS

Frank Gorman, 21 Cottage St., Carbondale, vice Dominick Morrow, resigned.

CLERK TO COMMITTEE

John Hester, 211 Harrison Ave., Otto, McKeesport, vice S. E. MacTaggart, resigned.

SPEAKER'S PAGE

R. E. Walmsley, 1513 Walnut St., Harrisburg, vice Paul A. Fickes, resigned.

PAGES

Harold Fry, Lemoyne, vice Lamont Linebaugh, resigned.
Preston Fetrow, Lemoyne, vice Jack Wagner, resigned.
Clair Doyle, Lemoyne, vice Robert Oyler, resigned.
William Blessley, Mechanicsburg, vice J. William Hoverter, resigned.
Melvin Reed, Carlisle, vice William Cuff, resigned.
Donald Aldinger, 47 N. 18th St., Harrisburg, vice Joseph Nelson, resigned.
Floyd Curtis, 133 Balm St., Harrisburg, vice R. E. Walmsley, resigned.
Harvard Walton, 2231 Penn St, Harrisburg.
Robert Freedman, 2017 Green St., Harrisburg.
Montgomery Stahl, 2530 Boas St., Harrisburg.
John F. Mahoney, 515 N. Second St., Harrisburg.

On the question,

Will the House adopt the report?

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. COHEN. Mr. Speaker, I will.

Mr. TURNER. Mr. Speaker, the employees whose names were read in this report from the Slate Committee, are they new and additional employees, or are they merely to take the places of Republicans that have been fired?

Mr. COHEN. Mr. Speaker, neither, both and none.

Mr. TURNER. Mr. Speaker, may I ask, how much of neither, how much of both and how much of none?

Mr. COHEN. Mr. Speaker, the employees,—if the resolution had been read in full as it is filed,—the employees enumerated with the exception of four pages are vacancies that occurred by resignation of Democratic employees of the House during the regular session. Four additional pages were employed for the benefit of the members of the House. The other employees are taking the places of the Democratic employees of the previous session who had resigned.

On the question recurring,

Will the House adopt the report?

It was adopted.

COMMITTEE MEETINGS DURING SESSION

Mr. HETRICK asked and obtained permission for the Committee on Counties to meet during the session of the House.

Mr. COHEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. JOHN A. SMITH, from the Committee on Counties, reported as amended, House Bill No. 77, entitled

An Act to further amend the act, approved the seventeenth day of June, one thousand nine hundred thirteen (Pamphlet Laws, five hundred seven), entitled, "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by permitting the taxation, for State purposes, of property taxable for county purposes; by making further provision with regard to penalties; and by making certain information confidential and imposing penalties.

Mr. WELSH, from the Committee on Appropriations, reported as committeed, House Bill No. 75, entitled

A Supplement to Act No. 56-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Acts of 1935, Page 41) entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind," increasing the current appropriation for blind pensions in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same.

Mr. ARNOLD, from the Committee on Counties, reported as committed, House Bill No. 79, entitled

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty, one thousand nine hundred and thirty-one; one thousand nine hundred and thirty-three, one thousand nine hundred and thirty-four, and one thousand nine hundred and thirty-five, and validating the liens of such taxes.

Mr. TURNER, from the Committee on Appropriations, reported as committeed, House Bill No. 76, entitled

An Act to amend section eight of the act, approved the nineteenth day of January, one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three—one thousand nine hundred thirty-four, Pamphlet Laws, two hundred eighty-six), entitled "An act making appropriations out of The State Stores Fund to the State Emergency Relief Board for direct relief, work relief, and expenses, including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments," by imposing a time limit within which counties, cities, boroughs, incorporated towns, townships, school districts and poor districts may obtain reimbursement for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects.

BILLS INTRODUCED AND REFERRED

By Mr. SOWERS and Mr. BEADMAN HOUSE BILL No. 99

An Act to amend sections ten and seventeen, and section twenty-four as amended, of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," limiting the heirs or next of kin of an intestate entitled to take from his estate.

Referred to the Committee on Judiciary General.

By Mr. REISING. HOUSE BILL No. 100.

An Act to further amend the title, subsection (e) of section one, and section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (Pamphlet Laws, five hundred twenty-one), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by defining as transfers, and taxing, the right of survivorship in property as to which such rights exists, and providing for the extension of the Commonwealth's lien on real property for a further period of time.

Referred to the Committee on Ways and Means.

By Mr. HOMER S. BROWN. HOUSE BILL No. 101.

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. ACHTERMAN. HOUSE BILL NO. 102.

An act authorizing the Delaware River Joint Toll Bridge Commission of the Commonwealth of Pennsylvania and the State of New Jersey to proceed with surveys, investigations and other matters incidental thereto for a proposed interstate toll bridge across the Delaware River in the immediate vicinity of the Lackawanna Railroad Station at Delaware Water Gap, Pennsylvania; and making an appropriation.

Referred to the Committee on Highways.

By Messrs. CAPUTO, NAGEL and REISING. HOUSE BILL NO. 103.

An Act imposing and providing for the collection of a temporary tax for State purposes on all telephone instruments, as herein defined, used in this Commonwealth; making an appropriation; and prescribing penalties.

Referred to the Committee on Ways and Means.

By Messrs. CAPUTO, NAGEL and REISING. HOUSE BILL NO. 104.

An Act imposing and providing for the collection of a temporary tax for State purposes on the gross receipts of persons, copartnerships, associations and corporations derived from the business of supplying water and natural or artificial gas for domestic and industrial purposes; and making an appropriation.

Referred to the Committee on Ways and Means.

By Mr. HOLSTROM. HOUSE BILL NO. 105.

An Act to provide revenue by authorizing the Pennsylvania Liquor Control Board to issue package retailers' licenses for the sale of malt and brewed beverages in limited quantities for consumption off the premises where sold; imposing license and filing fees, and providing for the collection and distribution thereof; regulating and restraining the traffic in malt and brewed beverages by such licensees, and restricting the use, ownership and interest in licensed places; imposing duties upon the courts of quarter sessions and the Department of Justice; and providing penalties.

Referred to the Committee on Ways and Means.

COMMITTEE MEETING

The Committee on Judiciary Special will meet in the Conference Room immediately after this session.

The Chairman of the Ways and Means Committee urges the members to attend the public hearing to be held in the Hall of the House at 2:00 p. m. today on House Bills Nos. 13 and 25.

ADJOURNMENT

Mr. SERRILL. Mr. Speaker, I move that this House do now adjourn until Monday May 25, 1936, at 9:00 p. m.

The motion was agreed to, and (at 12:08 p. m.) the House adjourned until Monday, May 25, 1936, at 9:00 p. m.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., MONDAY, MAY 25, 1936. No. 11.

SENATE

MONDAY, MAY 25, 1936.

The Senate met at 9 o'clock P. M.

The PRESIDENT Pro Tempore (Mr. John G. Homsher) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Our Father and our God, Thou knowest the turmoil and unrest of these turbulent times. Men everywhere seem to be seeking something—they know not what; they seem to be striving to solve problems whose solution lies beyond their ken. May it not be, O God, that they are unwittingly groping after Thee? Thou are ever near and hast promised that if we seek Thee with all our hearts we shall find Thee. As these legislators struggle with the social and economic problems which press down and perplex them, wilt Thou not sit in their midst and guide them to clear vision and heroic action? We ask this in the name of Thy Son! Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. HARVEY asked and obtained leave of absence for the Senator from Luzerne, Mr. Sordoni.

The Chair cleared his tables and laid before the Senate the following communication:

May 21, 1936,
Wardman Park Hotel, Washington, D. C.,

To the President of the Senate of Pennsylvania:

Will you be kind enough to express to the Senate of Pennsylvania my deepest appreciation of the beautiful resolution passed on the recent death of my beloved husband, A. Mitchell Palmer.

Very truly yours,

/s/ MARGARET FALLON PALMER
(Mrs. A. Mitchell Palmer)

REPORT FROM COMMITTEE

Mr. GELDER, from the Committee on Appropriations, reported as amended, Senate Bill No. 33 (House Bill No. 29), entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled May fourth Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh Anno Domini one thousand nine hundred thirty-six.

BILL INTRODUCED

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 46 entitled:

An Act relating to proceedings for the forfeiture of rights, privileges or franchises of corporations making claim against street railway, traction or motor power companies in certain cases; and providing for the disposition of rights, privileges or franchises forfeited and for contracts relating thereto.

Which was committed to the Committee on Judiciary General.

TIME OF NEXT MEETING

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 25, 1936.

Resolved (If the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, June first, at 9 o'clock, Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene on Monday evening, June first, at 9 o'clock, Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Kenneth D. Jones, Homestead.

ARMSTRONG COUNTY

John O. Reddinger, McGrann.

CLARION COUNTY

Mrs. Susan E. Pierce, Knox.

DELAWARE COUNTY

Abraham Lachman, Ridley Park.

HUNTINGDON COUNTY

Frank J. Howell, Huntingdon.

LACKAWANNA COUNTY

Vincent McGowan, Throop.

LANCASTER COUNTY

Henry J. Erisman, Lancaster.

NORTHUMBERLAND COUNTY

Emeriggio John Fincato, Mt. Carmel.

PHILADELPHIA COUNTY

Samuel Lipman, 20 S. Second St., Philadelphia.
Victor H. Stanford, Jr., 6036 Webster St., Philadelphia.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Chas. A. Rodney, of Lehighton, Carbon County, as Justice of the Peace in the Township of Mahoning, Carbon County, until the first Monday in January, 1938.

Joseph C. Harshman, of Saegertown, Crawford County, as Justice of the Peace in the Borough of Saegertown, Crawford County, vice W. O. Hecker, deceased, until the first Monday in January, 1938.

E. Berwood Zeller, of Mount Joy, Lancaster County, as Justice of the Peace in the Borough of Mount Joy, Lancaster County, until the first Monday in January, 1938.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, C. C. Adams, of Buffalo Mills, Bedford County, for appointment as Justice of the Peace in the Township of Harrison, Bedford County, until the first Monday in January, 1938, to compute from the date of confirmation.

GEORGE H. EARLE.

MEMBER OF THE STATE BOARD OF EXAMINERS FOR REGISTRATION OF NURSES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Edieth Stewart Connell, 443 Berkley Road, Haverford, Montgomery County, for appointment as a member of the State Board of Examiners for the Registration of Nurses (to fill a vacancy), for a term of six years to compute from the date of confirmation, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 22 (House Bill No. 14), entitled:

An Act ratifying confirming and validating the transfer of money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. GELDER. Mr. President, to correct a typographical error, I ask unanimous consent to amend section 1, page 1, by striking out line 11.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

The PRESIDENT. This being a strike-out, the bill can be considered on final passage.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,	Harvey,	Rankin,	Shapiro,
Batchelor,	Howell,	Reed,	Sones,
Baumer,	Huffman,	(Dauphin)	Staudenmeier,
Bean,	Kahle,	Reed,	Thompson,
Buckman,	Lanius,	(Washington)	(Centre)
Cavalcante,	McClure,	Rice,	Thompson,
Coyne,	McCreesh,	Roberts,	(Westmoreland)
Ealy,	McGinnis,	Rodgers,	Trainer,
Frey,	Owlett,	Rupp,	Woodward,
Gelder,	Pierson,	Ruth,	Ziesenheim,
Graff,	Prince,	Salus,	Homsher,
Harris,	Pytko,	Scott,	Pres. Pro. Tem.

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 34 (House Bill No. 39), entitled:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing the Signing the Ratification by Pennsylvania and the Final Adoption and Promulgation of the Constitution of the United States to be held at Philadelphia and elsewhere on the fifteenth sixteenth and seventeenth days of September one thousand nine hundred thirty-seven and subsequent anniversary dates in connection therewith and making an appropriation.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. WOODWARD. Mr. President, I ask unanimous consent to amend section 1, page 3, line 4, by inserting after the word "Instruction" the following: "through the Pennsylvania Historical Commission"; also page 3, line 10, by inserting after the word "Instruction" the following: "through the Pennsylvania Historical Commission"; also section 2, page 3, line 23, by striking out the word "use" and insert in lieu thereof "the use of the Pennsylvania Historical Commission"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

Mr. HUFFMAN. Mr. President, I ask unanimous consent to amend section 1, page 3, line 16 by inserting after the word "States" and before the word "Sesquicentennial" the word: "Constitution"

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

RESOLUTION RELATIVE TO APPROPRIATION FOR DIRECT RELIEF

Mr. THOMPSON (Centre). Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON (Centre) offered the following resolution which was twice read:

Resolved, That the Senate proceed immediately to the appropriation of the sum of Fifty Five Million Seven Hundred Eleven Thousand, Four Hundred Forty-Six Dollars ($55,711,446.00) for the purpose of furnishing direct Relief to January, 1937 and

Be it further resolved, That this Senate pledges itself to enact within the next two weeks or as soon thereafter, as legislation is transmitted to us by the House of Representatives, a tax program adequate to meet the needs of the above appropriation and,

Be it further resolved, That action on the balance of our Relief needs to January 31, 1937, namely the sum of Four Million, Three Hundred Twenty Thousand Dollars ($4,320,000.00) be deferred until after the report of Senator Owlett's special committee for the investigation of the Works Progress Administration.

Mr. THOMPSON (Centre). Mr. President, I move the suspension of Senate rule in order that we may proceed to the immediate consideration of the same.

Mr. CAVALCANTE. Mr. President, I second the motion.

The PRESIDENT. The Secretary will read Senate Rule No. 29.

SENATE RULE NO. 29

Senate Rule No. 29 was read by the Secretary, as follows:

"The consent of two-thirds of the members present shall be necessary to dispense with any rule."

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. THOMPSON (Centre) and Mr. CAVALCANTE, and were as follows, viz:

YEAS—19

Baumer,	Lanius,	Rankin,	Rupp,
Cavalcante,	Law,	Reed,	Ruth,
Frey,	McCreesh,	(Washington)	Shapiro,
Harris,	McGinnis,	Rice,	Sones,
Kahle,	Pytko,	Rodgers,	Thompson, (Centre)

NAYS—25

Aron,	Gelder,	Pierson,	Thompson,
Batchelor,	Graff,	Prince,	(Westmoreland)
Bean,	Harvey,	Reed,	Trainer,
Buckman,	Howell,	(Dauphin)	Woodward,
Chapman,	Mallery,	Salus,	Ziesenheim,
Coyne,	McClure,	Scott,	Homsher,
Ealy,	Owlett,	Staudenmeier,	Pres. Pro Tem.

So the question was determined in the negative.

The PRESIDENT. The resolution is referred to the Committee on Appropriations.

MOTION TO EXPUNGE

Mr. BUCKMAN. Mr. President, in view of the personalities that have been indulged in here tonight, on one side or the other, I move that all remarks made on the floor of the Senate tonight, on the question of personal privilege, be expunged from the record.

Mr. HOWELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and Mr. THOMPSON (Centre) and were as follows, viz:

YEAS—25

Batchelor,	Gelder,	Owlett,	Thompson,
Bean,	Graff,	Pierson,	(Westmoreland)
Bennett,	Harris,	Prince,	Trainer,
Buckman,	Harvey,	Salus,	Woodward,
Chapman,	Howell,	Scott,	Ziesenheim,
Coyne,	Mallery,	Staudenmeier,	Homsher,
Ealy,	McClure,		Pres. Pro. Tem.

NAYS—20

Aron,	Kahle,	Pytko,	Rice,
Baumer,	Lanius,	Rankin,	Rodgers,
Cavalcante,	Law,	Reed,	Rupp,
Frey,	McCreesh,	(Dauphin)	Ruth,
Huffman,	McGinnis,	Reed, (Washington)	Sones,

So the question was determined in the affirmative.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the

following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Anna M. Gauscheman, 104-8 W. North Ave., Pittsburgh.

PHILADELPHIA COUNTY

William L. Keeley, 23 S. 23rd Street.
Miss Helen B. Wick, 4937 Duffield Street

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Kenneth D. Jones, Homestead.

ARMSTRONG COUNTY

John O. Reddinger, McGrann.

CLARION COUNTY

Mrs. Susen E. Pierce, Knox.

DELAWARE COUNTY

Abraham Lachman, Ridley Park.

HUNTINGDON COUNTY

Frank J. Howell, Huntingdon.

LACKAWANNA COUNTY

Vincent McGowan, Throop.

LANCASTER COUNTY

Henry J. Erisman, Lancaster.

NORTHUMBERLAND COUNTY

Emeriggio John Fincato, Mt. Carmel.

PHILADELPHIA COUNTY

Samuel Lipman, 20 S. Second St.
Victor H. Stanford, Jr., 6036 Webster St.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to,

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Aron,	Harris,	Prince,	Scott,
Batchelor,	Harvey,	Pytko,	Shapiro,
Baumer,	Howell,	Rankin,	Sones,
Bean,	Huffman,	Reed,	Staudenmeier,
Bennett,	Kahle,	(Dauphin)	Thompson,
Buckman,	Lanius,	Reed,	(Centre)
Cavalcante,	Law,	(Washington)	Thompson,
Chapman,	Mallery,	Rice,	(Westmoreland)
Coyne,	McClure,	Roberts,	Trainer,
Ealy,	McCreesh,	Rodgers,	Woodward,
Frey,	McGinnis,	Rupp,	Ziesenheim,
Gelder,	Owlett,	Ruth,	Homsher,
Graff,	Pierson,	Salus,	Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 14

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 14, entitled:

An Act transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

TIME OF NEXT MEETING

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, May 25, 1936.

Resolved (If the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, June first, at 9 o'clock, Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene on Monday evening, June first, at 9 o'clock, Eastern Standard time.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 1 (Senate Bill No. 47), entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes.

Which was committed to the Committee on County Government.

House Bill No. 68 (Senate Bill No. 48), entitled:

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and water conservation and the coordination of any Federal and State flood control program; and making an appropriation.

Which was committed to the Committee on Appropriations.

House Bill No. 69 (Senate Bill No. 49), entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate, survey and report on the location and availability for purchase of certain lands suitable for reforestation and flood control as the objective; and making an appropriation.

Which was committed to the Committee on Appropriations.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow at 12 o'clock noon.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1138 P. M. until Tuesday, May 26, 1936, at 12 o'clock noon.

HOUSE OF REPRESENTATIVES

MONDAY, May 25, 1936.

The House met at 9:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend OSCAR F. R. TREDER, rector of St. James Episcopal Church, Bedford, Pa., offered the following prayer:

Almighty God, in whom we believe as a personal God knowing and caring what we do and how we do it; we come to Thee in no formal, no stereotyped manner, but in sincerity and in truth, imploring Thy blessing on this Commonwealth and its General Assembly. Pour out Thy Holy Spirit upon the members of this House of Representatives, individually and collectively endow them with wisdom to propound and the courage to enact the legislation necessary to the general welfare of Thy people.

And, to Thy people, their constituents, grant the spirit of Charity and of tolerance, that whatever is here established may accrue to their peace and contentment and rebound to Thy honor and glory. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, May 20, 1936.

The Clerk proceeded to read the Journal of Wednesday, May 20, 1936, when, on motion of Mr. MORAN the further reading was dispensed with and the Journal approved.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

TAX ON OLEOMARGARINE

Resolutions from the Pennsylvania Grocers Association recommending that tax be placed on product and not on distributor.

Resolution demanding economy of government rather than constantly increasing taxes.

Referred to the Commitee on Ways and Means.

TAX ON FUEL OIL

Telegram from J. H. Carter, General Superintendent Pittsburgh Steel Company, protesting tax on fuel oil.

Referred to the Committee on Ways and Means.

LOTTERIES

Telegram from Presbyterian Ministerial Association protesting passage of lottery legislation.

Referred to the Committee on Ways and Means.

Communication from The Methodist Ministers Meeting in Philadelphia, protesting passage of lottery legislation.

Referred to the Committee on Ways and Means.

DISMISSAL OF RELIEF WORKERS

Petitions (8) from citizens of Allegheny County protesting dismissal of married women and two members in family ruling as contained in House Resolutions Nos. 6 and 8.

Referred to the Committee on Judiciary Local.

LEAVE OF ABSENCE

Mr. Alexander asked and obtained leave of absence for Mr. ALLEN.

REPORT FROM COMMITTEE

Mr. BEADMAN, from the Committee on Judiciary, Special, reported as amended, House Resolution No. 4.

RESOLUTION

Mr. EROE offered a resolution which was filed under the rules.

SYMPATHY EXTENDED ON DEATH OF HON. ALVIN SHERBINE

Mr. BOYER offered a resolution which was twice read, considered and unanimously adopted as follows:

In the House of Representatives, May 25, 1936.

Whereas, On the twenty-second day of May, in his fifty-eighth year, God in His infinite wisdom removed from our midst the Honorable Alvin Sherbine, a Member of this House from the First District of Cambria County during the Session of 1907. A fatal heart attack brought to a close the brilliant career of Alvin Sherbine, soldier, lawyer, scholar, and orator; and

Whereas, This Body which he honored by his membership, his counsel, his wisdom, his eloquence, and his untiring energy desires to express its high regard for his character and its sorrow for this loss; and

Whereas, It is only fitting and proper that official note of this sad event be inscribed in our records as a tribute to his memory; therefore be it

Resolved, That the people of the City of Johnstown and of the Commonwealth of Pennsylvania have lost a brilliant but modest, a kind but courageous man—respected and admired by all who knew him, and whose record will always stand out in bold relief; and be it further

Resolved, That while this House feels its inability to reduce in any way the grief and sense of loss to his be-

loved wife, immediate relations, and friends who mourn his death, we extend to them our deepest and most profound sympathy; and be it further

Resolved, That a copy of this resolution be engrossed and forwarded by the Chief Clerk to Nevada Sherbine, the surviving widow of the late Honorable Alvin Sherbine.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 74, entitled:

A Joint Resolution proposing an amendment to section eight article nine of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 57, entitled;

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons; authorizing the appointment of trustees for certain persons; providing for the recovery of moneys expended for assistance in certain cases; providing penalties; and repealing inconsistent acts.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 59, entitled:

An Act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen, and to repeal section two of the act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards and trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," by providing for the appointment of a board of trustees for each county; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers assistance, except under certain circumstances; providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board; and authorizing the Department of Welfare to cooperate with, and to accept and disburse moneys received from, the United States government for aid to dependent children.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 67, entitled:

An Act to promote flood control and the prevention of soil erosion, and, incidental therewith, to promote agriculture, by providing for cooperation by the Commonwealth of Pennsylvania, through the Department of Agriculture of the United States, in effectuating the purposes of, and carrying into effect, the provisions of the Federal "Soil Conservation and Domestic Allotment Act," approved the twenty-ninth day of February, one thousand nine hundred thirty-six, so as to enable agricultural producers to receive Federal grants-in-aid; defining the powers and duties of said department; creating the Pennsylvania Soil Conservation Board; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 77, entitled:

An Act to further amend the act, approved the seventeenth day of June, one thousand nine hundred thirteen (Pamphlet Laws, five hundred seven), entitled, "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; impcsing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by permitting the taxation, for State purposes, of property taxable for county purposes; by making further provision with regard to penalties; and by making certain information confidential and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. HARKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties for the purpose of further study.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 75, entitled:

A Supplement to Act No. 56-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Acts of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind," increasing the current appropriation for blind pensions in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 79, entitled:

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty, one thousand nine hundred and thirty-one; one thousand nine hundred and thirty-three, one thousand nine hundred and thirty-four, and one thousand nine hundred and thirty-five, and validating the liens of such taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 76, entitled:

An Act to amend section eight of the act, approved the nineteenth day of January, one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three—one thousand nine hundred thirty-four, Pamphlet Laws, two hundred eighty-six), entitled "An act making appropriations out of The State Stores Fund to the State Emergency Relief Board for direct relief, work relief, and expenses, including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments," by imposing a time limit within which counties, cities, boroughs, incorporated towns, townships, school districts and poor districts may obtain reimbursement for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 61, as follows:

An Act imposing income tax for State purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons partnerships associations corporations State officers employes and departments and imposing penalties

The first section was read as follows:

ARTICLE I

SHORT TITLE AND DEFINITIONS

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Individual Net Income Tax Act"

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. VAN SICKLE. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 52, entitled:

An Act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth under certain conditions in lieu of the redemption thereof and defining the powers and duties of the Governor the Auditor General the State Treasurer and the duly authorized loan and transfer agent of the Commonwealth in relation thereto

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Auditor General and the State Treasurer upon such terms as they may deem to the best interests of the Commonwealth and under such conditions as they may specify may reduce the rate of interest payable upon any outstanding callable bond of the Commonwealth of Pennsylvania in lieu of calling such bond for redemption in accordance with the terms thereof upon any date upon which said bond may be called for redemption Provided That such reduction of interest rate is consented to by the holder of the said bond In the event the interest rate on any such bond is reduced as aforesaid said bond shall forthwith be presented to the duly authorized loan and transfer agent of the Commonwealth which shall endorse upon the face of the said bond a proper notation evidencing the said reduction of interest rate and as to any such bond as may be in coupon form shall affix thereto in place of the original coupons not then due and payable proper interest coupons evidencing the said reduction of interest rate

On the question,

Will the House agree to the section?

Mr. COHEN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 9 by striking out after the word "of" and before the word "such" the word: "[calling]" and inserting in lieu thereof the word: "redeeming"

Amend section 1, page 1, line 9 by striking out at the end of the line after the word "bond" the words: "[for redemption]"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 This act shall become effective immediately upon its final enactment

An act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth, under certain conditions, in lieu of the redemption thereof; and defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the duly authorized loan and transfer agent of the Commonwealth in relation thereto.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 66 as follows:

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs altera-

tions and additions to and replacement of existing buildings and equipment

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two million six hundred thousand dollars ($2,600,000) is hereby appropriated to the Department of Property and Supplies for the following purposes

For eliminating fire and other hazards to safety at State-owned institutions including repairs alterations additions to or replacement of existing buildings and the purchase of fire or other safety equpiment the sum of five hundred thousand dollars ($500,000)

For increasing the capacity of State-owned institutions under the supervision of the Department of Welfare by the erection and construction of new buildings or by repairs alterations or additions to existing buildings the sum of one million dollars ($1,000,000)

For increasing the capacity of State-owned institutions under the supervision of the Department of Health by the erection and construction of new buildings or by repairs alterations or additions to existing buildings the sum of six hundred thousand dollars ($600,000)

For the erection and construction of new armories and other buildings and repairs alterations additions to and replacement of existing armories and other buildings under the supervision of the Department of Military Affairs including buildings and utilities at the State Military Reservation the sum of five hundred thousand dollars ($500,000)

Section 2 Within the meaning of this act the erection and construction of or alterations or additions to buildings shall include the installation or replacement of fittings and equipment affixed to buildings and the installation or replacement of heating systems and heating sewage and other service lines within the grounds of an institution armory or stable for the accommodation of a building or buildings and the foregoing appropriations be and the same are hereby made available for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering fees required for the purposes of this act

Section 3 The amount of any of the foregoing appropriations to be expended for or upon any building or buildings for any particular institution shall be determined with the approval of the Governor by the Department of Property and Supplies and the department of the State government operating such institution or with which the board of trustees of such institution is connected and the amount of the foregoing appropriation to be expended for any particular armory or the State Military Reservation shall be determined with the approval of the Governor by the Department of Property and Supplies and the Department of Military Affairs

Section 4 The remaining balance of any of the foregoing appropriations which on May thirty-first one thousand nine hundred thirty-nine are unobligated shall lapse on that date

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 53, as follows:

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania Series "D" for the purpose of refunding redeeming and retiring said Series "D" authorizing the exchange of bonds of said Series "D" for those issued hereunder defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Auditor General and the State Treasurer under the direction of the Governor are hereby authorized to give notice to the holders of any or all bonds of "Series 'D' Loan of the Commonwealth of Pennsylvania" issued under date of the first day of December one thousand nine hundred twenty-one in such manner not inconsistent with the terms of such bonds by advertisement or otherwise as and at such times as the Governor may direct that any or all of said bonds are called for redemption in accordance with the terms of said bonds on the first day of December one thousand nine hundred thirty-six or on any semiannual interest date thereafter prior to maturity

Section 2 (a) For the purpose of redeeming or retiring any or all of said bonds of series "D" bonds of the Commonwealth of Pennsylvania to be known as "Series 'D' Refunding Loan of the Commonwealth of Pennsylvania" shall be issued on the credit of the Commonwealth from time to time for such total amounts not in excess however at any time of the amount of bonds of "Series 'D' Loan of the Commonwealth of Pennsylvania" then outstanding and callable for redemption as provided in section one hereof less any moneys available in the Sinking Fund and applicable to the redemption of said bonds in such form in such denominations and subject to such terms and conditions of issue redemption and maturity not longer than the first day of December one thousand nine hundred fifty-one rate of interest less however than four and three quarters per centum (4¾%) per annum and time of payment of interest as the Governor the Auditor General and the State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear the facsimile signatures of the Governor the Auditor General and the State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall from time to time have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold or exchanged in accordance with the provisions of this act

Section 3 Except as herein provided whenever bonds are issued in accordance with the provisions of section two hereof they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and the State Treasurer to the highest and best bidder or bidders on such terms and conditions and upon such open competitive bidding as the Governor the Auditor General and the State Treasurer shall direct after public advertisement in such manner and character and at such times as the Governor the Auditor General and the State Treasurer shall prescribe Provided however That the Governor the Auditor General and the State Treasurer upon such terms and under such conditions as they shall specify may exchange bonds issued under the provisions of this act for outstanding callable bonds of "Series 'D' Loan of the Commonwealth of Pennsylvania" but the face value of the bonds so authorized to be exchanged shall not exceed the face value of the outstanding bonds to be refunded or retired All bonds offered for exchange under the provisions of this act shall after the issuance of new bonds and substitution therefor be canceled and thereafter all payments of interest thereon shall cease.

Any portion of any bond issue so offered and not sold

subscribed for or exchanged may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct No commission shall be allowed or paid for the sale or exchange of any bonds issued under the authority of this act

Section 4 The proceeds from the sale of bonds under the provisions of this act shall be used only for the redemption or retirement of bonds of "Series 'D' Loan of the Commonwealth of Pennsylvania" called as provided in section one of this act The refunding bonds so issued shall not continue any debt of the Commonwealth represented by the called bonds beyond the maturity date of such called bonds and shall in no manner increase the debt of the Commonwealth as existing at the time such refunding bonds are sold or exchanged The intent of the Legislature in authorizing this issue of refunding bonds is to lessen the interest charges payable by the Commonwealth on such outstanding bonds and not to increase the debt of the Commonwealth nor to extend the date for the final redemption of such debt beyond the date specified in the bonds called

Section 5 The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth

Section 6 All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the Sinking Fund All provisions and amendments thereto relating to Sinking Fund Investments Redemption of Bonds and Information and Reports to be furnished by the Governor and the State Treasurer to the General Assembly contained in the act approved the eighteenth day of April one thousand nine hundred nineteen (Pamphlet Laws sixty-two) under the terms of which were issued the bonds of "Series 'D' Loan of the Commonwealth of Pennsylvania" which bonds are to be redeemed or retired by or exchanged for the bonds issued under the provisions of this act shall continue in full force and effect and shall be deemed to apply to the refunding bonds issued under the provisions of this act and the redemption thereof

Section 7 The sum of twenty-five thousand dollars ($25,000.00) or so much thereof as may be necessary is hereby specifically appropriated from the Motor License Fund for the purpose of providing bonds issued under the provisions of this act for the payment of the cost of advertising the same and for all other expenses in connection with the sale exchange and registration of said bonds Payment from said appropriation shall be made by requisition of the Auditor General after approval of vouchers by the Governor the Auditor General and the State Treasurer

Section 8 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 73, entitled:

An Act to enable persons associations partnerships and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or descriptions providing for bonds with confessions of judgments regulating the assignment and release of such mortgages and designating the operation and effect of the lien of such mortgages

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person association partnership or corporation may enter into an agreement with and borrow funds from the Government of the United States or any department agency or instrumentality thereof on the security of the obligation of the borrower and the repayment of any funds so borrowed or of any then existing indebtedness to the United States or any department agency or instrumentality thereof may be evidenced by a bond containing a confession of judgment secured by a chattel mortgage upon any chattel or chattels of any kind or description Such mortgage shall be a lien against the chattel or chattels thereby conveyed and shall be good and available in law against any subsequent purchasers or execution creditors upon the recording thereof as hereinafter directed Such mortgage must be in writing signed by the mortgagor or his agent duly authorized and constituted and duly acknowledged by some person authorized to take acknowledgment of deeds Provisions contained in such chattel mortgage that property of the same class as is covered by the chattel mortgage shall be included in the mortgage lien if acquired by the mortgagor subsequent to the execution of the chattel mortgage and prior to its extinguishment and provisions that the chattel mortgage may secure future advances to be made by the mortgagee at its option within a period of three (3) years from the execution of such chattel mortgage but not to exceed in the aggregate an amount stated in said chattel mortgage and that all advances so made shall be secured by such chattel mortgage equally and to the same extent as the amount originally advanced on the security of such mortgage and that all such future advances shall be a lien upon the property therein described from the time of the recording of such chattel mortgage good and valid against and superior to all rights of sebsequent creditors purchasers mortgagees and other lienors and encumbrances and any of them and provisions that the chattel mortgage may include replacements of any of the mortgaged property therein described shall be valid and binding

On the question,

Will the House agree to the section?

Mr. ZAPPALA. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 7 by inserting after the word "thereof" and before the word "on" the following: "including among others the Reconstruction Finance Corporation and the R F C Mortgage Company"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second to the sixth sections inclusive and the title were separately read and agreed to as follows:

Section 2 The chattel mortgage mentioned in the preceding section when executed and acknowledged as hereinbefore provided shall be recorded in the office for the recording of deeds for the county in which the mortgaged property is actually located at the time of the execution of such chattel mortgage and such recorder is hereby required to index and to record the same at length in a book to be by him kept in his said office to be provided at the expense of said county and to be called "Chattel Mortgage Book" and he shall duly certify the record of all such instruments in the manner provided by law for mortgages on real estate and such recorder shall be entitled to charge and receive for services rendered hereunder the following fees

For recording each chattel mortgage seventy-five cents ($.75)

For noting assignment on the margin of the page on which the chattel mortgage is recorded twenty-five cents ($.25)

For noting release or satisfaction or extension of each such chattel mortgage and the date thereof on the margin of the page of the book where the chattel mortgage is recorded twenty-five cents ($.25)

Such chattel mortgage shall except between parties thereto take effect and be valid only from the the time of recording as herein provided and in case of more than one chattel mortgage the first recorded shall have preference and be first paid out of the proceeds of the sale of the property mortgaged Such mortgage shall remain a lien on the mortgaged property as between the parties thereto until paid but as to third parties shall not remain a lien for a longer period than five (5) years unless the lien thereof is extended for an additional period of five (5) years by the filing with the recorder of deeds of the affidavit of the mortgagee or his successor in interest stating the amount then secured by the lien A notation of the filing of such affidavit and extension of lien shall be made on the margin of the original record of the chattel mortgage in the office of the recorder of deeds

Section 3 Any chattel mortgage executed under and pursuant to this act may be assigned by an instrument in writing signed and acknowledged by the mortgagee his or its agent or assignee and upon presentation of such assignment to the recorder of deeds in the office in which the chattel mortgage is recorded such recorder shall index and file the same and note on the margin of the page in which the chattel mortgage is recorded the fact of the assignment the date of the notation the name of the assignor the name of the assignee and the address of each the date of the assignment and the amount of the debt as of the date of the assignment and such assignment shall except as to the parties thereto take effect and be valid only from the time of the marginal notation as herein provided Any such chattel mortgage may be released by an instrument in writing signed and acknowledged by the mortgagee its assignee or a duly authorized attorney or agent of such mortgagee or assignee and upon presentation of such release in the office of the recorder of deeds where the chattel mortgage is recorded the recorder shall index and file the same and note the fact of such release and the date thereof on the margin of the page of the book where the chattel mortgage is recorded and when so noted such release shall fully and effectually release the lien of such mortgage

Section 4 Upon default of any of the terms and covenants of any chattel mortgage executed in accordance with the provisions of this act the mortgagee its assignee or duly authorized attorney or agent of such mortgagee or assignee shall have the right without process of law immediately to take possession of the mortgaged property and do all things necessary to preserve the same and any expense incurred in connection therewith shall be included in and secured by the lien of said chattel mortgage This right shall be in addition to any and all other rights inuring to the benefit of the mortgagee or its assignee Such chattel mortgage upon default by the mortgagor in the payment of the mortage debt and interest or the covenants in the chattel mortgage contained may be foreclosed and the mortgaged property sold in the same manner as authorized by the laws of this Commonwealth in the case of personal property sold under execution

Section 5 Unless otherwise expressly provided by such chattel mortgage the mortgagor shall be entitled to retain possession of the mortgaged property until default under the terms of his agreement but a removal of the mortgaged property from the county in which it was actually located at the time of the execution of the mortgage shall be deemed a default unless expressly waived by the mortgagee or his duly authorized agent or assignee and the lien of the mortgage shall not be extinguished or impaired by the removal of the mortgaged property from the county in which the mortgage is recorded

Section 6 This act shall become effective immediately upon its final enactment

An Act to enable persons, associations, partnerships, and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or description; providing for bonds with confessions of judgments; regulating the assignment and release of such mortgages; and designating the operation and effect of the lien of such mortgages.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1, as follows:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes for the tax year one thousand nine hundred and thirty four and all previous years assessed against any real estate shall be abated by the autnority levying the tax if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of this act twenty per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid before the first day of December one thousand nine hundred and thirty-six twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-seven twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-eight twenty per centum on or before the thirty-first day of December one thousand nine hundred and thirty-nine and the final twenty per centum on or before the thirty first day of December one thousand nine hundred and forty And provided That after the first installment shall have been paid the respective current taxes on such parcel or parcels of real estate for the subsequent years during such installment periods levied by such taxing authority shall be paid during the then current year and if such current taxes for any such year are not paid during such year then the penalties and interest abated on the installment due for such year if such installment has already been paid shall be added to the first remaining installment of unpaid delinquent taxes and be paid in the same manner as such installment

If any taxpayer availing himself of the provisions of this act shall fail to pay any installment of taxes as hereinbefore provided for the tax year one thousand nine hundred and thirty-four and all previous years then the penalties and interest due on such unpaid instalment or installments shall not be abated

Section 2 Any taxpayer may anticipate the payment of such delinquent taxes for the tax year one thousand nine hundred and thirty-four and previous years at any time before December first one thousand nine hundred and thirty-six by paying the entire amount of or the balance due on such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes levied for the year one thousand nine hundred and thirty-five or one thousand nine hundred and thirty-six shall not be required

Section 3 This act shall be construed to apply to all taxes whether or not liens for such taxes have been returned for nonpayment or have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court

in said county and the tax payer shall not be or become liable for the payment of any fees or costs of in the filing or any satisfaction of such liens or in the prosecution of such proceedings except the actual prothonotaries fees or costs

When the time for the making of any such return or for the filing of any such lien has not expired the making of such return and the filing of such lien shall be deferred if the taxpayer shall have paid the first installment thereon and the lien of such tax shall be fully preserved for a period of six months after default in the payment of any one installment of such taxes as provided in this act If the period for such return or the filing of such lien has not expired at the end of such six months' period such return shall be made or lien filed in accordance with existing law

Section 4 The benefits of this act shall extend to and accrue to any grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied anything in the permanent statutes of this Commonwealth to the contrary

For the purposes of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax

Section 5 Any taxpayer shall have the right to pay the delinquent taxes levied against any parcel or parcels of real estate without being required to pay the delinquent taxes levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision Upon the request of the taxpayer it shall be the duty of the proper officials charged with the duty of assessing property or with the levy and collection of taxes to separate the assessments and the taxes assessed against any two or more parcels of real estate in the same ward district or municipal subdivision

Section 6 Within thirty days after the effective date of this act and once again during the last week of October one thousand nine hundred and thirty-six the county commissioners of each county shall have published in each daily newspaper published within such county a notice relative to the provisions of this act which shall read as follows

Notice to Delinquent Taxpayers

Under the provisions of Act No. approved 1936 all persons owing any county city borough town township school district or poor district taxes for the year one thousand nine hundred and thirty-four or previous years may have all penalties and interest thereon abated and may pay such taxes or any of them at face in five equal annual installments if the first twenty per centum installment is paid on or before the last day of November one thousand nine hundred and thirty-six Further information may be obtained from any tax collector

Upon application either in person or in writing by any taxpayer the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayer a statement of the delinquent taxes owed by him to such municipal sub-division showing the face amount the penalty if any the interest if any and any other costs or charges against such real property as shown by the records in his custody

Section 7 In order to receive the benefits of this act the taxpayer shall submit to the person authorized to receive such taxes a correct and complete statement of all delinquent taxes due on the parcel or parcels of real estate upon which he desires to pay under the terms of this act including liened taxes or taxes returned to the county treasurer Whereupon the person authorized to receive such taxes shall accept such statement and accept the payment tendered forthwith anything in the permanent statutes of this Commonwealth to the contrary but if the taxpayer shall submit any false or incorrect statement he shall become liable for the payment in the manner provided by law of all penalties and interest abated on the delinquent taxes paid

Section 8 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for non-payment of taxes before December first one thousand nine hundred and thirty-six and any tax sale may be adjourned or readjourned as may be necessary for this purpose If any tax sale is adjourned or readjourned after advertisement no additional advertisement or notice shall be necessary for the adjourned or readjourned sale No such adjournment or readjournment failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid but the lien of all such taxes shall be fully preserved until December first one thousand nine hundred and thirty-six notwithstanding that the period fixed by existing law as the life of such a tax lien has expired

Section 9 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 10 All acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 11 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Weiss.

The SPEAKER. Will the gentleman from Allegheny, Mr. Weiss permit himself to be interrogated?

Mr. WEISS. I will, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I would like to ask the gentleman from Allegheny whether this bill abates any penalties for the year 1935.

Mr. WEISS. Mr. Speaker, it does not.

Mr. WOODSIDE. Mr. Speaker, I would like to inquire of the gentleman whether this bill is supported by the Taxpayers' League which was instrumental in obtaining a tax abatement bill during the regular session.

Mr. WEISS. Mr. Speaker, they are in favor of this present bill.

Mr. WOODSIDE. Mr. Speaker, I would like to also inquire of the gentleman whether or not this organization will oppose any future abatement bill.

Mr. WEISS. Mr. Speaker, I cannot speak for the Taxpayers' League or the Tax Justice League, but I, as a member of the House, am opposed to encouraging delinquency by continual or permanent abatement bills.

This bill was designed for the purpose of aiding the taxpayers avail themselves of the benefits of an abatement act, to obtain funds for employment or otherwise, who were unable to avail themselves of the Huffman-Rankin Abatement Act, presented at the last session.

Mr. WOODSIDE. Mr. Speaker, will the gentleman please state whether he has received any word from the officials or the lobbyist of that organization that they will oppose any future batement bill?

Mr. WEISS. Mr. Speaker, I have had no conference with the membership as far as opposition to future abatement bills is concerned. I know that the men I talked to feel that this bill should be the final bill as far as abatement acts are concerned. We believe with the conditions improving no further abatement acts will be necessary.

Mr. WOODSIDE. Mr. Speaker and members of the

House, at the regular session, when an abatement bill was presented to this House, I opposed it on the grounds primarily that it went too far. I felt and I feel to-day that a penalty that approaches 50% of the tax is too high, and that it would be proper to make such certain abatements in the penalties. At that time I felt that it was wrong to go as far as that bill went. I felt that the banks and various other large institutions would come in and take advantage of the bill, and that the poor man would not have an opportunity to take advantage of it. I think that at least in my district my prediction came true and that the bill operated in that manner.

I realize that there are arguments on both sides for this bill, and I am not going to take up your time to advance the arguments that can be advanced both for and against the bill. I will say this much in favor of it, that inasmuch as it states that the penalties of the 1935 taxes cannot be abated, it is a step in the right direction. I predicted at the last session that we would come here time after time with new abatement bills which would be presented to us. I have had the assurance from the lobbyists of the Tax Justice League that this was the last tax abatement bill that they were going to support, and that they are, or at least the lobbyists personally, are opposed to any future tax abatement bill. If that is the case I see no particular objection to this bill at this time. I do not think it makes a whole lot of difference. I wouldn't weep tears if this bill were defeated, but I am not going to urge this membership to defeat this bill at this time. I feel that by putting in the amendment which I offered that the bill has been greatly improved. As orginally presented it provided that no tax sales that would be held, could be held before April of 1937. However, the sponsors of the bill agreed to an amendment which I offered, which provides that tax sales may be held after December of 1936. I think that this amendment materially improves the bill and puts it in such shape that it is not as detrimental as it would be if this amendment had not been placed in it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—199

Achterman,	Eberharter,	McDermott,	Shepard,
Alexander,	Eroe,	McDevitt,	Shortz,
Altenburg,	Falkenstein,	McElroy,	Shreiner,
Andrews,	Ferko,	McHenry,	Shugarts,
Anthony,	Finnerty,	McKinney,	Siegel,
Arnold,	Fitch,	Melchiorre,	Simon,
Atkins,	Flanagan,	Mentzer,	Simpson,
Aukerman,	Flinchbaugh,	Merrell,	Sinwell,
Baine,	Forrest,	Moomaw,	Sloan,
Baker, F. T.,	Gates,	Mooney,	Smith, J. A.,
Baker, J. J.,	Gerard,	Moore,	Smith, W. G.,
Baldi,	Gillette,	Moran,	Snyder, F. E.,
Barber,	Greenstein,	Moul,	Snyder, J. L.,
Barnhardt,	Haberlen,	Muir,	Sowers,
Beadman,	Hagerty,	Munley,	Sproul,
Bernhard,	Haluska,	Murrin,	Stank,
Blumberg,	Hamilton, F. P.,	Nagel,	Stevens,
Boose,	Hamilton, R. S.,	Nothnagle,	Stewart,
Boyd, R.,	Harkins,	O'Keefe,	Stockham,
Boyer,	Harmuth,	Ominsky,	Stone,
Bradley,	Hartman,	O'Neill,	Stott,
Brancato,	Hefferon,	Panton,	Sumney,
Brennan,	Hermansen,	Parks,	Surface,
Brown, H. S.,	Hetrick,	Patterson, C.,	Sweeney,
Brown, J. E.,	Hindman,	Patterson, J. W.,	Tahl,
Brownfield,	Hirsch,	Pearson,	Terry,
Brumbaugh,	Hoffner,	Perry,	Tronzo,
Burke,	Holland,	Peters,	Trout,
Cannon,	Holstrom,	Pfaff,	Tumelty,
Caputo,	Horst,	Phillips,	Turner,
Carr,	Jackson,	Piole,	VanAllsburg,
Carson,	Jones,	Powers,	VanSickle,
Castor,	Kane,	Reising,	Wall,
Coakley,	Kelder,	Reynolds,	Wasserman,
Cochran,	Kelso,	Rhys,	Weidemann,
Cohen,	Kenney,	Rinn,	Weiss,
Coleman,	Kilroy,	Roan,	Welliver,
Condon,	Kinney,	Robinson,	Welsh,
Coolahan,	Klingler,	Rooney,	Westrick,
Cooper,	Kobelak,	Root,	White,
Cordier,	LaRue,	Royer,	Wickersham,
Davies,	Linderman,	Ruffennach,	Winner,
Decker,	Long,	Sarraf,	Witkin,
Denning,	Longaker,	Scanlon,	Woodside,
Dent,	Lovett,	Schaeffer,	Yeakel,
Diehl,	Lynch,	Schrock,	Yourishin,
Dilley,	Male,	Schrope,	Zappala,
Downey, G. E.,	Mallen,	Schwab,	Zimmerman,
Downey, J. J.,	Mason,	Serrill,	Furman,
Duffort,	McCreary,	Shaw,	Speaker

NAYS—2

Habbyshaw,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. ACHTERMAN filed the following reason for his vote.

House Bill No. 1 although more carefully prepared is similar to the Huffman-Rankin Bill passed in the last session of the Legislature. I voted against the Huffman Rankin Bill for the reasons that I then stated, to wit: that the act would only benefit the banks, building and loan associations, owners of mortgages about to foreclose and tax chiselers. Experience has justified that position for that class mainly benefited by the act. House Bill No. 1 in effect would extend the time to take advantage of the tax abatement features of the previous act. This would extend to the poor but unfortunate delinquent tax payer the time under which he could take advantage of the act. I am heartily in favor of extending the time to the poor man and it is only for this reason that I am voting for House Bill No. 1.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 70 as follows:

An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for assessment of benefits against property benefited and against municipalities counties and townships and for their collection providing for appeals conferring certain powers on municipalities counties and townships the Public Service Commission and the Department of Highways and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania

n General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Definitions The word "board" as used in this act means the Water and Power Resources Board of the Department of Forests and Waters

The word "person" as used in this act shall include individuals associations partnerships and corporations

The word "plans" as used in this act shall mean plans maps profiles estimates of costs descriptions of public and private property and of municipalities to be benefited and other data and descriptions prepared by the Water and Power Resources Board to establish the area and boundaries of a proposed flood control district to locate adequate proposed flood control works to determine the cost of the erection and construction of the same to determine property to be taken damaged or benefited by the construction of such works and to make preliminary estimates of benefits to private property and shall also be construed to include similar plans prepared by any agency of the Federal Government

The word "municipality" as used in this act shall include counties cities boroughs incorporated towns and townships

Section 2 Surveys and Preliminary Plans The Water and Power Resources Board shall have power on its own motion or upon the petition of at least three municipalities or upon the petition of at least three hundred persons who are freeholders in any drainage area to make appropriate surveys and to prepare suitable preliminary plans for any proposed flood control district in such drainage area or any part thereof in order to control store preserve and regulate the flow of rivers and streams and diminish or eliminate floods inimical to the public health and safety and destructive to public and private property and works

Section 3 Notice and Public Hearing Objections When such surveys and preliminary plans have been completed the board shall give notice in at least two newspapers in each county wholly or partially within such proposed flood control district if so many are published therein once a week for two consecutive weeks which notice shall state the place where such preliminary plans may be inspected and of a time and place when and where such preliminary plans may be discussed at a public hearing before the board and written objections thereto filed by any person or municipality

The board may in its discretion have such preliminary plans printed and furnish copies thereof to persons interested upon request made

Section 4 Detailed Official Plans Notice When such hearing or hearings on the preliminary plans have been completed the board shall proceed to consider all objections filed to the preliminary plans and shall affirm revise modify or change said plans as in its judgment is deemed just and proper and shall then prepare detailed official plans for the proposed flood control district The board shall give public notice of the adoption of such official plan in the same newspapers and by the same number of insertions as hereinbefore provided for the preliminary plans Such official plans may be printed and distributed in the same manner as the preliminary plans

Section 5 Appeals Procedure Any person or municipality aggrieved by the action of the board in the adoption of the official plans shall have a right to appeal from the action of the board to the Superior Court at any time within thirty days after the date of the last publication of the notice of the adoption of the official plans and not thereafter Such appeal shall be by petition against the board officially as defendant filed with the Superior Court alleging therein in brief the detail the action complained of and praying for a modification or reversal thereof Such petition shall specify the petitioners objections to the action of the board and no objection not so specified shall be considered by the court

A copy of such appeal shall be filed with the board on the same day it is filed with the Superior Court Thereupon the board shall file with the Superior Court at least ten copies of the official plans The board shall not later than fifteen days after the filing of the appeal petition file with the Superior Court an answer thereto and send a copy thereof by registered mail to the person filing the appeal petition or his counsel of record The answer shall deny or admit the allegations in the petition and the grounds for its action

The Superior Court shall fix a time and place of hearing of which due notice shall be given to the appellant and his counsel and to the board in such manner as the Superior Court shall prescribe

After hearing the Superior Court shall make such order affirming the official plans of the board or modifying or changing the same as to it appears just and proper

The Superior Court shall have power to consolidate any and all appeals taken from the action of the board and hear them in the same proceeding

Section 6 When Official Plans Effective Official plans shall become effective for a flood control district and the district shall be deemed established when the period for appeal has expired if no appeal has been taken or if an appeal has been taken then when all apeals have been finally adjudicated

The board may proceed with the exercise of the powers granted by this act whenever an official plan has become effective and shall not be estopped in the exercise of its powers by reason of the fact that benefits assessable under this act have not been determined and that the amount of money accruing to the special flood control fund has not been ascertained but no contract shall be let or agreement executed exceeding the amount of moneys in said fund or to become available to said fund by the time such contract or agreement is completed or concluded

Section 7 General Powers of Board In order to carry into effect the official plans for any flood control district the board shall have power to clean out widen alter deepen or change the course current or channel of any river or stream to fill up any abandoned canal or water course to contruct and maintain levees dikes walls revertments dams lakes reservoirs and other works and improvements deemed necessary to prevent floods and to control preserve and regulate the flow of rivers and streams to construct or enlarge bridges and viaducts to construct relocate and elevate public highways to construct any of said works and improvements across through or over any public highway canal railroad right of way or tracks to remove or change the location of any fence building railroad canal or other improvement to acquire by donation lease purchase or condemnation and own or hold in the name of the Commonwealth real and personal property and easements and the public works erected and contructed under the authority of this act

Section 8 Board Designated As Agency To Receive Federal Moneys The Board is authorized to receive on behalf of the Commonwealth of Pennsylvania any and all Federal moneys grants contributions gratuities and loans available or hereafter made available by the government of the United States or any of its agencies or instrumentalities for State flood control works and improvements under such rules and regulations as may be prescribed by law of the Congress of the United States or any Federal agency or instrumentality and to pay the same over to the State Treasurer through the Department of Revenue for deposit and safe keeping All such moneys shall be paid into the Special Flood Control Fund created by this act

Section 9 Powers and Duties in Connection With Federal Works and Improvements In addition to the powers hereinbefore granted in connection with the creation of flood control districts the adoption of official plans in connection therewith and the carrying into effect of such official plans the board is hereby empowered and directed for and in behalf of the Commonwealth and its subdivisions to aid assist and cooperate in the carrying out of any Federal flood control program or plans and for such purposes shall have all of the powers conferred by this act with respect to the State created flood control districts and the execution of the official plans for such districts and all other powers whatsoever necessary or required in order to enable the Commonwealth to participate in and receive the benefits of any Federal flood control program or plans in this Commonwealth It shall have power among others to

enter into and execute any and all contracts and agreements with agencies of the Federal Government and to do and perform all acts necessary in connection therewith and to assist and cooperate in the construction erection financing maintaining using and operating any Federal public flood control works and improvements and to enter into and execute such contracts as may be deemed necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act It shall have power to obligate the Commonwealth to pay a portion of the cost of such Federal flood control works and improvements not however exceeding amounts of money made available or to become available for such purposes

The board is authorized and directed to conform and comply with all rules regulations and requirements of the Federal Government and its agencies and instrumentalities

Section 10 Contracts All work of any character whatever performed under the authority of this act in connection with any state public flood control works and improvements involving an expenditure of more than one thousand dollars shall be performed under written contract let by the board to the lowest responsible bidder after due advertisement as prescribed by the board

Section 11 Power of Eminent Domain The board shall have power to acquire any property easements rights of way and water courses deemed necessary for the construction of any of its public works or improvements provided for in this act by the right of eminent domain and shall have power to enter upon injure or destroy any property deemed necessary The proceedings for the condemnation of property and for the assessment of damages for property taken injured or destroyed shall be in accordance with the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred seventy-six) entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor" and its amendments and supplements

The board shall have like powers of eminent domain as hereinbefore granted in this section and in accordance with the same procedure provided by this section to acquire property easements rights of way and water courses deemed necessary by the board to enable the Federal Government or any of its agencies or instrumentalities to erect and construct suitable public flood control works and improvements in this Commonwealth in the construction and erection of which the board has been authorized by this act to aid assist and cooperate

The board shall have the power to authorize the Federal Government or any of its instrumentalities or agencies to acquire outside the Commonwealth such property easements rights of way and water courses as are deemed necessary for the construction of any public works or improvements provided for in this act and to order the payment therefor out of the Special Flood Control Fund to the Federal Government or its instrumentality or agency not however exceeding amounts of money made available or to be made available in the flood control fund

Section 12 United States Not to be Liable Federal Rules and Regulations All lands rights in lands rights of way and water courses acquired under the authority of this act for State or Federal flood control works and improvements shall be acquired without cost to the United States and no moneys made available for flood control in this Commonwealth by the United States shall be used for such purposes unless in either event the Government of the United States or any of its agencies or instrumentalities shall first consent thereto nor shall the Government of the United States be deemed liable for any damages by reason of its contribution arising in connection with the construction of any State or Federal public works or improvements The Commonwealth hereby agrees that after such state public works and improvements are constructed where the Federal Government has contributed the same will be operated and maintained in accordance with all rules and regulations prescribed by the Secretary of War of the United States or any other agency or instrumentality of the United States

Section 13 Contracts and Agreements With Municipalities and Persons The board shall have power to enter into contracts and other arrangements with municipalities and persons for cooperation and assistance in constructing financing maintaining using and operating any State or Federal public flood control works or improvements and to enter into and execute such contracts and agreements as may be necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act

Section 14 Relocation of Roads Streets and Bridges The Department of Highways and municipalities may enter into agreements with the board of relocate roads streets bridges and viaducts necessitated by the construction of any State or Federal flood control works and improvements and may agree therein to construct new roads streets bridges and viaducts and pay the cost of the same or any part thereof from the Motor License Fund or municipal moneys with any charge or only part of the cost charged against the moneys in the Special Flood Control Fund The board may consent in any such agreement to pay the whole or any part of the cost of constructing such relocated roads streets bridges and viaducts from the moneys in the Special Flood Control Fund Such relocated roads streets bridges and viaducts may be constructed by the Department of Highways or by contract let by said department or the municipality or by the board as may be agreed upon

Section 15 Acceptance of Completed Federal Works and Improvements The board shall have power to accept on behalf of the Commonwealth all Federal flood control works and improvements after the same have been completed and to agree with the Federal Govrnment to maintain and operate such works and improvements for the primary purpose of flood control in accordance with the rules and regulations of an agency or instrumentality of the Government of the United States

Section 16 Water Power and Supply The rights of landowners municipalities and persons to the waters in a flood control district or in waters affected by any State or Federal flood control works or improvements for domestic use water supply industrial purposes water power or for any other lawful purposes shall extend only to such rights as are owned or possessed by them prior to the establishment of the flood control district or the construction of such flood control works and improvements and to such use as could be made of such waters if the public improvements and works herein authorized had not works make possible a greater better or more convenient use of or benefit from the waters in a flood control district the right of such greater better or more convenient use of or benefit from such waters shall be the property of the Commonwealth saving the rights of the Federal Government as to navigation Such rights may be leased sold or assigned as the Legislature may hereafter provide but at all times the primary purpose of flood control shall be preserved

Section 17 Source of Finances The cost and expenses of making the surveys hereinbefore provided the preparation of preliminary and official plans all advertising the erection and construction of public works and improvements and of all other work of any kind and character authorized by this act the acquisition of any and all property in connection therewith and of all other necessary and incidental costs and expenses including the expenses of the members of the board salaries and expenses of engineers experts workmen clerks assistants and other employes all court and viewers' costs assessed against the Commonwealth and all other proper and necessary expenses of any kind and character deemed necessary by the board to carry into effect the provisions of this act shall be paid from appropriations made by the Commonwealth to the Special Flood Control Fund from Federal moneys available or made available to this Commonwealth as grants contributions gratituities and loans for flood control works and improvements from gifts and donations

received from persons from appropriations and contributions made to the board by municipalities from contributions by other states and its poltical subdivisions and from moneys arising from benefits assessed under the authority of this act against private property and against municipalities benefited or to be benefited by the construction of such public works and improvements to protect public and private property and improvements from damage and destruction by floods All moneys so made available shall likewise be available for expenditure by the board to aid and assist in the erection and construction of Federal public flood control works and improvements beneficial to the people of this Commonwealth

Section 18 Appointment of Viewers After the official plan has been finally adopted and has become effective or whenever the Federal Government has adopted a plan for Federal flood control works and improvements in the construction and erection of which the board has agreed to aid and assist financially and otherwise the court of common pleas of each county wholly or partially within a flood control district as established by the official plan or of any county lying wholly or partially within any drainage area for which Federal flood control works and improvements are to be erected and constructed may on its own motion and shall on the application of the board appoint a board of three viewers from the county board of viewers whose duty it shall be to assess all benefits to private property and to municipalities to be occasioned by the erection and construction of the State or Federal public works and improvements or both It shall be the duty of the board to furnish to each board of viewers so appointed a complete set of the State Official plans showing the private property and the municipalities within the county which will be benefited by the proposed public works and improvements and also of any Federal plans if the same are available

Section 19 Swearing Viewers Assessment of Benefits Notice Hearings The viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters before them or to be submitted to them and relation to which they are authorized to inquire and having viewed each parcel of private property and each municipality which according to the official State plan or Federal plan or program is to be benefited shall hear all parties and their witnesses and shall determine the benefits if any to accrue to each such parcel of private property and to each municipality and shall prepare a schedule of such property and a municipal schedule and the amount of benefits assessed against each piece of private property and against each municipality

No assessment of benefits shall be made against public property No assessment of benefits shall be made against any private property unless in the opinion of the board of viewers such property will be benefited by the prevention or lessening of future flood damage No assessment shall be made against any municipality unless in the opinion of the board of viewers the municipality will be benefited because its buildings roads streets parks water supply plants and other public property and works will be protected from flood damage The fact that public and private property and works have been damaged by flood shall be deemed conclusive evidence that benefit will accrue to such property or municipality by reason of the public works and improvements authorized by this act or provided by the Federal Government or its agencies or instrumentalities No exemption from assessment of benefits shall exist for any private property or any municipality by reason of the fact that the same does not abut on any improvement or on the river or stream carrying the flood waters

The viewers shall give notice to all persons and municipalities against whose properties or against which benefits have been assessed of a time when and place the viewers will meet and exhibit their schedules and hear all exceptions thereto Such notice shall be given by registered mail addressed to the last known post office address of the owner or reputed owner of the property and to the corporate authorities of each municipality and by publication once a week for two weeks in at least two newspapers of general circulation in the county where so many are published in the county The failure of an owner or municipality to receive the registered mail notice shall not be deemed to invalidate the proceedings but in such cases the notice by publication shall be deemed sufficient.

Section 20 Revision of Schedules and Filing Notice Thereof After hearing all parties and after making whatever changes are deemed necessary the viewers shall prepare a revised schedule of benefits to private property and a revised schedule of benefits assessed against municipalities and file a copy of each in the court of common pleas of the county When the reports of the viewers are filed they shall be confirmed nisi When the reports are filed notice thereof shall immediately be given by the board of viewers by publication once in the newspapers publishing the notice of the hearings before the viewers Such notice shall state the date of the filing of the reports contain the schedules of the benefits assessed and shall state that unless exceptions are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the reports will be confirmed absolutely

Section 21 Filing of Exceptions and Appeals Within thirty days after the filing of the report of viewers any person or municipality interested may file exceptions to the same or may appeal to the court of common pleas and demand a jury trial

Each person or municipality filing exceptions or taking an appeal shall except to or appeal from so much of the report only as affects property in which he has an interest or as affects the municipality and the part of the report of the viewers not excepted to or appealed from shall be confirmed absolutely after said thirty day period

Section 22 Procedure on Exceptions and Appeals Where exceptions to a report of the viewers are filed the court shall proceed to hear and determine the same in the manner exceptions to the reports of viewers are generally proceeded within the county Where an appeal is taken it shall state the grounds upon which the appeal is taken and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Upon the trial of any appeal or the hearing of any exceptions in case the appellant or party excepting does not obtain a verdict or decree more favorable than was the report of the viewers he or it shall not recover any costs

The court of common pleas shall order what notices shall be given in connection with such proceedings by exceptions or by appeals and may by rule or otherwise prescribe the form of the pleadings

The court may also in proper cases consolidate proceedings by exceptions or appeal into a single proceeding but exceptions or appeals involving municipalities shall not be consolidated with those involving private property

Section 23 Appeals to Superior and Supreme Courts Any person or municipality aggrieved by an order of court on exceptions filed or determination of the case where a jury trial was demanded may within thirty days after such final order or determination and not thereafter appeal to the Supreme or Superior Court as the case may be

Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same or involve the same questions the Superior Court may certify such appeal to the Supreme Court to be heard with other appeals from the same report

The Supreme or Superior Court shall consolidate all appeals coming before it from the same report and hear them as one case except that cases arising from exceptions shall not be consolidated with those arising from appeals and demands for a jury trial and those involving municipalities shall not be consolidated with those involving benefits to private property

Where any appeal is taken to the wrong court such court shall certify the same to the court to which it should have been taken

Section 24 Due Date for Payment of Benefits Discounts for Prompt Payment Interest All assessments of benefits shall become due and payable to the board when the

State or Federal public flood control works and improvements have been completed which date shall be fixed by the official order of the board notice of which order shall be published by the board in the newspapers in which notice of the preliminary and final plans were published by one insertion

Any person or municipality may pay any part or all of the benefits assessed against him or it to the board before the due date thereof If such payment is made within six months after the amount of the benefits have been finally ascertained a discount of ten per centum of the amount thereof payable shall be allowed All benefits or any part thereof paid after such six months' period and within one year from the time the benefits are finally ascertained shall be subject to a discount of five per centum of the amount payable All assessments of benefits or parts thereof remaining unpaid when the improvements are completed shall bear interest at the rate of six per centum per annum from the date of the completion of the improvements until paid

The board shall send by registered mail addressed to the last known post office address a statement of the amount due by each person after the same has been finally ascertained together with notice of the discounts allowed by this act for prompt payment and when interest will be added to the amount due

Section 25 Liens and Filing Thereof Procedure Thereon to Collect All assessments for benefits against private property shall remain a lien thereon from the time report of the viewers is filed in court until paid unless the lien thereof be lost by failure to revive the same It shall be the duty of the board within six months after its order that the public works and improvements have been completed to file through the Department of Justice in the name of the Commonwealth of Pennsylvania in the office of the prothonotaries of the proper counties liens for all benefits assessed which remain unpaid by persons and municipalities But no such lien shall be filed unless the board shall first notify by mail addressed to the last known post office address of the owner or reputed owner of the property or the municipality against which an assessment has been made of its intention to have said lien filed if payment of the amount due is not made before a time prescribed by the board Such liens shall be filed in the same manner as is provided by law for the filing of municipal claims and shall have priority over all other liens except taxes and municipal claims or liens and except also mortgages and judgments of record prior to the time the report of the viewers was filed in court

Such liens shall be revived prosecuted to judgment executed and collected by the board through the Department of Justice in the same manner in all respects as is provided by law in the case of municipal claims except that in the case of municipalities judgments recovered on such liens shall be collected in the same manner as judgments are collectible by law against municipalities

Section 26 Increase of Municipal Debts Appropriations Any municipality may incur or increase its indebtedness in the manner provided by law for the purpose of appropriating moneys to the board to assist in carrying out the purpose of this act and for the purpose of paying benefits assessed against it by the report of viewers or as finally adjudicated and may make appropriations from current funds for such purposes

Section 27 Special Flood Control Fund Created Appropriation of Moneys Therein A Special Flood Control Fund is hereby established in the State Treasury into which shall be paid all moneys appropriated by the Commonwealth and received from the Federal Government and other states and its political subdivisions for flood control work and projects and all moneys arising from gifts or donations from persons and municipalities and recovered from benefits assessed against persons and municipalities under the provisions of this act

All moneys in the Flood Control Fund from time to time are hereby specifically appropriated to the board for the payment of any and all costs and expenses properly payable under the provisions of section seventeen of this act for repayment to the General Fund of excess appropriations made by the Commonwealth pending the collection of assessments of benefits and for payments on account of any moneys which the board may have agreed to contribute to aid and assist in the erection and construction of any Federal flood control works and improvements and in the erection and construction of flood control works and improvements under compacts and agreements with other states

Where more than one flood control district is created separate accounts shall be kept for each district and payments from the special Flood Control Fund for or on account of any one district shall not exceed the amount credited to such district in said fund.

Section 28 Additional Appropriations to Cover Delayed Payment of Assessments If in the construction and erection of the public works and improvements authorized by this act it becomes necessary for the Commonwealth to advance additional State moneys by appropriation to the Special Flood Control Fund because of a failure of owners of property and municipalities to pay benefits assessed within the time and in the amount estimated by the board then and in that event the General Fund shall be reimbursed by the board from future moneys collected from assessments of benefits to the extent of such additional appropriations The General Assembly shall in its appropriations to carry into effect the provisions of this act state the amount or amounts of appropriations so made which shall be so repaid to the General Fund

Section 29 Cooperation With Other States The Water and Power Resources Board is hereby designated as the agency of the Commonwealth with power to enter into reciprocal compacts and agreements with other states in developing flood control projects and works and shall have authority to expend moneys made available and appropriated by this act for interstate flood control works and improvements located within or without this Commonwealth on rivers and streams entering into or flowing out of or along the borders of this Commonwealth and to receive for payment into the Flood Control Fund from other states and their political subdivisions any moneys to aid and assist in the construction of flood control works and and improvements located in this State which are deemed beneficial to the inhabitants of other states Payments on account of such interstate works and improvements may be made by the board direct to the contractor or to the agency of such other state which let the contract or is performing the work of constructing such works or improvements or to the Federal Government or any of its instrumentalities or agencies supervising the construction of such works or improvements

The board is further authorized to empower the Federal Government or any of its instrumentalities or agencies to supervise the construction of such interstate flood control works and improvements

Section 30 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions had not been included therein

Section 31 Appropriation The sum of five hundred thousand dollars ($500,000) or so much thereof as may be necessary is hereby specifically appropriated from the General Fund into the Flood Control Fund created by this act for the purpose of carrying into effect the provisions of this act

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. WEISS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WEISS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 15 of the title, by striking out at the end of the line after the word "townships" the word "[the]"

Amend page 2, line 1 of the title, by striking out at the beginning of the line before the word "and" the following: "[Public Service Commission]"

Amend Sec. 11, page 8, line 21, by striking out the word "perperty" and inserting in lieu thereof: "property"

The SPEAKER. Will the House given unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. KANE. Mr. Speaker, before that bill passes finally, there are one or two typographical errors in parts of the bill that did not get on these amendments, that should be taken care of. I think that that ought to be called to your attention.

The SPEAKER. The Chair wishes to inform the gentleman from McKean, that these typographical errors will be picked up by the Legislative Reference Bureau and corrected before the bill is prepared for final passage

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

RESOLUTION INTRODUCED AND REFERRED

By Mr. COHEN.

(Concurrent) RESOLUTION No. 14.

In the House of Representatives, May 25, 1936.

Whereas, It is estimated that approximately eight hundred forty-five thousand dollars ($845,000.00) of moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes will be lapsed into the General Fund on May thirty-first one thousand nine hundred thirty-six, and

Whereas, The sum of six million eighty-six thousand and two hundred eleven dollars ($6.0086,211.00) in addition to the aforesaid eight hundred forty-five thousand dollars ($845,000.00) will be necessary for unemployment relief purposes for the month of June, one thousand nine hundred thirty-six, and

Whereas, There is an immediate need for the raising of this amount for the use of the General Fund by transfers of moneys from the Motor License Fund. The State Stores Fund and the Liquid Fuels Fund: therefore be it

Resolved. (If the Senate concur), That the General Assembly hereby authorizes the Governor and the Fiscal officers of the Commonwealth to transfer to the General Fund the sum of two million five hundred thousand dollars ($2,500,000.00) from the State Stores Fund, the sum of one million five hundred eighty-six thousand two hundred eleven dollars ($1,586,211.00) from the Motor License Fund and the sum of two million dollars ($2,000,000.00) from the Liquid Fuels Tax Fund and hereby makes available to the State Emergency Relief Board the aggregate sum of six million eighty-six thousand two hundred eleven dollars ($13,086,211.00) for unemployment relief purposes, and

Resolved, That any moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes that remain unobligated and unexpended on May thirty-first, one thousand nine hundred thirty-six are hereby made available to the State Emergency Relief Board for unemployment relief purposes on and after May thirty-first, one thousand nine hundred thirty-six, and

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers authorized by this resolution, (2) appropriating or re-appropriating, as the case may be, to the State Emergency Relief Board for unemployment relief purposes the sum of six million eighty-six thousand two hundred eleven dollars ($6,0086,211.00) and any moneys heretofore appropriated for unemployment relief that remain unobligated and unexpended on May thirty-first, one thousand nine hundred thirty-six, and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Motor License Fund and the Liquid Fuels Tax Fund.

Referred to the Committee on Appropriations.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COHEN asked and obtained permission of the House for the Committee on Appropriations to meet during the session of the House.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare to recess for ten minutes. Are there objections? The Chair hears none and declares a recess for ten minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair,

The time of recess having expired, the House will be in order

REPORT FROM COMMITTEE

Mr. SARRAF, from the Committee on Appropriations, reported as committed, House Resolution No. 14.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 25, 1936.

Resolved (If the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, June first, at 9 o'clock, Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene on Monday evening, June first, at 9 o'clock, Eastern Standard time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING

Mr. WEISS. Mr. Speaker, I desire to call up at this time House Bill No. 71, Printer's No. 45 on page 6, of today's calendar, bill on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WEISS.

The House resumed the consideration on third reading of House Bill No. 71, entitled:

An Act providing for the appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof; declaring void certain condemnations and appropriations of waters by municipalities, corporations, copartnerships, or persons; providing for the ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities, corporations copartnerships, or persons, and appeals therefrom; conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto; providing for future condemnations and appropriations of waters by municipalities, corporations, copartnerships, or persons, and compensation therefor; and conferring powers and imposing duties upon the Water and Power Resources Board.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WEISS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 2, page 3, line 5, by adding after the word "effect" the following: "Where condemnation proceedings are pending in any of the courts of this Commonwealth at the date when this act becomes effective, the actual taking of the water shall be within one year following the final determination of such proceeding, otherwise the condemnation shall be null and void and of no effect."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Mr. WEISS. Mr. Speaker, I desire to call up at this time House Bill No. 68 Printer's No. 42 on page 6 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WEISS.

The House resumed the consideration on final passage of House Bill No. 68, entitled:

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and water conservation and the coordination of any Federal and State flood control prgram and making an appropriation

On the question recurring

Shall the bill pass finally?

Mr. WITKIN. Mr. Speaker and members of the House, this bill appears to be a bill intended for the purpose of making a survey and investigation with respect to flood control. It is, undoubtedly, a magnificent gesture on the part of the Democratic majority of this House. However, I want to call the attention of the House to the fact that the Democratic majority is fooling no one in connection with this bill. They are endeavoring to pull the wool over the eyes of the membership of this House as well as of the people of Pennsylvania.

The truth of the matter is very simple. This matter was investigated by the United States government. It was fully and completely investigated by the Department of War of the United States government. The United States government spent hundreds of thousands of dollars in this very investigation. The report of the committee is a matter of public record. It exists in the halls of Congress. The report specifically and definitely shows that had the United States government expended the sum of seventy million dollars to avoid floods in Pennsylvania when it was first called to the attention of the United States government in 1933, that disaster, that destruction, that loss of life, that loss of property in Pennsylvania would never have occurred.

The report submitted to the Congress in 1933 showed that the engineers of the War Department of the United States government pointed out specifically that in Pennsylvania there was liklihood of floods occurring in exactly the counties wherein they did occur, and had the United States government and had the Roosevelt administration heeded the report of the army engineers, then the loss to the people of Pennsylvania that occurred in the disastrous floods of 1936 would not have occurred, and instead of wasting the taxpayers' money, instead of wasting it upon those things that were not important, if Congress had appropriated the seventy million dollars for Pennsylvania, those same two hundred persons who lost their lives in Pennsylvania would not have lost their lives, and the floods that occurred in Allegheny county and in many counties of Pennsylvania would not have occurred, because in that report the United States Engineers of the War Department said to Congress, "put these improvements in Pennsylvania and you will stop the possibility of floods," but the Roosevelt administration, in their desire to waste money, decided that they could postpone the day of stopping floods in Pennsylvania—

POINT OF ORDER

Mr. CAPUTO. Mr. Speaker, I arise to a point of order.

Mr. SPEAKER. The gentleman from Beaver will state his point of order.

Mr. CAPUTO. Mr. Speaker, the gentleman from Philadelphia is not speaking on the resolution.

The SPEAKER. The gentleman will confine his remarks to the bill before the House.

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

Mr. SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, may I advise my friend, Mr. Caputo, that if he were cognizant of what is taking place here, he would known that we were not discussing a resolution but a bill, and that bill is on Page 6, House Bill No. 68, and particularly refers to a survey and investigation of flood control. It is not a resolution, and so his point of order might well be thrown out of the window.

The SPEAKER. The gentleman from Philadelphia will confine his remarks to the bill before the House.

Mr. WITKIN. Mr. Speaker, as I was saying when I was interrupted by my good friend, the Chairman of the Judiciary General, that had the Roosevelt administration been more interested in the spending of money to avoid floods instead of playing politics, the floods that took place in March of 1936 in Pennsylvania would never have oc-

curred, because the United States Army engineers in that report, very carefully prepared, in 1933, called the attention of the United States Congress to the fact that in these very counties of Pennsylvania floods were imminent, and if the seventy million dollars of money that was subsequently wasted had been spent upon the building of reservoirs to stop the floods in Pennsylvania, the half billion dollars that was lost in the destruction of property would not have been lost, the people who lost their lives in these floods would not have lost their lives, and I say that the greatest indictment against the Roosevelt administration in Pennsylvania is that in the "must" program of Congress the President of the United States refused to include flood control that would affect the citizenry of Pennsylvania, and I challenge my Democratic friends to dispute that statement. After the flood occurred, and after the half billion dollars of property was lost, and after the lives of our citizens were sacrificed, they make the noble political gesture of bringing in House Bill No. 68. We do not need House Bill No. 68, because everything they want investigated, everything they want looked into has already been looked into, and I am opposed to wasting money to ascertain that which we already know, and we already know that the responsibility for the loss of the lives, for the loss of the property rests upon the Roosevelt administration. They would not spend the money to help them—

Is that your only answer? Make an intelligent answer and I will be glad to bow to it, but you can't dispute the facts, you can't answer the fact that the United States War Department engineers said that these floods were imminent. They printed that report. It is in the Congressional Record. If you are so stupid that the only answer you can make is dumb jeering, then I compliment the Republican party on being able to say that this bill is unnecessary, because you are trying to pass something that should have been passed two years ago, and the United States Government could have studied flood relief and the flood problems in Pennsylvania, they could have built the necessary reservoirs in those two years, instead of using seventy million dollars in an endeavor to elect Democrats to public office, and I challenge you to answer that.

Mr. WEISS. Mr. Speaker and members of the House, the minority leader has evidently lost completely the significance of House Bill No. 68. He has evidently been reading from the report entitled "Billions For Boondoggling But Nothing For Flood Control" written by one Warren F. Doane.

I wish to refresh the recollection of the member from Philadelphia by informing him that the first report submitted by the Army engineers was submitted during the Hoover administration, and after efforts made by civic bodies throughout this entire Commonwealth no one in the Hoover administration, composed entirely of Republicans would act.

I want to inform the minority leader further that if he will read the War Department report on the Ohio River watershed and on the Delaware River watershed, known as House Document No. 306, Seventy-fourth Congress, First Session, he will find that the report of the Army engineers was confined to four elements:

One, was flood control;
Two, was navigation;
Three, was irrigation;
Four, was water power.

What does Pennsylvania care about irrigation? We are concerned in House Bill No. 68 primarily with flood control. Second, we are interested in water conservation. There is nothing in the Congressional Record or report of the Army engineers that takes care of low water during the summers or any arrangements made for the erection of dikes or reservoirs to take care of sanitary problems, or water for domestic use or even for industrial purposes.

If he will only read this report, and I refer him to Page 7 of this report, which is printed in the Congressional Record, he will see that the U. S. Army engineers did not make a complete report affecting Pennsylvania, because under Article 21, E. M. Markham, an engineer employed during four Republican administrations, a Major General, Chief of Engineers, says, and I quote him:

"21. I recommend that authority be conferred upon the Secretary of War—

(a) To receive from States and/or duly organized flood-control districts, plans and proposals for the construction of reservoirs on the tributaries of the Ohio River for flood-control purposes;"

Does that help to answer your question, Mr. Minority Floor Leader?

(b) To cause the Chief of Engineers to investigate these plans and proposals, determine their adequacy, and evaluate the local and general benefits which will result from the execution of the work."

In accordance with that policy and in accordance with the present flood omnibus control bill before the present session of Congress, this bill has been prepared to coordinate with that plan, so that we will not be placed in the same predicament that we were in connection with social security legislation, of having to have another special session this fall, although some of the Republicans might desire another special session so as to enact special legislation to avail themselves of the flood omnibus bill. This House Bill No. 68, I say, is introduced for that very purpose. The bill is clear on its face. There is one thing the Democrats believe in: we believe in profiting by mistakes. The mistake of the Republican leadership is that they do not know when they are licked, they do not improve when mistakes are made. We say that even if the Democrats did err somewhat—and there has been no evidence submitted to substantiate that—we believe that the devastating floods that visited this entire Commonwealth through the tributaries of the Ohio, the Susquehanna and the Delaware, that caused half a billion dollars loss of property and the loss of over two hundred lives—we believe in remedying this situation if possible.

We cannot deal with human misery like the minority leader did when he declared a political holiday with the relief problem. We believe in dealing with this problem intelligently, and I say to the membership of this House and to those many Republican members whose districts were visted by raging torrents—the little brooks that were known as silent, babbling little brooks sung by our poets, for instance, the Juniata in flood water, carrying debris to the top of the poles, floods that elevated the waters a distance of fifteen feet—I say that this House Bill No. 68 is an intelligent gesture on the part of the Democratic leadership, and I commend our Governor for including it as a part of his program during this special session.

I ask the membership of this House to vote intelligently upon this House Bill No. 68 and to vote aye.

Mr. WITKIN. Mr. Speaker and members of the House, I see where my friend refers to political holidays. I take it that our administrator of WPA funds, Mr. Jones, would like to have a political holiday on giving information to the public concerning money spent on WPA until after the session is over. So much for that.

POINT OF ORDER

Mr. EBERHARTER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. EBERHARTER. Mr. Speaker, the gentleman from Philadelphia is out of order in not speaking on the bill before the House.

Mr. SPEAKER. The point of order is well taken and the gentleman will confine his remarks to the bill before the House.

Mr. WITKIN. Mr. Speaker, I admit that the gentleman from Allegheny is right. What I said I will not repeat, but it is true.

The gentleman from Allegheny, however, said the Republicans don't know when they are licked. They said we were going to be licked in Philadelphia, but we were not, and that also is subject to a point of order and if the gentleman from Allegheny raises the question I will stop.

I am glad to note that he asks the Democratic members of the House to vote intelligently. That would be a novel thing for the Democratic members of the House.

Now we will get back to the principle of this particular bill and what it covers.

May I interrogate the gentleman from Allegheny, my esteemed friend and colleague, Mr. Weiss, Mr. Speaker?

The SPEAKER. Will the gentleman from Allegheny, Mr. Weiss, permit himself to be interrogated?

Mr. WEISS. Mr. Speaker, I will.

Mr. WITKIN. Mr. Speaker, the gentleman from Allegheny, I understood, said that the report that I referred to was presented by the Republicans in the Hoover administration, it that right?

Mr. WEISS. I am correct, Mr. Speaker.

Mr. WITKIN. And therefore, Mr. Speaker, I take it that Mr. Hoover preceded Mr. Roosevelt; is that right, Mr. Weiss of Allegheny county?

Mr. WEISS. I believe that is correct, Mr. Speaker.

Mr. WITKIN. Therefore, Mr. Speaker, if the report was presented in the Hoover administration, the Roosevelt administration had the information before it, is that right?

Mr. WEISS. That's right, Mr. Speaker.

Mr. WITKIN. Therefore, Mr. Speaker, if that information was before the Roosevelt administration and it said that the seventy million dollars if spent would stop the floods in Pennsylvania, the Roosevelt administration received that information, is that right?

Mr. WEISS. That is correct, Mr. Speaker.

Mr. WITKIN. That is all; you hooked yourself. Mr. Speaker, I am through with the interrogation, and I ask for the further privilege of the floor for the purpose of making a few remarks. Thank you, Mr. Weiss.

Mr. Speaker and members of the House, the gentleman from Allegheny, Mr. Weiss, has strengthened the argument that I so poorly presented to this House. He has added a great deal of weight to it. He has told you very emphatically that even before Mr. Roosevelt got into his office, the Hoover administration decided that one of the most important factors for the people of Pennsylvania was to have flood control in Pennsylvania. He has indelibly impressed upon the members of the House that which I in my humble capacity endeavored to do. He has told you that even before Mr. Roosevelt got into office it was a patent fact that was known to every Pennsylvanian and to everyone throughout the country that one of the most important things that the Hoover administratoin did for the people of Pennsylvania was to see to it that there was flood control. He admits that Roosevelt knew all about it because Hoover told Roosevelt all about it, and he admits that when Hoover told Roosevelt all about it, Roosevelt should have known all about it. He also admits that when Hoover came into office his Army officers didn't dispute it, therefore, when Roosevelt came into office he had the whole thing before him. Had he used any intelligence on behalf of the people of Pennsylvania he could have adopted the Hoover flood control report and spent seventy million dollars instead of wasting it on a lot boondoggling.

Then what would have happened? We would not have had the flood of 1936, the flood of the Ohio that he refers to, the Monangahela and the ot er joins with it, the name of which is too hard for me to pronounce. There would not have been any flood in Pennsylvania, and no waters would have risen, but the Roosevelt administration would have spent seventy million dollars instead of wasting it, and two hundred citizens who lost their lives in Pennsylvania—and this is no joking matter it is a serious matter,—would not have lost them.

The people who suffered the agonies of the waters rising into their property, devastating their regions and ruining their farms,—all that would have been impossible. The result would have been that seventy million dollars would have saved the half billion dollars of property that was ruined. But I reiterate, my Democratic friends, ought to some out of the woods; they want to save their face and make a noble gesture to the people of Pennsylvania in the hope of coercing them to vote Democratic by saying "We are the saviors of the people"—

POINT OF ORDER

Mr. EBERHARTER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Allegheny, Mr. Eberhater, will state his point of order.

Mr. EBERHARTER. Mr. Speaker, the gentleman is not speaking on the bill.

The SPEAKER. The point of order is well taken. The gentleman from Philadelphia will confine his remarks to the bill before the House.

Mr. WITKIN. Mr. Speaker, I will confine my remarks to the bill before the House, and I say that spending two hundred thousand dollars of the taxpayers money to find out that which we already know is a colossal waste of money, that the spending of two hundred thousand dollars to get the information that the Army engineers and the War Department already know is a waste of the taxpayers' money. I say stop wasting the taxpayers' money, and let my Democratic friends on the other side simply write to Mr. Roosevelt, or to Mr. Farley,—I won't refer to him as a three-job holder, but simply as Mr. Farley

and ask him to do us a favor and send us the report of the Army engineers. And when we get that report what have we got? We have got everything that we want to investigate. It will all be in plain, ordinary English. We have got everything for which we want to spend two hundred thousand dollars. I am sure that if you will intelligently look at it, that is if you have someone who can intelligently look at it, you will find out we won't have to spend two hundred dollars.

I ask by Republican friends to vote "no" on this bill because it is a waste of money for that which we already know, simply to enable the Democrats to make a political gesture in an effort to cajole, coerce and fool the people of Pennsylvania. Don't fail to get the Hoover report or the Roosevelt report or any other name you want to give, but don't fail to get it because it has every bit of information in it that you want.

Mr. ANDREWS. Mr. Speaker, I would call the attention of the gentleman from Philadelphia,—if you will listen to me and not converse among yourselves, you will be able to hear me. If you would rather hear yourselves talk than listen, why, that is your business.

I desire to call the attention of the gentleman from Philadelphia to the fact that if the Fisher and the Pinchot administrations had spent the same amount of money upon the headwaters of Stonycreek and the Conemaugh that they spent upon the Pymatuning, we would not have had any flood in Johnstown.

The gentleman from Philadelphi has spoken about the surveys that they have made. If the gentleman from Philadelphia knows anything about the surveys he knows that no survey is ever made except as a result of a specific appropriation and no appropriations have been made for surveys of the headwaters of the smaller streams of this State. No surveys covering the headwaters of Stonycreek and the Conemaugh, the two rivers or streams which flow through Johnstown, have been made to this time, and there is no record in any of the work done by the army engineers that covers that territory. I will admit that taking the major streams of the country, the army engineers have projected a national system of flood control, but in this national system of flood control the needs of local communities have been entirely overlooked. It is for the purpose of coordinating the needs of cities like Johnstown, for example, that this particular bill is desired.

I would like to have, after the session is over, the gentleman from Philadelphia cite the portion of the report of the army engineers that deals with the headwaters of the minor streams in western Pennsylvania.

Mr. TURNER. Mr. Speaker and members of the House, I hesitate to arise at this time and add to the continuous debate that we have had, on the part of the minority leader in the House, trying to prove that the democratic administration is all wet, and on the part of my friend from Allegheny trying to prove that the Hoover Administration was wet. I think in the opinion of the people of the United tSates it has been and will be shown that they are both wet.

The gentlemen on the other side of the House are perfectly correct in the statement that they have made as to the report of the army engineers but unfortunately for the members of the House,—and that is the reason why I am taking up your time at this moment,—they have not gone far enough in their inquiries. They do not know,—apparently do not know,—or they would have stated it on the floor of this House, that at the present time there exists under the Federal Government in the Department of the Interior an organization that is known as the National Resources Board. That National Resources Board has divided the United States into what I think is some eleven regions for the purpose of studying all of these questions that are contained in these bills providing for a study by the Department of Forests and Waters. The National Resources Board are taking as their basis the reports of the Army Engineers that have been referred to, but that they are going further into those questions than my friend from Allegheny has, that is, the question of water supply, reforestation, and perhaps soil erosion and other things that are pertinent to flood control. In addition to in the divisions of those zones they are placing an organization in every water shed that will bring relief to my friend from Johnstown, upon those little streams and creeks that have recently endangered his community. Already in the Ohio River basin there has been started a study, and the engineers of our own Sanitary Water Board and the engineers of like departments of the states of West Virginia, Ohio and other states have already submitted reports to that Regional Director in the Ohio River basin, that covers these questions.

On the Delaware River basin they have an Interstate Commission between New York, New Jersey, Delaware and Pennsylvania that is just about to start gathering all the data pertaining to the Delaware River Basin, and the National Resources Board is supplying a consultant. They have already established an office in the city of New York with an expert there, upon these questions. They have started to study this whole questions, for which they have asked now the sum of three hundred thousand dollars in the two bills that are now before the House. I can see no excuse for the appropriation of this amount of money. This question was before the bipartisan committee that was selected before this session started, composed of four Democrats and four Republicans. It was then determination of the members of that committee when the report was submitted that the question of flood control should not be taken up in this special session, that it should be allowed to go over until the regular session, until we could see exactly what the Federal Government was going to do and its scope. Why should we, therefore, when we are now burdened with these great problems of raising money in Pennsylvania, when we are trying to raise great sums for the relief problem, why should we rush into something like this by passing these two bills and placing a further burden upon the people of Pennsylvania. The gentleman proposes to spend the sum of three hundred thousand dollars to make a study of that which my colleague is perfectly right in saying already exists and is in the course of preparation on the part of the National Government, through the Army engineers and the National Resources Board, containing information and detailed plans to cover this entire program. I see my friend from Cambria shaking his head, but I might say to him I doubt very much whether he is as familiar with these facts as I am. I might say to him that I have been in touch with the National Resources Board for the last couple of months, and therefore, I would say that I know that of which I am speaking. Therefore, I see no excuse for appropriating this amount of money. The Federal has appropriated a large sum of money. The Federal agencies have been put to work.

We can well mark time during the few months that remain of this year until we see what is to be done, what the Federal Government has done. If in the regular session of 1937 we find a gap in this program it will be easy enough to fix it up. But now you are burdening the present biennium with the present appropriation and casting further burdens upon this terrific taxation.

Mr. WEISS. Mr. Speaker and members of the House, I want to make a few remarks in reference to the statement made by the gentleman from Delaware. I cannot see any force to the argument made by the gentlemen from Delaware and Philadelphia who are sitting high and dry and unaffected by these recent local floods. I want to refresh their recollection by recalling a bill that they voted for in 1931, appropriating one million five hundred thousand dollars and an additional four hundred thousand dollars for the Pymatuning Dam. When we talk about that, we must that innumerable lives were saved by the damming of the Venango and Beaver Rivers. I say that marking time has been their policy in the past. We will probably mark time until next Spring and have another flood. I fear there may have been mistakes made by both parties but we are going to rectify them right now. Appropriating two hundred thousand dollars is a mere drop in the bucket when we consider we have suffered a loss of a half a billion dollars. Are we then going to deliberate over some two hundred thousand dollars to make a survey? I submit that the report of the Army Engineers Corps is not complete, they are looking for cooperation from the States. I say if we are going to mark time, mark it right now. This Democratic Assembly is going on the spot to prevent future flood peril, I ask you to vote "Aye" on House Bill No. 68.

Mr. TURNER. Mr. Speaker and members of the House, I hesitate to rise again and prolong this debate except to say that I think the gentleman from Allegheny is carried away by his enthusiasm and his desire to help the people in that part of the State from which he comes. If this money is appropriated there will be no flood control work done on any of those things in time to take care of next Spring or the Fall after or the Spring following. Flood control is a long range proposition. If in ten years from now my young friends come back as members of the House, they will still be talking about flood control, but the flood control project will not be completed by that time.

Mr. KANE. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Weiss.

The SPEAKER. Will the gentleman from Allegheny, Mr. Weiss, permit himself to be interrogated?

Mr. WEISS. I will, Mr. Speaker.

Mr. KANE. Mr. Speaker, as one of those who will probably vote "Aye" on this bill, I would like to ask the sponsor of the bill, whether or not the bill as he has it drawn will cover the subject which he says the Federal legislation does not cover. I do not believe that the bill as drawn covers the subject of sanitation, which is covered in the preamble on the bill. Will you tell me about that?

Mr. WEISS. Mr. Speaker, there were five bills introduced in coordination with each other, in order to avail ourselves of the benefits of the Federal Flood Control Bill. One bill set forth a Water Resources Board, which I say was the instrumentality or agency to deal with the Government in obtaining moneys to be used for flood control work. I say that this bill, presented with two other bills, will provide the remedy desired. The gentleman will find the reference to sanitation on the bottom of House Bill 68, if the gentleman will read the bill.

Mr. KANE. Mr. Speaker, I see the word "sanitation" in the whereas clause but not in the bill.

Mr. WEISS. Mr. Speaker, the whereas clause sets up the purpose of the bill, the enactment sets up the surveys to be made. If the gentleman will read the bill, the purpose is to set up the surveys for the various watersheds for the purpose of setting the whereas clause.

Mr. KANE. Mr. Speaker, I would like to call the attention of the House to two matters in this bill, if I may have the floor for a moment. I am through with the interrogation.

Mr. Speaker and members of the House, the bill, it is true, does recite in the whereas clause a number of very laudable purposes which I would like to see covered when the survey is made, but the bill, in my opinion, does not include in Section 1, which authorizes the work to be done, some of the purposes which are recited in the preamble. I further call the attention of the sponsor to the fact that the bill has no effective date in it. I believe that we ought to postpone the commencement of work on this important subject by a period of several months until the first of September, and I would suggest to the sponsor of the bill to let the matter go over for the time being and insert an effective date in the bill, and read the bill as carefully as I think I have done, and include in the bill specifically and carefully all of the purposes that he wants included, and also an effective date, which I think should be immediately upon the signing of the act by the Governor, and not the first of September, 1936.

The SPEAKER. For the information of the members, and in connection with the remarks of the gentleman who has just spoken, the Chair wishes to state that any bill that is passed in this session becomes effective immediately upon being signed by the Governor. That is in accord with an act passed in the 1935 session.

Mr. VanSICKLE. Mr. Speaker and members of the House, the minority floor leader here has seen fit to call his condemnation down on the Roosevelt Administration for not accomplishing in three years what the gentleman from Delaware, M. Turner, says will take ten years to accomplish. The Democrats may be fast but they are not that fast. I would suggest while they are getting together on their various opinions that we vote for the bill and actually accomplish something other than plain talk.

Mr. WITKIN. Mr. Speaker, I desire to vote and want to state my reasons for so voting.

The SPEAKER. The gentleman will send his reasons to the desk and file them with the Clerk.

Mr. WITKIN. Mr. Speaker, may I state them orally, with the consent of the House.

The SPEAKER. The gentleman would vote first before asking consent to state his reasons.

Mr. WITKIN. Mr. Speaker, if I vote first, can I State my reasons?

The SPEAKER. It depends on the way you vote.

Mr. WITKIN. Mr. Speaker, that is an awfully honest answer.

Mr. Speaker and members of the House, I am going to vote "No", but in voting "No" I want to say to my Republican colleagues, don't let these Democrats put you

on the spot. If in your particular district you feel it is worth while to spend two hundred thousand dollars to find out that which we already know, you vote "Aye". I am voting "No". I thank you.

On the question recurring

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159

Achterman,	Downey, J. J.,	LaRue,	Schrock,
Alexander,	Duffort,	Long,	Schrope,
Andrews,	Eberharter,	Lovett,	Schwab,
Anthony,	Eroe,	Lynch,	Shaw,
Arnold,	Falkenstein,	Male,	Shepard,
Atkins,	Ferko,	Mason,	Shortz,
Aukerman,	Finnerty,	McCreary,	Shugarts,
Baine,	Fitch,	McDermott,	Siegel,
Baker, F. T.,	Flanagan,	McElroy,	Simon,
Baker, J. J.,	Flinchbaugh,	McHenry,	Simpson,
Barber,	Gates,	Melchiorre,	Sinwell,
Bernhard,	Gerard,	Mentzer,	Sloan,
Blumberg,	Gillette,	Moomaw,	Smith, J. A.,
Boose,	Greenstein,	Mooney,	Smith, W. G.,
Boyd, R.,	Haberlen,	Moran,	Snyder, F. E.,
Boyer,	Hagerty,	Moul,	Snyder, J. L.,
Bradley,	Haluska,	Munley,	Stank,
Brancato,	Hamilton, F. P.,	Murrin,	Stevens,
Brown, H. S.,	Hamilton, R. S.,	Nagel,	Stewart,
Brown, J. E.,	Harkins,	O'Keefe,	Stockham,
Brownfield,	Harmuth,	Ominsky,	Stone,
Brumbaugh,	Hartman,	O'Neill,	Stott,
Burke,	Hefferon,	Panton,	Sumney,
Cannon,	Hermansen,	Patterson, C.,	Surface,
Caputo,	Hetrick,	Patterson, J. W.,	Tronzo,
Carr,	Hindman,	Pearson,	Tumelty,
Carson,	Hirsch,	Pfaff,	VanAllsburg,
Castor,	Hoffner,	Phillips,	VanSickle,
Coakley,	Holland,	Piole,	Wall,
Cochran,	Holstrom,	Powers,	Wasserman,
Cohen,	Horst,	Reising,	Weiss,
Coleman,	Jackson,	Rhys,	Welliver,
Coolahan,	Jones,	Rinn,	Welsh,
Cordier,	Kane,	Roan,	Westrick,
Davies,	Kelder,	Robinson,	Wickersham,
Decker,	Kelso,	Rooney,	Yeakel,
Dent,	Kilroy,	Ruffennach,	Yourishin,
Diehl,	Kinney,	Sarraf,	Zappala,
Dilley,	Klingler,	Scanlon,	Furman,
Downey, G. E.,	Kobelak,	Schaeffer,	Speaker

NAYS—39

Altenburg,	Longaker,	Reynolds,	Trout,
Baldi,	Mallen,	Root,	Turner,
Barnhardt,	McDevitt,	Royer,	Weidemann,
Beadman,	McKinney,	Serrill,	White,
Condon,	Merrell,	Shreiner,	Winner,
Cooper,	Moore,	Sowers,	Witkin,
Forrest,	Muir,	Sproul,	Wood,
Habbyshaw,	Nothnagle,	Sweeney,	Woodside,
Kenney,	Parks,	Tahl,	Zimmerman,
Linderman,	Peters,	Terry,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. SPROUL filed the following reason for his vote: Inasmuch as some or most of the information is already or may be made available from the Federal Government, I take the position that the amount of money appropriated is excessive for the provisions of the bill will require duplication of a lot of work already done or contemplated. While I am not against flood control and prevention, an attempt should first be made to reduce the cost. I am voting in the negative because a stand must be taken sometime against this excessive overhead. Let us find out first what is to be done by the proper Federal agency.

BILL ON FINAL PASSAGE

Mr. WEISS. Mr. Speaker, I desire to call up at this time House Bill No. 69, Printer's No. 43, on page 6 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WEISS.

The House resumed the consideration on final passage of House Bill No. 69, entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective and making an appropriation

On the question recurring,

Shall the bill pass finally?

Mr. WITKIN. Mr. Speaker and members of the House, the arguments made on House Bill No. 68 are applicable to House Bill No. 69, with this addition, the investigation set forth in Section 1 of this Act says that the investigation and survey shall include the three watersheds of the Commonwealth, the Susquehanna, the Delaware, and the Ohio. Each one of those three watersheds was included in the report of the United States Army Engineers, and therefore, the information which the Department of Forests and Waters wants, they already have. However, I can see very good reasons why the Democrats should want this bill, because in Section 3 they want one hundred thousand dollars, and that one hundred thousand dollars is for the payment of salary, and compensation of engineers. I assume they will not be Republican engineers but will be Democratic engineers. They want extra clerks, assistants, and employes. I can readily see why they want extra clerks, assistants, and employes, because they shall not be of the Republican party, but help deemed necessary in making the investigation. I presume that with the expenditure of one hundred thousand dollars they will be able to find a lot of persons whom they deem necessary to make the investigation, particularly in view of the fact that in November, 1936, there happens to be an election coming along.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162

Achterman,	Eroe,	Mallen,	Schwab,
Alexander,	Falkenstein,	Mason,	Shaw,
Andrews,	Ferko,	McCreary,	Shepard,
Anthony,	Finnerty,	McDermott,	Shortz,
Arnold,	Fitch,	McElroy,	Shugarts,
Atkins,	Flanagan,	McHenry,	Siegel,
Aukerman,	Flinchbaugh,	Melchiorre,	Simon,
Baine,	Gates,	Mentzer,	Simpson,
Baker, J. J.,	Gerard,	Merrell,	Sinwell,
Barber,	Gillette,	Moomaw,	Sloan,
Bernhard,	Greenstein,	Mooney,	Smith, J. A.,
Blumberg,	Haberlen,	Moran,	Smith, W. G.,
Boyer,	Hagerty,	Moul,	Snyder, F. E.,
Bradley,	Haluska,	Munley,	Snyder, J. L.,
Brancato,	Hamilton, F. P.,	Murrin,	Sowers,
Brennan,	Hamilton, R. S.,	Nagel,	Sproul,
Brown, H. S.,	Harkins,	O'Keefe,	Stank,
Brown, J. E.,	Harmuth,	Ominsky,	Stevens,
Brownfield,	Hartman,	O'Neill,	Stewart,
Brumbaugh,	Hefferon,	Panton,	Stockham,

Burke,	Hermansen,	Parks,	Stone,
Cannon,	Hetrick,	Patterson, C.,	Stott,
Caputo,	Hindman,	Patterson, J. W.,	Sumney,
Carr,	Hirsch,	Pearson,	Surface,
Carson,	Holland,	Pfaff,	Tronzo,
Castor,	Holstrom,	Phillips,	Tumelty,
Coakley,	Horst,	Piole,	VanAlsburg,
Cochran,	Jackson,	Powers,	VanSickle,
Cohen,	Jones,	Reising,	Wall,
Coleman,	Kane,	Rhys,	Wasserman,
Coolahan,	Kelder,	Rinn,	Weiss,
Cordier,	Kelso,	Roan,	Welliver,
Davies,	Kilroy,	Robinson,	Welsh,
Decker,	Kinney,	Rooney,	Westrick,
Dent,	Klingler,	Ruffennach,	Wickersham,
Diehl,	Kobelak,	Sarraff,	Yeakel,
Dilley,	LaRue,	Scanlon,	Yourishin,
Downey, G. E.,	Long,	Schaeffer,	Zappala,
Downey, J. J.,	Lovett,	Schrock,	Furman,
Duffort,	Lynch,	Schrope,	Speaker
Eberharter,	Male,		

NAYS—37

Altenburg,	Hoffner,	Peters,	Trout,
Baker, F. T.,	Kenney,	Reynolds,	Turner
Baldi,	Linderman,	Root,	Weidemann,
Barnhardt,	Longaker,	Royer,	White,
Beadman,	McDevitt,	Serrill,	Winner,
Boose,	McKinney,	Shreiner,	Witkin,
Condon,	Moore,	Sweeney,	Wood,
Cooper	Muir,	Tahl,	Woodside,
Forrest,	Nothnagle,	Terry,	Zimmerman,
Habbyshaw,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 14.

An Act transferring money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out at the beginning of said line the word "Transferring" and inserting in lieu thereof the words "Ratifying confirming and validating the transfer of."

Amend section 1, page 1, by striking out lines 4 to 10 inclusive as follows: "the State Treasurer is hereby authorized and directed to transfer from the Motor License Fund to the General Fund such sums not exceeding in the aggregate the sum of five million five hundred thousand dollars ($5,500,000) as the Governor shall direct Transfers shall be made hereunder upon warrants of the Auditor General upon requisition of the Governor"

Also in 12, by striking out at the beginning of said line the words "unemployment relief" and inserting in lieu thereof the following: "the action of the Governor the Auditor General and State Treasurer in transferring from the Motor License Fund to the General Fund in accordance with the provisions of the act of May twenty-sixth one thousand nine hundred and thirty-three (Pamphlet Laws one thousand eighty-eight) and concurrent resolution Serial No. Three approved by the Governor May thirteenth one thousand nine hundred and thirty-six the sum of three million six hundred and thirty thousand dollars ($3,630,000) in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board is hereby ratified confirmed and validated."

Also in same line, by striking out after the word "which" the word "this" and inserting in lieu thereof the word "said."

Amend Section 2, page 2, line 1, by inserting after the word "amounts" the word "so"; also by striking out after the word "transferred" the words "under this act."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200

Achterman,	Falkenstein,	McDermott,	Shepard,
Alexander,	Ferko,	McDevitt,	Shortz,
Altenburg,	Finnerty,	McElroy,	Shreiner,
Andrews,	Fitch,	McHenry,	Shugarts,
Anthony,	Flanagan,	McKinney,	Siegel,
Arnold,	Flinchbaugh,	Melchiorre,	Simon,
Atkins,	Forrest,	Mentzer,	Simpson,
Aukerman,	Gates,	Merrell,	Sinwell,
Baine,	Gerard,	Moomaw,	Sloan,
Baker, F. T.,	Gillette,	Mooney,	Smith, J. A.,
Baker, J. J.,	Greenstein,	Moore,	Smith, W. G.,
Baldi,	Habbyshaw,	Moran,	Snyder, F. E.,
Barber,	Haberlen,	Moul,	Snyder, J. L.,
Barnhardt,	Hagerty,	Muir,	Sowers,
Beadman,	Haluska,	Munley,	Sproul,
Bernhard,	Hamilton, F. P.,	Murrin,	Stank,
Blumberg,	Hamilton, R. S.,	Nagel,	Stevens,
Boose,	Harkins,	Nothnagle,	Stewart,
Boyd, R.,	Harmuth,	O'Keefe,	Stockham,
Boyer,	Hartman,	Ominsky,	Stone,
Bradley,	Hefferon,	O'Neill,	Stott,
Brancato,	Hermansen,	Panton,	Sumney,
Brown, H. S.,	Hetrick,	Parks,	Surface,
Brown, J. E.,	Hindman,	Patterson, C.,	Sweeney,
Brownfield,	Hirsch,	Patterson, J. W.,	Tahl,
Brumbaugh,	Hoffner,	Pearson,	Terry,
Burke,	Holland,	Perry,	Tronzo,
Cannon,	Holstrom,	Peters,	Trout,
Caputo,	Hoopes,	Pfaff,	Tumelty,
Carr,	Horst,	Phillips,	Turner,
Carson,	Jackson,	Piole,	VanAllsburg,
Castor,	Jones,	Powers,	VanSickle,
Coakley,	Kane,	Reising,	Wall,
Cochran,	Kelder,	Reynolds,	Wasserman,
Cohen,	Kelso,	Rhys,	Weidemann,
Coleman,	Kenney,	Rinn,	Weiss,
Condon,	Kilroy,	Roan,	Welliver,
Coolahan,	Kinney,	Robinson,	Welsh,
Cooper	Klingler,	Rooney,	Westrick,
Cordier,	Kobelak,	Root,	White,
Davies,	LaRue,	Royer,	Wickersham,
Decker,	Linderman,	Ruffennach,	Winner,
Dent,	Long,	Sarraf,	Witkin,
Diehl,	Longaker,	Scanlon,	Wood,
Dilley,	Lovett,	Schaeffer,	Woodside,
Downey, G. E.,	Lynch,	Schrock,	Yeakel,
Downey, J. J.,	Male,	Schrope,	Yourishin,
Duffort,	Mallen,	Schwab,	Zappala,
Eberharter,	Mason,	Serrill,	Zimmerman,
Eroe,	McCreary,	Shaw,	Furman,
			Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. ANDREWS. Mr. Speaker, I understand the gentleman from Berks is absent attending a political convention. I would like to ask whether he has obtained leave of absence.

The SPEAKER. The Clerk informs the Chair that the records show that the gentleman did not obtain leave of absence.

LEAVE OF ABSENCE

Mr. WITKIN. Mr. Speaker, I move that leave of absence be granted the gentleman from Berks for the balance of the evening, including the fore part of the evening.

Mr. ANDREWS. Mr. Speaker, I second the motion.

The motion was agreed to.

ANNOUNCEMENTS

There will be a meeting of the Committee on Education at 9:00 o'clock tomorrow morning in Room 324.

A meeting of the Committee on Game will be held at 12:45 P. M. in Room 324 tomorrow.

There will be a meeting of the Republican members of the House in the Senate Caucus Room at 12:00 noon tomorrow.

ADJOURNMENT

Mr. CLIFF PATTERSON. Mr. Speaker, I move that this House do now adjourn until tomorrow at 1:00 p. m.

The motion was agreed to, and (at 11:18 p. m.) the House adjourned until Tuesday, May 26, 1936, at 1:00 p. m.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., TUESDAY, MAY 26, 1936. No. 12.

SENATE

TUESDAY, MAY 26, 1936.

The Senate met at 12 o'clock noon.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E Howard, D. D., offered the following prayer:

O God our Creator, Thou hast bestowed upon us physical strength, mental power and spiritual endowment. All these Thou dost require us to develop and employ to Thy glory, to the betterment of the world and the service of humanity. If, in the past, we have been led by self-interest and self-glory in our use of these gifts, forgive us. May our love for Thee and our fellow-men inspire us from this day on to live nobly and labor unselfishly.

Bless what may be done by this General Assembly and by this Senate during the present Extraordinary Session. At the close of each legislative day may each legislator possess a comforting sense of having done his duty as it has been revealed unto him by Thee. We ask it in Thy name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BAUMER, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. McGINNIS asked and obtained leave of absence for the Senator from Centre, Mr. Thompson.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 26, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

James Crouse, Perrysville.

CHESTER COUNTY

Miss M. Lillian Donovan, West Chester.

ERIE COUNTY

Mrs. Pearle C. Kepner, North East.

LUZERNE COUNTY

Edmund P. Grimes, Wilkes-Barre.

PHILADELPHIA COUNTY

Allen M. Rosenblum, 1211 Chestnut St., Phila.

GEORGE H. EARLE.

MEMBER OF THE BOARD OF TRUSTEES OF THE MOTHERS ASSISTANCE FUND OF WARREN COUNTY

Governor's Office, Harrisburg, May 26, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Marjorie B. Briggs, of 32 Water Street, Warren, Warren County, for appointment as a member of the Board of Trustees of the Mothers' Assistance Fund of Warren County, vice Mrs. Eva C. Brady, of Youngville, resigned, until June 1, 1937, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE TO FILL VACANCIES ON SENATE COMMITTEES

SENATOR BENJAMIN H. THOMPSON: Education, Highways.

SENATOR JOHN R. K. SCOTT: Finance, Appropriations, Banking, Judiciary General, State Government, Municipal Government, Education, Legislative Apportionment, Insurance.

SENATOR FRANK W. RUTH: Agriculture, Game and Fisheries, Judicial Apportionment, Public Health, Education, Banking.

BILL RECOMMITTED

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 34 (House Bill No. 39), on final passage, entitled:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing the Signing the Ratification by Pennsylvania and the Final Adoption and Promulgation of the Constitution of the United States to be held at Philadelphia and elsewhere on the fifteenth sixteenth and seventeenth days of September one thousand nine hundred thirty-seven and subsequent anniversary dates in connection therewith and making an appropriation

be recommitted to the Committee on Appropriations.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 33, (House Bill No. 29), as follows:

An Act to provide for the expenses of the extraordinary session of the Legislature assembled May fourth Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh Anno Domini one thousand nine hundred thirty-six

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or as much thereof as may be necessary be and the same are hereby specifically appropriated for the payment of the expenses of the Legislature assembled in extraordinary session the fourth day of May Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor dated the twenty-seventh day of April Anno Domini one thousand nine hundred thirty-six

TO THE SENATE

The total sum of one hundred and five thousand nine hundred ninety-nine dollars and eighty cents ($105,999.80) or as much thereof as may be necessary to be paid in the manner prescribed by law

For the payment of the salaries of the Senators and extra compensation allowed by law to the President Pro Tempore of the Senate

For the payment of the mileage of the Senators

For the payment of the postage allowed by law to each Senator the sum of fifty dollars ($50)

To the chief clerk and assistants for the payment of postage the sum of seventy-five dollars ($75)

To the chief clerk for the payment of the postage on the Legislative Journal bills and calendars the sum of two thousand five hundred dollars ($2,500)

For the payment of the salaries of the officers and employes of the Senate during and for the completion of the work of the extraordinary session also for the payment of the mileage of the officers and employes of the Senate

For the payment of the expenses of the Committee on Appropriations of the Senate extraordinary session of one thousand nine hundred thirty-six the sum of one thousand five hnudred dollars ($1,500) or as much thereof as may be necessary to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for the same the chairman to file an account with the Auditor General thirty days after the adjournment of the extraordinary session of the Legislature

For the contingent expenses including extra clerical and stenographic charges of the President Pro Tempore of the Senate during the period of the extraordinary session the sum of five hundred dollars ($500) or as much thereof as may be necessary and for the payment of the necessary expenses including extra labor in the office of the chief clerk during the extraordinary session the sum of six thousand dollars ($6,000) or as much thereof as may be necessary

To the secretary of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate during the extraordinary session the sum of five hundred dollars ($500)

TO THE HOUSE OF REPRESENTATIVES

The total sum of two hundred and fifty-seven thousand eight hundred sixty-eight dollars and seventy-four cents ($257,868.74) or as much thereof as may be necessary to be paid in the manner prescribed by law

For the payment of the salaries of the Members of the House of Representatives and extra compensation allowed by law to the Speaker of the House

For the payment of mileage of the Members

For the postage allowed by law to each Member the sum of fifty dollars ($50)

To the chief clerk and assistant for the payment of postage the sum of seventy-five dollars ($75)

To the chief clerk for the payment of the postage on the Legislative Journal bills and calendars the sum of five thousand dollars ($5,000)

For the payment of the salaries of the officers and employes of the House of Representatives during and for the completion of the work of the extraordinary session also for the payment of the mileage of the officers and employes of the House of Representatives

For the payment of the expenses of the Committee on Appropriations of the House of Representatives extraordinary session of one thousand nine hundred thirty-six the sum of three thousand six hundred dollars ($3,600) or as much thereof as may be necessary to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for the same said chairman to file an account with the Auditor General within thirty days after the adjournment of the extraordinary session of the Legislature.

For the contingent expenses including extra clerical and stenographic charges of the Speaker of the House of Representatives during the period of the extraordinary session the sum of five hundred dollars ($500) or as much thereof as may be necessary and for the payment of the necessary expenses including extra labor in the office of the chief clerk during the extraordinary session the sum of ten thousand dollars ($10,000) or as much thereof as may be necessary.

For payment to W C Wakefield Sergeant-at-arms of the House of Representatives for mileage salary and incidental expenses for serving writs of special election in the following legislative districts Forest County third and fourth district of Berks County second district of Lancaster County and sixth tenth thirteenth and twenty-first district of the city of Philadelphia the sum of one hundred thirty-seven dollars and fifty cents ($137.50) or so much thereof as may be necessary to be paid on warrant of the Auditor General upon presentation of specifically itemized vouchers

LEGISLATIVE JOURNAL

For payment to the chief clerk of the Senate and chief clerk of the House of Representatives for making indices of the journal of each house for the extraordinary session the sum of two hundred fifty dollars ($250) each five hundred dollars ($500)

For the work of the Legislative Journal officials after the close of the extraordinary session in the Legislative Journal also proofreading of appendix and index thereto as provided by law the sum of one thousand five hundred dollars ($1,500)

For the payment of the person or persons appointed to index the Legislative Journal of the extraordinary session in accordance with the act establishing said journal the sum of five hundred dollars ($500)

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Aron,	Gelder,	Owlett,	Ruth,
Batchelor,	Graff,	Pierson,	Scott,
Baumer,	Harris,	Prince,	Shapiro,
Bean,	Harvey,	Pytko,	Sones,
Bennett,	Homsher,	Reed,	Staudenmeier,
Buckman,	Howell,	(Dauphin)	Thompson,
Cavalcante,	Huffman,	Reed,	(Westmoreland)
Chapman,	Kahle,	(Washington)	Trainer,

Coyne,	Lanius,	Roberts,	Woodward,
Daly,	McCreesh,	Rodgers,	Ziegenheim,
Frey,	McGinnis,	Rupp,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL INTRODUCED

Mr. CAVALCANTE (by request of Mr. Thompson, Centre). Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CAVALCANTE, read in place and presented to the Chair Senate Bill No. 50, entitled:

An Act to limit the amount of moneys allocated to and expended in counties by the State Emergency Relief Board for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with the care of the poor for the maintenance of unemployable residents; and requiring such political subdivisions to make certain reports.

Which was committed to the Committee on County Government.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until 5:00 o'clock this afternoon.

Mr. BAUMER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

The Clerk of the House of Representatives, being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 29, entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled May fourth, Anno Domini one thousand nine hundred thirty-six, in pursuance of the proclamation of the Governor of the Commonwealth, dated April twenty-seventh, Anno Domini, one thousand nine hundred thirty-six.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 29, entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled May fourth, Anno Domini one thousand nine hundred thirty-six, in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh, Anno Domini one thousand nine hundred thirty-six.

House Bill No. 14, entitled:

An Act transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

Whereupon,

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 52, (Senate Bill No. 51), entitled:

An Act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth, under certain conditions, in lieu of the redemption thereof; and defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the duly authorized loan and transfer agent of the Commonwealth in relation thereto.

Which was committed to the Committee on State Government.

House Bill No. 53, (Senate Bill No. 52), entitled:

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania, Series "D", for the purpose of refunding, redeeming and retiring said Series "D"; authorizing the exchange of bonds of said Series "D" for those issued hereunder; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on, and the redemption of such bonds; and making an appropriation

Which was committed to the Committee on State Government.

House Bill No. 66, (Senate Bill No. 53), entitled:

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions, eliminating fire and other hazards to safety at State institutions, providing for the purchase of safety and other equipment, the erection and construction of new buildings, and repairs, alterations and additions to, and replacement of, existing buildings and equipment.

Which was committed to the Committee on Appropriations.

House Bill No. 73, (Senate Bill No. 54), entitled:

An Act to enable persons, associations, partnerships, and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or description; providing for bonds with confessions of judgments; regulating the assignment and release of such mortgages; and designating the operation and effect of the lien of such mortgages.

Which was committed to the Committee on Judiciary General.

EDWARD N. JONES. WPA ADMINISTRATOR. TO FURNISH TO THE GENERAL ASSEMBLY CERTAIN INFORMATION REGARDING WPA

He also presented extract from the Journal of the

House of Representatives which was twice read as follows:

In the House of Representatives, May 14, 1936.

Whereas, The most important and crucial problem before this Extraordinary Session of 1936 is that of relief for the unemployed, the destitute and needy, and

Whereas, It is the sense of the General Assembly that the maximum amount of relief possible under present circumstances should be afforded to this unfortunate class of our citizenship, and

Whereas, Under the terms of the agreement entered into by the Commonwealth of Pennsylvania and the United States Government in 1935, the Federal Government agreed to provide by works projects for all employables in the aforementioned class of citizenship and the State Government was to provide by direct relief for all unemployables, and

Whereas, The State Government has been compelled from the time of said agreement to the present to continue to provide for the employables among the needy by means of direct relief grants, despite the said agreement, and

Whereas, The Commonwealth of Pennsylvania is maintaining a large administrative agency operating under the State Emergency Relief Board for the distribution of direct relief at a present administrative cost of approximately $12,000,000 per year, and

Whereas, It has been impossible to determine the cost of administration of WPA projects in Pennsylvania although it has been reported that same exceeds many times the high cost of administration of direct relief by the State Emergency Relief Board, and

Whereas, Allegations have been made and charges have appeared in the public press of the Commonwealth to the effect that the administration of WPA projects in Pennsylvania has been entirely political, that persons not entitled to relief and whose sole qualification is political activity have been given lucrative administrative positions and white collar jobs; that preferences exist to the detriment of those in need of relief for the benefit of the political parasite and that vast sums of money which should properly go to the unemployed, the destitute and the needy of this Commonwealth are being diverted to those not in need of relief who receive the political plums of WPA. and

Whereas, A direct relationship exists between the sum to be appropriated by the Commonwealth for direct relief and the number of persons properly employed on WPA projects, therefore be it

Resolved, (if the Senate concur) That the General Assembly of Pennsylvania request the State Administrator of WPA projects, Edward N. Jones, furnish to the General Assembly of Pennsylvania not later than May 19, 1936, the following information:

1. The total cost of administration of WPA projects in Pennsylvania, by counties, for the period beginning January 1, 1935 and ending May 1, 1936.

2. The number of administrative positions in WPA projects in Pennsylvania, by counties, and the salaries of same.

3. The names and addresses of those holding administrative positions in WPA projects in Pennsylvania, by counties, and the respective salaries.

4. The number, by counties, of those working on WPA projects in Pennsylvania not taken from the relief rolls of the State and the percentage of same to the gross number of employables on WPA projects in Pennsylvania.

5. The names and addresses, by counties, of those not taken from direct relief rolls of the State of Pennsylvania holding positions of County Administrator, supervisors, superintendents, secretaries, foremen, assistant foremen, time keepers and disbursing officers on WPA projects in the State and the respective salary of each.

The PRESIDENT. Is there objection to the immediate consideration of this resolution?

Mr. BUCKMAN. Mr. President, I object.

The PRESIDENT. The Chair hears objection. The resolution is referred to the committee on Appropriations.

RESOLUTION REQUESTING INFORMATION FROM THE DEPARTMENT OF REVENUE

Mr. BEAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEAN offered the following resolution which was twice read considered and agreed to:

In the Senate, May 26, 1936.

Resolved, That the Department of Revenue be and is hereby requested to inform the Senate in answer to the following inquiries:

1. With reference to the State Personal Property Tax approved June 22d, 1935, Act No. 182, Sessions of 1935, how many returns have been received by the State Department of Revenue; what is the total of taxable personal property disclosed on such returns; what is the total amount of tax based thereon; and what is the present estimate of the Department as to the total amount of tax to the Commonwealth which will result from this Act?

2. With reference to the Corporate Net Income Tax Act approved May 16th, 1935, Act No. 91, Sessions of 1935, how many returns have been received by the Department of Revenue; what is the total amount of corporate net income disclosed; and what is the present estimate of the Department as to the total amount of tax to the Commonwealth which will result from this Act?

3. With reference to the Cigarette Tax Act, approved June 14th, 1935, P. L. 155, Sessions of 1935, what have been the total collections under this Act to May 1st, 1936 and what is the present estimate of the Department as to the total amount of tax to the Commonwealth which will result from this Act?

The PRESIDENT. Is there objection to the immediate consideration of this resolution? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

RESOLUTION REQUESTING INFORMATION FROM THE RELIEF ADMINISTRATOR

Mr. McCLURE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCLURE offered the following resolution which was twice read:

In the Senate of Pennsylvania, May 26, 1936.

Whereas, The question as to the amount of money to be appropriated at this Session for Relief is of great importance; and

Whereas, To arrive at an intelligent determination of the necessary sum, it is essential to have detailed information as to the amounts expended for relief;

Therefore, be it resolved, That the Relief Administrator be requested to furnish to the Senate, not later than Monday, June 1, 1936, the following information:

(a) Number of cases during the months of January to April, inclusive, of the year 1936, where relief was granted to persons or families without any property;

(b) Number of cases during the said months of January to April, inclusive, of the year 1936, where relief was granted to persons or families without any income;

(c) The amount of relief granted during the said months of January to April, inclusive, where the person or family had an income up to $5.00 per week;

(d) The amount of relief granted during the said months of January to April, inclusive, where the person or family had an income between $5.00 and $10.00 per week;

(e) The amount of relief granted during the said months of January to April, inclusive, where the person or family had an income between $10.00 and $15.00 per week;

(f) The amount of relief granted during the said months of January to April, inclusive, where the person or family had an income above $15.00 per week;

(g) The total amount paid for relief in each of the said months of January to April, inclusive, for relief in the above classifications, as continued in (a) to (f), inclusive.

Mr. McCLURE. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an appropriate committee, be suspended, and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question.

Will the Senate agree to the resolution?

Mr. CAVALCANTE. Mr. President, I desire to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. CAVALCANTE. Mr. President, does the Senator from Delaware, Mr. McClure, have any idea as to how long it will take to compile the information required in his resolution?

Mr. McCLURE. Mr. President, I have not.

Mr. CAVALCANTE. Mr. President, I am informed that to obtain that information, detailed information, it may require a month to a month and a half to compile. The resolution asks for that information before June 1st of 1936, and it seems to me it is very short. You have only about four or five days to get that in, and you will never be able to do it.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I shall be glad to.

Mr. SHAPIRO. Mr. President, will the Senator from Delaware, Mr. McClure, state whether or not the information requested in this resolution has been requested informally from the Administrator of Relief?

Mr. McCLURE. Mr. President, not to my knowledge.

Mr. SHAPIRO. Mr. President, I take it—I assume, then, that this resolution is not being offered here as the result of any refusal on the part of the Administrator of Relief in Pennsylvania to give the information.

Mr. McCLURE. Mr. President, the Senator from Philadelphia, Mr. Shapiro, is correct.

Mr. SHAPIRO. Mr. President, will the Senator from Delaware, Mr. McClure, consider an amendment to this resolution, to the effect that the Relief Administrator be requested to furnish information as to the costs which he will incur in the gathering of this information requested in the resolution, so that it will not be charged up against the Relief Administration?

Mr. McCLURE. Mr. President, I will accept that amendment.

On the question,

Will the Senate agree to the resolution as amended?

Mr. SHAPIRO. Mr. President, I move to amend section (g) by adding at the end thereof "and that the Administrator of Relief be requested to keep a separate account of the monies expended in furnishing the above requested information, and report the cost thereof, together with the other information herein requested."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

Will the Senate agree to the resolution as amended?

Mr. HUFFMAN. Mr. President, I move to amend paragraph 3, by striking out after the word "Senate," the words "not later than" and in lieu thereof inserting the word "by" and by inserting, after the figures "1936," the words "or as soon thereafter as possible."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

Will the Senate agree to the resolution as amended?

It was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to the question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, I desire to call to the attention of the members of this Senate that when I offered my amendment to the resolution just adopted, to figure the costs, I did it advisedly. I know something about what this information, that is requested, will amount to. It will require the examination of every card in every case in the files of the Relief Administration from the beginning of the period mentioned, which I believe begins with January of this year, until now. It will mean employment of a new staff, office staff, to compile this, or the stopping of all the present employees in the office from the work in which they are now engaged.

Aside from the cost, it will be a task which I am sure my friends did not realize the extent of when they made this request. My belief in the matter, from some little experience I have had, has been confirmed by the Relief Administrator, who happens to be in the room at the present moment; he has confirmed my belief.

I call to the attention of the members of this Senate that we are again wasting a great deal of time and a great deal of money; and I think the proper thing to do would be to reconsider the action on this resolution, and see if we cannot get some information which will be helpful and which would not entail so great a task from the Relief Administrator, who, I think, everyone will agree has been the ablest and best of assistants, and the most willing man we have had in our work here during our session.

REPORTS FROM COMMITTEE

Mr. GELDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, reported as amended, Senate Bill No. 23 (House Bill No. 17), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct work relief and expenses defining the purposes for which such monies may be expended and prescribing the power and duties of the State Emergency Relief Board and certain State Departments and ratifying, confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act.

Also from the Committee on Appropriations, reported as amended, the following resolution:

Resolved, That the Committee on Appropriations be informed that the members of the Senate respectfully request that no appropriation bills be reported out of the Committee on Appropriations without the approval of the Committee in accordance with the rules of said Committee

Mr. HARRIS. Mr. President, I ask unanimous consent that Rule 39 which requires resolutions when reported from Committee to lie over one day, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

REPORT FROM COMMITTEE

Mr. RANKIN. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RANKIN, from the Committee on County Government reported, as amended, Senate Bill No. 18 (House Bill No. 3,) entitled:

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class providing for the collection of such taxes by the county treasurers and deputies and the payment of compensation and expenses therefor; transferring employes from the office of the delinquent tax collector to the county treasurer's office: and making said employes eligible to join and granting them certain cerdits upon joining, the county retirement system.

MOTION TO READ BILLS THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 18 (House Bill No. 3), entitled:

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class providing for the collection of such taxes by the county treasurers and deputies and the payment of compensation and expenses therefor; transferring employes from the office of the delinquent tax collector to the county treasurer's office; and making said employes eligible to join and granting them certain credits upon joining, the county retirement system.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 23 (House Bill No. 17), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying, confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. COYNE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. GELDER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, reported as amended, House Resolution No. 14, as follows:

In the Huse of Representatives, May 25, 1936.

Whereas It is estimated that approximately eight hundred forty-five thousand dollars ($845,000.00) of moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes will be lapsed into the General Fund on May thirty-first one thousand nine hundred thirty-six and

Whereas The sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211.00) in addition to the aforesaid eight hundred forty-five thousand dollars (845,000.00) will be necessary for unemployment relief purposes for the month of June one thousand nine hundred thirty-six and

Whereas There is an immediate need for the raising of this amount for the use of the General Fund by transfers of moneys from the Motor License Fund and The State Stores Fund therefore be it

Resolved (if the Senate concur) That the General Assembly hereby authorizes the Governor and the Fiscal Officers of the Commonwealth to transfer to the General Fund the sum of two million five hundred thousand dollars ($2,500,000.00) from the State Stores Fund and the sum of one million five hundred eighty-six thousand two hundred eleven dollars ($1,586,211.00) from the Motor License Fund and hereby makes available to the State Emergency Relief Board the aggregate sum of four million eighty-six thousand two hundred eleven dollars ($4,086,-211.00) for unemplyoment relief purposes and

Resolved That any moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes that remain unobligated and enexpended on May thirty-first one thousand nine hundred thirty-six are hereby made available to the State Emergency Relief Board for unemployment relief purposes on and after May thirty-first one thousand nine hundred thirty-six and

Resolved That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers by this resolution (2) appropriating or reappropriating as the case may be to the State Emergency Relief Board for unem-

ployment relief purposes the sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211.00) and any moneys heretofore appropriated for unemployment relief that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Motor License Fund and the Liquid Fuels Tax Fund

Mr. GELDER. Mr. President, I ask unanimus consent that Rule 39 which requires resolutions reported from committee to lie over for one day, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

Mr. SHAPIRO. Mr. President, I would like to interrogate the Senator from Susquehanna, Mr. Gelder.

The PRESIDENT. Will the Senator from Susquehanna, Mr. Gelder, permit himself to be interrogated?

Mr. GELDER. Mr. President, I will.

Mr. SHAPIRO. Mr. President, on what basis is the reduction made from $6,086,211.00 to $4,086,211.00?

Mr. GELDER. Mr. President, the Senator from Philadelphia, Mr. Shapiro, was present in committee and he knows the entire action of the committee.

Mr. SHAPIRO. Mr. President, what is the basis for the reduction of the $2,000,000, on what facts and figures was the reduction made?

Mr. GELDER. Mr. President, it was the action of the Committee.

Mr. SHAPIRO. Mr. President, does the Senator from Susquehanna know on what basis the Committee acted?

Mr. GELDER. Mr. President, it was to conserve the fund of $2,000,000 from the Liquid Fuel Funds, which should go to the counties.

Mr. SHAPIRO. Mr. President, may I assume and understand that the reason for reducing the amount from $6,000,000 to $4,000,000. is not because of a disagreement as to the amount needed, but because the funds are not available from which the money can be borrowed?

Mr. GELDER. Mr. President, the Senator from Philadelphia, Mr. Shapiro, has a right to assume anything that he pleases. Having heard and participated in the argument, his judgment would be just as good as mine as to what was the idea of the members of the committee. Some of the members of the committee felt that perhaps $4,500,000, was enough, some other members on the committee perhaps felt that much less would tide the Administrator of Relief over for the present. The Senator from Philadelphia certainly knows as much about it as any other member of the committee. He knows what was in his own mind.

Mr. SHAPIRO. Mr. President, I was always under the impression that matters in Committee were covered with somewhat of a cloak of privilege. When I was in the committee, I asked the same question as I am asking now, and whether or not anybody has since answered the question, that is the question which I repeat now to the Senator. I had not heard in the committee any reason; I asked the question in the committee, and nobody answered me. The majority there is a Republican majority, and they have fixed $4,086,211.00. I do not know whether it is an arbitrary figure, or whether it is due to the fact, that, as I hear discussed there, there was $2,000,000. to be transferred from the Liquid Fuel Tax, and some of the people did not want to transfer the money from the Liquid Fuel Tax. I was one of those in favor of $6,800,000.00. I feel that there is nothing sacred about the Liuqid Fuel Tax in a time like this, as compared with relief; and, in voting on a question like this, I should like to know, when I vote on $4,800,000.00, whether we are voting because we think it is enough, or whether we are voting because we do not have enough funds available at this time. I would like to repeat my question whether this is intended to cover the whole month of June.

Mr. GELDER. Mr. President, I have no knowledge as to what this will cover, or what the intention of the members of this committee was. As I have said before, the various members of the committee may have had various thoughts on it.

The Senator from Philadelphia, Mr. Shapiro, talks about cloaking the proceeding in secrecy, and apparently he is trying to remove the cloak. I would suggest, if he wants to remove the cloak, that he may just as well proceed to do it himself. I would say that the action of the committee was not entirely partisan action.

Mr. SHAPIRO. Mr. President, on this resolution peradventure the cloak of secrecy was removed by my friend from Susquehanna, Mr. Gelder, if there was such a cloak, I have heard a great deal of talk about relief, and what we are going to do, and a great deal said that probably would better have been left unsaid. I am going to confine myself to the situation, and I for one want to say that I do not propose to sit idly by and see this relief question handled in an arbitrary manner without at least raising my voice in protest. I do not propose to call any names about it, but I do propose from time to time to try to elicit the facts so that I can intelligently perform the duty that I was sent here to perform. This is May 26, and I think it is time now that somebody who is in a position to do something shall do it, and that the things that are done shall be based upon facts and not upon fancy, and especially when we are dealing with a matter of such importance as we have here. I am perfectly satisfied to stay here as long as is necessary, to give what little information I have to a solution of the problem; but I do not propose, on any theory, to sit idly by and allow an important matter like this to be treated as it has been treated. I say that there is no information in the possession of anybody which warrants the reduction arbitrarily of $2,000,000. from a resolution which was presented to us in the form in which it was presented over two weeks ago—probably three weeks ago.

The resolution was presented to us, coming from the House, asking us to appropriate some eleven million dollars for the months of May and June for relief. It was not being appropriated to people without responsibility, it was appropriated to a department of this State that has existed for a number of years, and that is in the control not only of the State Emergency Relief Board but its figures and its functions are in the control and under the observation of the Auditor General and the State Treasurer. That resolution was changed to $3,650,000. by action of the majority members of this Senate. Now, today, after the month of May is about gone, June is confronting us, we have been promised that there would be an investigation made of the facts, and we would be given some information which indicate that the amount requested is exaggerated. Now

I hold no brief for those who have set up the figures. I am quite sure that what you have heard today in public hearings, that whether there be 180,000 cases on the list or 220,000, is a matter of conjecture that no one can, with certainty, at this time state. The number of cases on relief would depend upon whether or not W. P. A. takes more or less workers, or whether industry absorbs more or less workers, and one thing is certain; those things which we have been promised, not a single member on the majority side of this Senate has presented any facts or figures which would warrant us in saying $4,800,000. is enough for the month of June, and the reason I stand up to call attention to this fact is that from what has been going up to now, I know June will have gone before we decide this proposition.

Talk is around that we are going to adjourn to enable some of us to attend the Democratic or Republican Convention, . . . they are talking about doing everything except that which we ought to be doing, and for which the people of Pennsylvania are looking . . .

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, my point of order is that the Senator from Philadelphia, Mr. Shapiro, is disclosing what took place in the Committee room, and under the rules of the Senate he is out of order.

Mr. SHAPIRO. Mr. President, the conversation which I have disclosed took place in a public hearing, which I was invited to attend this afternoon.

Mr. BUCKMAN. Mr. President, he was talking about a discussion as to political convention, and that was discussed in the Committee Room.

Mr. SHAPIRO. Mr. President, before I came to this Senate on Monday night, I was told in Philadelphia by a young man, who had nothing to do with the Senate, that there was talk here that we were going to adjourn for the convention, and I am making no disclosure of any confidential matter.

The PRESIDENT. The Chair has no knowledge of any confidential arrangements in Committee, and is not in a position to rule on it.

Mr. SHAPIRO. Mr. President, this whole subject, to some people, is a matter of little moment, to others it is an opportunity to give voice to some political aspiration and make some speeches. I am not interested in that type or attitude of mind. I am interested in seeing to it that when I go back I can face the people who look to me to help them in this situation, and nobody here who has the power to do it is doing it. I have asked and I have not yet received an answer to a very important question, and I know that what I am saying is not going to change a single vote on this floor, but I am not making that statement for that purpose, I am making the statement to place myself on record, so that my position in the matter may be clear, and that is, that I will not vote for any resolution, whether it be relief or otherwise, that is presented without any consideration, and is mutilated, without any vote; and for the purpose of this record, I will not vote on the resolution and not make that statement so that those who look to me for some intelligent action will at least know that I am not voting on something that has no basis back of it.

Mr. HARRIS. Mr. President, I do not think that the action of the Committee was involved or complicated in any way, and I also do not think that I am violating any of the rules of the Senate, or the Committee, if I discuss in a general way what happened. It is very clear and easily understood that the request was for $6,800,000.00. The $800,000.00 was the highest balance for the month of May. The amount was for $4,800,000. to prevent the disturbing of the use of the Liquid Fuel money that goes back to the counties.

Now, in answering the Senator from Philadelphia, Mr. Shapiro, on the very important question, which was not answered to him: This Committee, in appropriating $4,800,000.00 does not, in any sense, say that that is the limit to be used in June. They hope that it will be, but was distinctly understood that the $4,800,000. appropriated would go as far as it could in June for relief, and in the event that Dr. de Schweinitz decided he needed more, he could come again to the Committee. It was simply allowing the use of $4,800,000.00 so far as it would go, and if that is found not to be enough, they can later on have another resolution prepared supplying sufficient money for June. It is not limiting the amount for June.

Mr. SHAPIRO. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I will.

Mr. SHAPIRO. Mr. President, the Senator from Allegheny, Mr. Harris, has partly answered the question which I have asked, and which had not been answered. Am I correct that the reason for reducing the amount was that the $2,000,000.00 was to be transferred from the Liquid Fuel Tax, and there was objection due to the fact that the Liquid Fuel Tax money had to be used by the counties.

Mr. HARRIS. Mr. President, that is correct.

Mr. SHAPIRO. Mr. President, I repeat, that I shall not vote for this resolution because the reason the money is not available because the majority on this side of the Senate has not taken the proper steps to provide the funds. There are no monies available because of the fact that they have not produced any revenue raising bills or acted upon revenue raising bills which were before them, so that we could have the money that is necessary for June.

Mr. HARRIS. Mr. President, I just want to state, so that no one will have any excuse for voting against this resolution, I want to repeat what I said before, that we are not fixing the amount definitely for relief in June. Again I say, that if Dr. de Schweinitz decides that there is more money needed, I will be one to vote for the additional sum.

Mr. CAVALCANTE. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Harris.

The. PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I will be very glad indeed.

Mr. CAVALCANTE. Mr. President, does the resolution as now amended conform with the statement made by the Senator from Allegheny, Mr. Harris, that the $4,086,211.00 is merely on account of the sum that we have not as yet determined what will be necessary for the month of June?

Mr. HARRIS. Mr. President, that is correct.

Mr. CAVALCANTE. Mr. President, does the resolution so provide.

Mr. HARRIS. Mr. President, the resolution provides for $4,086,211.00 for relief for June insofar as it will take it.

Mr. CAVALCANTE. Mr. President, does the resolution so provide, or is it merely a statement made by the Senator from Allegheny, Mr. Harris.

Mr. HARRIS. Mr. President, the resolution does not limit the amount needed for June to $4,086,211.00. I cannot put it any plainer than that.

Mr. CAVALCANTE. Mr. President, I rise to a point of information.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his point of information.

Mr. CAVALCANTE. Mr. President, may the resolution be again read so that we may ascertain whether it fixes the period for which this money is set aside?

The PRESIDENT. The Secretary will read the resolution.

(The resolution was again read.)

Mr. CAVALCANTE. Mr. President, then I think that it is very plain that the amount that has been reduced by $2,000,000., and as the resolution now stands it means that the amount of $4,086,211.00 is the only amount that we are appropriating for the month of June.

Mr. HARRIS. Mr. President, no.

Mr. CAVALCANTE. Mr. President, that is what is says.

Mr. HUFFMAN. Mr. President, I would like to say a word about the resolution. I think the resolution does limit us to this appropriation for the month of June. However, I am voting for the resolution believing that if it is shown that more money is necessary, and I believe it will be, that the Senate will pass an appropriation, or will correct this resolution and supply additional money for relief. We do not want to vote for a resolution cutting out $2,000,000.00, as demanded by Dr. de Schweinitz, neither do we on this side want to vote against contributing at this time $4,086,211.00. toward relief in June.

So much has been repeated about what was said in Committee: It was suggested in Committee and admitted that this was an arbitrary figure, not based upon facts at all. It is simply an arbitrary amount set aside toward taking care of relief for the month of June, and on that basis I am voting for the resolution.

And the question recurring,

Will the Senate garee to the resolution?

The yeas and nays were required by Mr. Cavalcante and were as follows, viz:

YEAS—30

Batchelor,	Graff,	McGinnis,	Roberts,
Baumer,	Harris,	Owlett,	Rodgers,
Buckman,	Homsher,	Pytko,	Rupp,
Cavalcante,	Howell,	Rankin,	Ruth,
Chapman,	Huffman,	Reed,	Staudenmeier,
Coyne,	Lanius,	(Dauphin)	Thompson,
Ealy,	Law,	Reed,	(Westmoreland)
Frey,	Mallery,	(Washington)	
Gelder,	McCreesh,		

NAYS—0

So the question was determined in the affirmative.

Ordered, That the Clerk return the resolution to the House of Representatives with the information that the Senate has passed the same, with amendments, in which the concurrence of the House is requsted.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10 o'clock.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:42 P. M. until tomorrow morning, May 27, 1936, at 10 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, May 26, 1936

The House met at 1.00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend MARVIN A. HELLER, pastor of the Market Street Baptist Church, Harrisburg, Pa., offered the following prayer:

Almighty God, we pause in reverence to Thy Name and in recognition of Thy Supremacy over the affairs of the world and of our individual lives.

Grant unto us, O God, at this time a portion of Thy wisdom. Grant unto all those forces of righteousness which are bringing about Thy Kingdom—grant unto them, O God, thy richest benediction. And now go with us, our Father, into the affairs of this State, we pray in Thy Name and for our sakes. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. KENNEY the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. OMINSKY. HOUSE BILL No. 106.

An Act imposing a tax upon producers and distributors of motion picture films, sold, leased, released and licensed for exhibition purposes in this Commonwealth, defining producers and distributors; providing for the payment and collection of such tax; imposing powers and duties upon the Department of Revenue and Board of Censors, and duties upon such producers and distributors; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. JOHN E. BROWN. HOUSE BILL No. 107.

An Act to further amend section twenty-three of the act, approved the first day of June, one thousand eight hundred and eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by extending the period of time during which the present rate of tax shall be imposed.

Referred to the Committee on Ways and Means.

By Messrs. SINWELL, VAN SICKLE, and COAKLEY. HOUSE BILL No. 108.

An Act making an appropriation to the State Emergency Relief Board for the adjustment and payment of certain claims.

Referred to the Committee on Appropriations.

By Mr. SHORTZ. HOUSE BILL No. 109.

An Act to authorize and empower municipalities and townships, separately or jointly, to erect and construct flood control works and improvements within or without their territorial limits, and to expend moneys and incur indebtedness for such purposes.

Referred to the Committee on Municipal Corporations.

By Messrs. ROAN and MURRIN. HOUSE BILL No. 110.

An Act providing that no person shall be denied, refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate; and providing penalties.

Referred to the Committee on Military Affairs.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. EROE RESOLUTION No. 15.

In the House of Representatives, May 25, 1936.

Whereas, In order to promote peace, lessen the likelihood of war, prevent profiteering in time of war, and equalize the burdens of war, it seems impressive that there should be Federal legislation towards that purpose; and

Whereas, There has been introduced in the House of Representatives at the 74th Session of the Congress of the United States a bill known as H. R. No. 5529, the enactment of which into a law would aid considerably in accomplishing such purposes; therefore, be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby recommends to the Congress of the United States the speedy passage of the above mentioned bill and urges the Senators and Members of the House of Representatives in Congress from the Commonwealth of Pennsylvania to give their earnest support to the said bill: and be it further

Resolved, That the Chief Clerk of this House is hereby instructed to forward, immediately after the adoption of this resolution, a copy of the same to the President of the Senate of the United States, to the Speaker of the House of Representatives in Congress, and to each Senator and Representative in Congress from the Commonwealth of Pennsylvania.

Referred to the Committee on Rules.

By Mr. SPROUL RESOLUTION No. 16.

In the House of Representatives, May 25, 1936.

Whereas, House Bill No. 56 provides for an appropriation of $700,000 to the Department of Health to defray the cost of pumping water from slate quarries and coal mines, flooded during the recent March floods; and

Whereas, It appears that this work has been proceeded with before the final enactment of said bill, and certain expenditures made or obligations incurred; therefore be it

Resolved, That the Department of Health be required to furnish to th House of Representatives now in session as soon as may be, a statement showing:

(a) The amount expended or obligated to the date of the report, or as near such date as possible, for the purchase and installation of equipment and for operation thereof;

(b) An estimate of the total amount to be expended for the completion of the work, separate for each particular project;

(c) A statement of the amount expended and to be expended on the property of each person or company.

Resolved, That the Department of Health shall transmit to the House of Representatives at its Session in 1937, not later than February 1st, a complete statement showing in detail the expenditures made under the authority of the appropriation made by the General Assembly.

Resolved, That a copy of this resolution be transmitted to the Department of Health by the Chief Clerk of this House.

Referred to the Committee on Public Health and Sanitation.

By Mr. HOLLAND (Concurrent) RESOLUTION No. 17.

In the House of Representatives, May 25, 1936.

Whereas, Stability in the administration of the civil service laws of the City of Pittsburgh is impossible of accomplishment with the present practice of ever changing the personel of the Civil Service Commission; and

Whereas, It appears that where decisions are rendered by the Civil Service Commission the same are not being carried into effect; and

Whereas, It is alleged that department heads of said city flagrantly disregard approved lists of applicants for positions under the City Government; and

Whereas, There is a demand by a great number of citizens of said city for an investigation of the situation now existing with respect to the Civil Service Commission; therefore, be it

Resolved (if the Senate concur), That a joint legislative committee is hereby created, composed of three members of the House of Representatives appointed by the Speaker of the House, and three members of the Senate appointed by the President Pro Tempore of the Senate, whose duty it shall be to make a full, searching and impartial investigation of the Civil Service Commission of the City of Pittsburgh, its admnistration and manner of functioning, and such other matters and affairs in connection therewith as is deemed proper by the joint committee.

Resolved, That said joint committee shall make report to the General Assembly at this or the next regular session of the Legislature as early as possible with such recommendations as are deemed appropriate.

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Referred to the Committee on Cities.

COMMUNICATIONS

SUNDAY MOVIES—LOTTERIES

Communication and resolution from Harrisburg Association of Baptist Churches protesting Sunday movies and lotteries.

Referred to Committee on Ways and Means.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 29.

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled May fourth Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh Anno Domini one thousand nine hundred thirty-six

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 5, line 14, by inserting after the figures "($250)" the words and figures "each five hundred dollars ($500)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200

Achterman,	Dufford,	Mason,	Shaw,
Alexander,	Eberharter,	McCreary,	Shepard,
Allen,	Eroe,	McDermott,	Shortz,
Altenburg,	Falkenstein,	McDevitt,	Shreiner,
Andrews,	Ferko,	McElroy,	Shugarts,
Anthony,	Finnerty,	McHenry,	Siegel,
Arnold,	Fitch,	McKinney,	Simon,
Atkins,	Flanagan,	Melchiorre,	Simpson,
Aukerman,	Flinchbaugh,	Mentzer,	Sinwell,
Baine,	Forrest,	Merrell,	Sloan,
Baker, F. T.,	Gates,	Moomaw,	Smith, J. A.,
Baker, J. J.,	Gerard,	Mooney,	Smith, W. G.,
Baldi,	Gillette,	Moore,	Snyder, F. E.,
Barber,	Greenstein,	Moran,	Snyder, J. L.,
Barnhardt,	Habbyshaw,	Moul,	Sowers,
Beadman,	Haberlen,	Muir,	Sproul,
Bernhard,	Hagerty,	Munley,	Stank,
Blumberg,	Haluska,	Murrin,	Stevens,
Boose,	Hamilton, F. P.,	Nagel,	Stewart,
Boyd, R.,	Hamilton, R. S.,	Nothnagle,	Stockham,
Boyer,	Harkins,	O'Keefe,	Stone,
Bradley,	Harmuth,	Ominsky,	Stott,
Brancato,	Hartman,	O'Neill,	Sumney,
Brennan,	Hefferon,	Panton,	Surface,
Brown, H. S.,	Hermansen,	Parks,	Sweeney,
Brown, J. E.,	Hetrick,	Patterson, C.,	Tahl,
Brownfield,	Hindman,	Patterson, J. W.,	Terry,
Brumbaugh,	Hirsch,	Pearson,	Tronzo,
Burke,	Hoffner,	Peters,	Trout,
Cannon,	Holland,	Pfaff,	Tumelty,
Caputo,	Holstrom,	Phillips,	Turner,
Carr,	Horst,	Piole,	VanAllsburg,
Carson,	Jackson,	Powers,	VanSickle,
Castor,	Jones,	Reising,	Wall,
Chervenak,	Kane,	Reynolds,	Wasserman,
Coakley,	Kelder,	Rhys,	Weidemann,
Cochran,	Kelso,	Rinn,	Weiss,
Cohen,	Kenney,	Roan,	Welliver,
Coleman,	Kilroy,	Robinson,	Welsh,
Condon,	Kinney,	Rooney,	Westrick,
Coolahan,	Klingler,	Root,	White
Cooper,	Kobelak,	Royer,	Wickersham,
Cordier,	LaRue,	Ruffennach,	Winner,
Davies,	Linderman,	Sarraf,	Witkin,
Decker,	Long,	Scanlon,	Wood,
Dent,	Longaker,	Schaeffer,	Woodside,
Diehl,	Lovett,	Schrock,	Yeakel,
Dilley,	Lynch,	Schrope,	Yourishin,
Downey, G. E.,	Male,	Schwab,	Zappala,
Downey, J. J.,	Mallen,	Serrill,	Furman,

Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

LEAVE OF ABSENCE

Mr. WALL asked and obtained leave of absence for the balance of the week after today's session.

REPORT FROM COMMITTEE

Mr. HARKINS, from the Committee on Education, reported as amended, House Bill No. 44, entitled:

An Act to amend section two hundred and one of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," making the real estate of public service companies, with certain exceptions, subject to taxation for school purposes.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 29.

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled May fourth Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh Anno Domini one thousand nine hundred thirty-six

HOUSE BILL No. 14.

An Act ratifying confirming and validating the transfer of money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

Mr. COHEN. Mr. Speaker, I desire to call up at this time Resolution No. 14, Printer's No. 82

The resolution was read by the Clerk as follows:

In the House of Representatives, May 25, 1936.

Whereas, It is estimated that approximately eight hundred forty-five thousand dollars ($845,000.00) of moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes will be lapsed into the General Fund on May thirty-first one thousand nine hundred thirty-six and

Whereas The sum of six million eighty-six thousand two hundred eleven dollars ($6,086,211.00) in addition to the aforesaid eight hundred forty-five thousand dollars ($845,000.00) will be necessary for unemployment relief purposes for the month of June one thousand nine hundred thirty-six and

Whereas There is an immediate need for the raising of this amount for the use of the General Fund by transfers of moneys from the Motor License Fund The State Stores Fund and the Liquid Fuels Tax Fund therefore be it

Resolved (if the Senate concur) That the General Assembly hereby authorizes the Governor and the Fiscal Officers of the Commonwealth to transfer to the General Fund the sum of two million five hundred thousand dollars ($2,500,000.00) from the State Stores Fund the sum of one million five hundred eighty-six thousand two hundred eleven dollars ($1,586,211.00) from the Motor License Fund and the sum of two million dollars ($2,000,000.00) from the Liquid Fuels Tax Fund and hereby makes available to the State Emergency Relief Board the aggregate sum of six million eighty-six thousand two hundred eleven dollars ($6,086,211.00) for unemployment relief purposes and

Resolved That any moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six are hereby made available to the State Emergency Relief Board for unemployment relief purposes on and after

May thirty-first one thousand nine hundred thirty-six and

Resolved That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers authorized by this resolution (2) appropriating or re-appropriating as the case may be to the State Emergency Relief Board for unemployment relief purposes the sum of six million eighty-six thousand two hundred eleven dollars ($6,086,211.00) and any moneys heretofore appropriated for unemployment relief that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Motor License Fund and the Liquid Fuels Tax Fund

On the question,

Will the House adopt the resolution?

Mr. TURNER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend House Resolution No. 14, Printer's No. 82 to read as follows:

In the House of Representatives,
May 25, 1936.

Whereas, It is estimated that approximately eight hundred forty-five thousand dollars ($845,000.00) of moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes will be lapsed into the General Fund on May thirty-first, one thousand nine hundred thirty-six; and

Whereas, The sum of [six million eighty-six thousand two hundred eleven dollars ($6,086,211.00)] four million six hundred fifty-five thousand dollars ($4,655,000.00), in addition to the aforesaid eight hundred forty-five thousand dollars ($845,000.00) will be necessary for unemployment relief purposes for the month of June, one thousand nine hundred thirty-six; and

Whereas, There is an immediate need for the raising of this amount for the use of the General Fund by transfers of money from the Motor License Fund, the State Stores Fund, and the Liquid Fuels Tax Fund; therefore, be it

Resolved (if the Senate concur), That the General Assembly hereby authorizes the Governor and the Fiscal Officers of the Commonwealth to transfer to the General Fund the sum of two million five hundred thousand dollars ($2,500,000.00) from the State Stores Fund, the sum one million five hundred [eighty-six thousand two hundred eleven dollars ($1,586,211.00)] eighty thousand dollars ($1,580,000.00) from the Motor License Fund, and the sum of [two million dollars ($2,000,000.00)] five hundred seventy-five thousand dollars ($575,000) from the Liquid Fuels Tax Fund, and hereby makes available to the State Emergency Relief Board the aggregate sum of [six million eighty-six thousand two hundred eleven dollars ($6,086,211.00)] four million six hundred fifty-five thousand dollars ($4,655,000.00) for unemployment relief purposes; and

Resolved, That any moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes that remain unobligated and unexpended on May thirty-first, one thousand nine hundred thirty-six, are hereby made available to the State Emergency Relief Board for unemployment relief purposes on and after May thirty-first, one thousand nine hundred thirty-six; and

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers authorized by this resolution, (2) appropriating or re-appropriating as the case may be to the State Emergency Relief Board for unemployment relief purposes the sum of [six million eighty-six thousand two hundred eleven dollars ($6,086,211.00)] four million six hundred fifty-five thousand dollars ($4,655,000.00), and any moneys heretofore appropriated for unemployment relief that remain unobligated and unexpended on May thirty-first, one thousand nine hundred thirty-six, and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Motor License Fund and the Liquid Fuels Tax Fund.

On the question,

Will the House agree to the amendment?

Mr. TURNER. Mr. Speaker and members of the House, I do not know whether you heard the Clerk read all of this amendment, but simply it reduces the amount of the original appropriation which was eight hundred forty-five thousand plus six million eighty thousand or something over six million nine hundred thousand for the month of May to the sum of five million five hundred thousand dollars that is, it utilizes the eight hundred forty-five thousand of the unexpended balance of relief money and adds to that transfers from funds in the total sum of four million six hundred fifty-five thousand dollars.

Now, the sum of five million five hundred thousand dollars is not an arbitrary sum that has been capriciously arrived at by us, but is taken from the figures as they appear.

There are at the present about one hundred and eighty thousand cases of relief, and according to the statistics for the last couple of weeks, there seems to have been a decrease below the one hundred and eighty thousand level, because while there have been a large number discharged from WPA, they have not as yet been entirely of the total amount discharged from the WPA put on the relief rolls.

I have before me a complete table or series of tables of all the expenditures and payments and cost of relief from the beginning of the SERB in September of 1932 down to and including April of 1936. It is an astounding and very interesting series of figures, and it shows to a great extent what is the trouble with this whole relief situation, and I would like to just point out this to you briefly: back in 1933, in the months of January, February, March, April, and all through the entire year of 1933, the largest amount expended for direct relief was seven million three hundred twenty-three thousand dollars and in that time the largest amount expended for work relief was eight hundred thirty-one thousand or approximately eight million dollars was the largest amount expended for relief throughout the year 1933 in any one month, and in those same months of 1933 the relief load ran from thirty thousand and ninety-one dollars up to as high as four hundred and forty-nine thousand, which is practically more than double the amount of the relief load at the present time. In other words, between direct and work relief the total top expenditure was eight million dollars, and if within that time the number of cases was over double the amount we are now carrying, it seems to me that five million five hundred thousand dollars is an extremely generous amount.

In the second place, if you will take the figures of the Relief Administrator, as to the average grant for relief per month at the present time, it is about twenty-six dollars per month. If you multiply that by one hundred and eighty thousand cases, you will find that you have a figure of somewhere around four million eight hundred thousand, and that would leave, in addition to that, some seven or eight hundred thousand dollars for administration which has been running close to eight hundred thousand dollars a month in spite of the fact that the number

of relief cases has fallen from four hundred and thirty-one thousand in September of last year to one hundred and ninety-five thousand in March and one hundred and eighty thousand in April.

The percentage of the cost of administration—this is interesting, too—for 1933 has risen from the figures of 236 and 315 (I am taking these amounts at random) in that year to the figures of this year of 1163, 1184, 1206 and 1256, so that I do not believe that any one who has carefully followed or studied those figures can help but come to the conclusion that the administration cost, as much as it has been reduced in the last few months, is still too high, that the percentage cost of administration in comparison to the large number of cases that we had in 1933 is out of proportion. Therefore, I believe that if we allowed the sum of five million five hundred thousand dollars for the month of June—I am not saying that I am convinced that that is the minimum that we can take, because this is a large organization, it is a large machine, it is a large project, and you can not down a million dollars overnight. You must move along carefully and cautiously, but five million five hundred thousand dollars as opposed to seven million dollars is a large item in these times when we are hunting for money so hard. Therefore, I ask you to vote in favor of the amendment.

Mr. COHEN. Mr. Speaker and members of the House. we are this afternoon back exactly at the same position that we were at the very inception of this session, namely, in an effort to determine the amount of money which should be made available for the State Emergency Relief Board for unemployment relief purposes.

Irrespective of how much money we transfer, this Commonwealth has an obligation to provide for the maintenance, the food and the care of the unemployed and, on the other hand, the State Emergency Relief Board has an obligation to the citizens and the taxpayers to provide that unemployment relief in an efficient and able manner.

At the beginning of this session, after a lot of debate and haranguing, we passed a transfer bill, which provided for a transfer for the month of May of six million nine hundred and sixty-one thousand dollars. That appropriation was based upon the estimate upon which the fiscal officers of the Commonwealth had to rely, and was concurred in by the Republican members of the State Emergency Relief Board. Mark you, six million nine hundred sixty-one thousand dollars was transferred and made available for unemployment relief purposes.

Now, how did the State Emergency Relief Board conduct itself in the trust that had been imposed upon it in administering that fund? Did the State Emergency Relief Board say "Because we have six million nine hundred sixty-one thousand dollars to spend we should spend every last penny of it?" Did the State Emergency Relief Board say "Because we have obtained that sum, we should dish it out indiscriminately?" Did they say "We should violate the trust that has been imposed upon us by the citizens of the Commonwealth and the General Assembly?" No; they did not. The State Emergency Relief Board with an available fund of six million nine hundred and sixty-one thousand dollars over the month of May has been able to save in relief expenditures the sum of five hundred thousand dollars, and that is not just a momentarily conceived idea of administering a public trust, because in the month of April the same State Emergency Relief Board, under the same administration, saved from the appropriations that had been conveyed to them the sum of three hundred and forty-five thousand dollars, and when you add these two figures together, five hundred thousand dollars and three hundred and forty-five thousand dollars, you get the figure of eight hundred and forty-five thousand dollars, which is the figure set forth in the resolution, which we are asking this Assembly not to lapse. This resolution provides, among other things, that we will pass legislation that will prevent the lapsing of those particular funds from May 31, 1936, and to carry those funds over to be utilized and to be applied as part of the moneys which we seek to transfer to the State Emergency Relief Board for the conduct of their administrative duties during the month of June.

We do not say that the figure of six million nine hundred thirty-one thousand dollars, which is the figure that this resolution calls for, is the amount of money that will be expended, but we do say that in order to play safe with the unemployed, in order to administer that public responsibility, in order to administer that public trust, our estimates indicate that we will require six million nine hundred thirty-one thousand four fundred forty-six dollars.

We ask you not to tie the hands of those administering unemployment relief. We ask you not to see that the thirty thousand people who have been relieved of WPA employment, of which thirteen thousand are again enrolled on the State Emergency Relief rolls, leaving a back log of thirty-seven thousand cases—we ask you not to see that those thirty-seven thousand cases are again in the month of June thrown onto the State Emergency Relief rolls until we have the money to provide for them. We do not want the State Emergency Relief Board to be hamstrung in the operations of its public duties and its public trust. On the other hand, if this fund is not required to be expended, we expect the State Emergency Relief Board to turn it back, and make it available for the months of June, July, August, in addition to other sums that they will save in administering their duties.

This resolution is based upon an estimate of one hundred and ninety-one thousand cases. At the present time there is an actual amount of one hundred seventy-six thousand cases as of May 16th, upon the State Emergency Relief rolls. A pad, a cushion, a foundation to take care of a possible increase of fourteen thousand cases is what this resolution calls for.

Now, members of the House, in administering to any of our wants, in administering to any of our desires, we always take into consideration the problem of insurance, but in this case the insurance premium doesn't cost the Commonwealth of Pennsylvania, doesn't cost the taxpayers one cent. This insurance premium will be held by the State Emergency Relief Board and returned for further relief purposes at the end of the month in case it is not necessary to so make these expenditures.

Mr. TURNER. Mr. Speaker and members of the House, I have tried to listen with a great deal of attention to my friend from York, and I regret to say publicly, because I usually have the greatest regard for his opinion on things, but I do not believe that the gentleman from York fully understands the relief problem and just what is happening to the taxpayers of Pennsylvania.

I had hoped to avoid discussing some of these things at

the present time, because I did not believe that this was just exactly the moment to discuss them.

In the first place, when the gentleman from York says that the Republican members of the Emergency Relief Board were in accord with the appropriation for the month of May, I would call his attention to the fact that the resolution as originally introduced in the House for the balance of May and June was something over eleven million dollars, and that the State Treasurer, who is a member of the Relief Board, said that he thought that nine million five hundred thousand dollars would be sufficient. I do not believe, however, that we in the House should be bound by what either the Republican or the Democratic members of the Relief Board think about this problem. I believe that we should gather the facts and then endeavor to arrive at our own conclusion.

In the second place, the gentleman from York has said that the Board would only expend that which is necessary. I would like to call the attention of the gentleman from York to the meeting of that harmony committee, that bipartisan committee that had a meeting with the Relief Board before this session, and the gentleman from Philadelphia and the gentleman from Allegheny, who were members of that committee, were there at that time and undoubtedly remember that the statement was made by the members of the Board and by its Administrator that the Board conceived its duty to be to spend the money that was given to it by the Legislature, that it was not their function to determine how much should be spent, but that when they received an appropriation from the Legislature, it was their duty to expend that appropriation and, therefore, since the dispute here upon the resolution, that finally was put through for the month of May, if there has been a reversion of opinion in the Relief Board, and they are now determining that they are going to save some money, this is the first time in the history of the operation of relief in Pennsylvania that any money has been saved for the taxpayers out of the administration of relief.

Again, if I may refer to the tables I have before me, if you will take the tables that appear in all of the reports that have been put out on relief, you will find that there has been a steadily mounting cost of relief, not only in the total amount but in the average appropriation or the average grant per case, in the cost of administration, and so forth except that which has happened in the last couple of months.

The gentleman from York has made a great deal of the fact that eight hundred thousand dollars was returned or was saved by the Board and was available for appropriation. Well, I would like again to call his attention to some figures that I gave to this House the other day when I told you that on April 1, the Relief Administration had in the State Treasury and in the district offices about fifteen million nine hundred and twenty-four thousand dollars, that if you took the budget for the month of April of seven million three hundred seventy thousand dollars, they had on the first of May eight million six hundred thousand dollars approximately, and yet they came in here and asked for three million six hundred thousand dollars, which gave them over twelve million dollars on hand at the first of May, and if their budget for the first of May was approximately seven million dollars, they have about five million dollars on hand, less of course whatever committments they may have had in between times, so that I think that the eight hundred thousand dollars is not a saving by the Board but is an accumulation of money that has been in hand, which it has been very difficult to check and get any determination of until this time.

Now, the difficulty in this whole relief proposition is this: the trouble with our friends on the other side of this House and a lot of other people that I hear talking here and there is that the minute you mention relief, they think that you are attacking the helpless and the poor, that you are attacking, as my friend from Northampton would say, the starving babies, the poor starving people in the State, and he will drag those dead bodies up and down the aisles of the hall of this House in order to create the impression that we on this side of the House are hard-hearted, reactionary, horse and buggy Republicans, who have no sympathy for anybody else.

The chief trouble with this whole relief problem I submit, is this: the vast majority of people on relief, and I think it will be borne out, are people who are not entirely without means of support, and if you could take off the chiselers, if you could take out the ones who are not entitled to relief and we all know of the reports, the gentleman from Philadelphia would immediately arise after I am through and say that of course every time you hear of one of those cases, it is repeated one hundred-fold, so that one case becomes one hundred cases, but there are enough of those cases, and it has been shown and proven time after time that there are a lot of chiselers on relief.

In the second place, we know under this subsistence budget there are families on relief that are getting more money today than they ever earned in their history, that there are families on relief today whose subsistence is at a higher standard than it has ever been in the history of their lives, and the people who are administering relief do not deny that. They say that they want to raise the standard of subsistence of these people, that they are entitled to a higher standard of living than they have had at any other time, that they are entitled to a better standard.

Now, I think everyone of us here today believe they are entitled to a better standard of living. I have heard it mentioned here and there that I am out of sympathy with these people, but I want to say that I live close to a lot of them, and a large number of them come to my door, to my office, as they come to anyone who is a member of the Legislature or in political life, and I have not only relied upon my own knowledge of these things but I have made some private investigations of my own, and I can not see where there is any obligation upon the taxpayers of Pennsylvania, when we are now increasing the tax levy in Pennsylvania, and are increasing our general fund appropriations over two hundred percent by reason of our welfare and other appropriations—I can see no obligation upon the taxpayers of Pennsylvania to raise the standards of living of our people at this time by the expenditure of money from the public coffers. I believe that we owe it to the people who are out of employment, I believe we owe it to the decent, respectable people of Pennsylvania, many of whom are making such a terriffic, heroic struggle to get along—we owe them that which they need to carry on—yes—and I don't believe that they should have to help a lot of people who

are unwilling to work, to help a lot of people who are taking advantage of this situation, that they should have to pay them the increased amounts of money that this record sets forth. I believe that when the people of Pennsylvania fully understand what this relief problem means, I believe that when they understand that they could receive a greater amount of support if they would get rid of these people who are not entitled to relief, when they understand that problem and the problem of the subsistence budget, upon which we expect people to live, that the people who are without means of relief are really the people for whom we started to make appropriations in Pennsylvania under the first Talbot Act—I want to say that when they understand that they will sweep this whole relief problem either out of the door and off the boards or into something else or they will take it over in an entirely different way. We have come to the crossroads in this session. If you will check up the figures of our general fund appropriations made in the last session of 1935, when some two hundred and forty-five or two hundred and forty-nine million dollars was appropriated, you will see that Education takes eighty-five million dollars, you will see that Welfare takes fifty-nine million dollars, you will see that unemployment relief takes sixty million dollars, that judicial expenditures take about five million dollars and the Legislature a million and a half, and you will find that there is only about thirty-five million dollars out of the whole two hundred and forty-five million dollars expended by the State that went to the general operation of the government of the State, and now they are heaping other burdens upon business, upon the taxpayers, upon the home owners and all individuals in Pennsylvania for relief. No one is going to complain about expenditures for relief when they are proper expenditures, no one is going to deny relief to those persons without means of support, without means to get along, no one is going to deny them, and we stand here ready to fight for them the same as anybody else, but we are not going to see this thing continue, this incurring expenditures to the point where the people of Pennsylvania will not be able to bear it much further.

Mr. VAN SICKLE. Mr. Speaker and members of the House,

(Expunged on motion of Mr. Van Sickle.)

MOTION TO EXPUNGE

Mr. WITKIN. Mr. Speaker, I move that the remarks of the gentleman from Northampton, which made reference to the gentleman from Delaware as being well fed and making a joke out of the relief situation, be expunged from the record, because the gentleman from Delaware did not make a joke out of it, but gave a very constructive and serious talk on the subject. Whether or not the gentleman from Delaware is well fed is none of the business of the gentleman from Northampton.

The SPEAKER. For the information of the gentleman from Philadelphia, a motion to expunge is not in order at this time, but must be made after the gentleman from Northampton has finished his remarks. The gentleman from Northampton will proceed.

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, will state his point of order.

Mr. WITKIN. I ask the Speaker to direct the gentleman from Northampton, Mr. Van Sickle, in his debate, to make no personal attack upon any member of this House.

The SPEAKER. For the information of the gentleman from Northampton and the other members of the House, personal reflections on any member are prohibited according to the rules. I believe the gentleman from Northampton understands that and will conduct himself accordingly in the rest of his remarks. The gentleman from Northampton will proceed.

Mr. VAN SICKLE. Mr. Speaker and members of the House, I did not say that the gentleman from Delaware was well fed and made a joke of this proposition. I simply said that a man as well fed as the gentleman from Delaware should not make a joke out of the proposition. We have an old Dutch saying, "When a shoe fits it is generally pulled on.

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, my point of order is that the gentleman from Northampton evidently does not know what the Speaker stated he should know, that is, he should not make any personal attacks upon any of the members. He is repeating a personal attack that he started to make, and which I ask to be expunged from the record, and I now ask the gentleman from Northampton to conduct himself in accordance with the ruling of the Chair and to refrain from making any personal attack.

The SPEAKER. The Chair has already ruled that personal reflections are not permitted either directly or indirectly.

Mr. VAN SICKLE. Mr. Speaker and members of the House, I will not use the name of any man as an example, but I will say that in this relation take any man in this Assembly who pays a room at the Penn-Harris or the Harrisburger of —

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, will state his point of order.

Mr. WITKIN. Mr. Speaker, it is none of the business of the gentleman from Northampton, Mr. Van Sickle, whether we live at the Penn-Harris or whether we live at the Harrisburger, for we do pay our rent on this side. I object to his remarks to any member of the House, whether it be the gentleman from Delaware or not, as to where we live or what we say or what we do, and I ask the Speaker, because apparently the Speaker's request has not been complied with, to direct the gentleman from Northampton to conduct his arguments in a gentlemanly fashion and not resort to the gutter in order to make his argument.

The SPEAKER. For the information of the members of the House the Chair wishes to read rule 63:

"When a member is about to speak in debate, or to communicate any matter to the House, he shall rise, and respectfully address himself to 'Mr Speaker,' confining his remarks to the subject before the House, and avoiding personal reflections."

The gentleman from Northampton will proceed.

Mr. VAN SICKLE. Mr. Speaker and members of the

House, we must consider that in the State of Pennsylvania there are different conditions, and any man who lives at the Penn-Harris or the Harrisburger and pays the sum of three dollars per night—

The SPEAKER. The Chair feels that the gentleman should confine his remarks to the question before the House.

Mr. VAN SICKLE. Mr. Speaker, if the Chair will bear with me for just a moment, I believe that he will see that my remarks are proper, and if I am permitted to speak without incessant interruption, I believe the Chair will agree that I am in order.

Mr. Speaker and members of the House, as I said, in the State of Pennsylvania there are varying conditions, and I am glad that there are people in the State of Pennsylvania who can afford to pay three dollars a night at one of our hotel rooms. The only thing we ask is that a family of four be permitted to receive six dollars and seventy cents a week to exist. My friends, in order to have that existence they must have the necessary money appropriated to the State Emergency Relief Board. I am not here to drag anyone up from the gutter or down to the gutter, but I am here to say, as a decent American citizen, I want everyone else to have a decent American living standard. If that means dragging the gutter in, then I will drag the gutter in.

My friends, there is no need of all this debate, and I dislike to take up your time on the matter. Last night rather personal remarks were made about practically every member of the Democratic Party. However, we are big enough to take it. If it is the truth, all right. If it is not the truth, then it won't harm us, because I remember that old sign what said, "Never explain because your friends don't need it and your enemies don't believe it." Allow them to say anything. If it is the truth we need it; if it is not the truth it won't hurt us. I think it will be well for the other side to take that into consideration in these debates. Let us stop the talk. I will conlude my remarks. What we want is some action.

QUESTION OF INFORMATION

Mr. WITKIN. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, will state his question of information.

Mr. WITKIN. Mr. Speaker, during the preceding debate I made a motion to the Speaker to expunge certain remarks from the record. I now seek recognition in order to make that motion unless I can make it subsequent to the Chair recognizing any other person or member of the House.

Mr. Speaker, if I may, I yield to the gentleman from Philadelphia, Mr. Shepard.

The SPEAKER. For the information of the gentleman from Philadelphia, a motion to expunge can only be considered after the amendment and the resolution before the House has been finally disposed of. The gentleman from Philadelphia, Mr. Shepard will proceed.

Mr. SHEPARD. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware, Mr. Turner, permit himself to be interrogated.

Mr. TURNER. I will, Mr. Speaker.

Mr. SHEPARD. Mr. Speaker, I would like to ask the gentleman from Delaware if in his investigation of relief cases, and so forth, which he has intimated in his remarks he has made, he has discovered any chiselers on relief, that is, people who were on relief, who should not have been there.

Mr. TURNER. Mr. Speaker, the gentleman from Philadelphia is very ardoit. I think I know where he is trying to go and where he is trying to lead me. I did not say that I had investigated cases on relief. I said I had some investigation of my own. If I had investigated a case and learned that anyone was a chiseler I would have most certainly reproted it to the Relief Administration immediately.

Mr. SHEPARD. Mr. Speaker, then, of course, I shall understand from that that the gentleman does not know that there are chiselers on relief,—he doesn't know of any.

Mr. TURNER. Mr. Speaker, I say that I know that there are chiselers on relief. If you mean, do I know of a specific person who is a chiseler on relief, I would say I don't know the name of that person.

Mr. DENT. Mr. Speaker and members of the House, we have listened for the better part of a month to argument pro and con upon resolutions dealing with relief. Most of the time which has been taken up in argument is in reference to so-called chiselers and high administrative costs. It is admitted by the opposite side of the House that there are chiselers on relief. In order to eliminate chiselers you must have investigators; in order to eliminate chiselers you must have men for supervision; in order to have supervision and investigations you must have high administrative costs. In one breath you ask us to increase the cost of administration, and in the other breath you accuse us of having chiseled. We cannot possibly with any other organization, eliminate the evils of that organization if it doesn't have proper supervision and investigation, and in order to have that you must admit that we have got to have high administration costs. I might take at this time the opportunity to teach my dear friend from Delaware a little logic in regard to the higher cost of relief to the family, as he has found it opportune at this time to attack the increased cost. I might say to him that some families have been without visible means of support for a period of five years. We all understand that at the beginning those families had a reserve in the way of clothing and other supplies, which have gone by the way. We understand that the families at that time, at the beginning of relief, when the cost of relief was so low, probably had a pair of shoes, with a good pair of soles, but those shoes have worn out in five years. We must give some consideration to that item. The increased cost of relief is brought about simply through the increased cost of material, by the people on relief. You cannot go into a family, just as Mr. Van Sickle has pointed out to you, with six dollars and twenty-five cents for a family of four, and state on the floor of the House that they are living to a better living standard than they ever lived before. I do not believe that any family that is trying to keep itself within the respect of all of its neighbors could possibly live at a better standard on such a low rate. I do not think that there is anything in this argument other than trying to make political fodder. Whether on one side or the other makes no difference. It depends on whom you are listening to. I am not so much interested and do not know much about the figures. But I do know that when we insinuate that there are thousands of people in the State of Pennsylvania who won't work, I believe, in my own opinion, it is unfair and untruthful, because you heard the spokes-

men of the unemployed themselves state that they want work and not relief. I have never yet in my little experience in the investigation of relief in Westmoreland County, found anybody who would rather accept a relief dole or a charitable dole given by the Government, than take a job. I think if the gentleman from Delaware will kindly go back and make a real investigation of the relief cases he will find that ninety-nine percent of the cases that he himself has investigated will take a job in preference to accepting a relief dole. I do not believe that this question needs further threshing out. You may not agree with the increased cost, but don't let us drag the people of Pennsylvania before us time after time and week after week, with the same arguments which are of no avail, inasmuch as they must eat, and we in our responsible positions must feed them.

Mr. TURNER. Mr. Speaker and members of the House, I apologize for rising again to speak on this question, but I feel so strongly that the gentlemen on the other side of the House and the people of Pennsylvania in general do not understand the issue, and my two friends who have just spoken have demonstrated that they do not understand the problem. I would like to say that I have talked to Dr. De Schweinitz and he understands the problem, he knows the issue and he knows where the line should be drawn. He differs with me but he doesn't accuse me of wanting to deprive people who are entitled to relief of relief. He differs as to the degree. I have tried to bring home to you,—I don't know why you stand up and always try to defend this thing,—if there was any way of reducing the cost, you men on the other side of the House ought to be for it. In the 1935 session I remember you men running up and down the aisles of this House decrying the terrible conditions that existed in relief. I remember that almost everyone of you had a resolution to investigate relief in your own county. I have before me an excerpt of the committee in Westmoreland County, with a recommendation made by the gentleman from Westmoreland, Mr. Dent, to cut down the cost of administration, and speaks of ways of reducing this so-called chiseling. I think you fellows ought to be behind this thing and not against it. If you believe that six million dollars are necessary, and I don't blame you for wanting six million dollars, but why go out and throw bricks and stones at the rest of us and try to accuse us of being overfed and unsympathetic. In that respect, I think there is no better example than the gentleman from Northampton, Mr. Van Sickle himself.

I say we should approach this thing sanely and sensibly. This is not a political issue. Why should the Democratic Party take upon its shoulders to bear the burden of the cost of relief in Pennsylvania and to maintain the high cost. You have already retreated from a position that you took in March. You were then talking about nine million dollars for monthly relief you cut it down to seven million four hundred thousand dollars, and now you cut it down to something below seven million dollars per month, and you will undoubtedly keep on cutting it down, and yet all the time you are battling to keep it up. I don't understand that. The issue here is not that we do not intend to give to those who are without support, those who need it, we ought to give them more than they are now getting under these schedules, and they could get it, as I have tried to tell you, if you will change the relief policy. But you can't change the relief policy and I have this from one who has investigated and who has been in a position to know from working in relief since it was started,—you can't change the policy when the policy of the people at the head of relief is, "Here is a lot of money in the basket. Come and get it all ye who will." You can't get people off these relief rolls and cut down the chiselers and the people who don't belong there if you are going to say to the people, "If you can't get as much on WPA as you can get on relief, don't go to work on WPA." You cannot get people off these rolls, you cannot get people who deserve to be off the rolls, if they know they can earn a little more and get a handout and get more per week than they ever earned before. The contention I am trying to make and I am trying to put across to you on the other side of the House, because we have to have your votes on this measure—I am trying to prove that if you will take these people off you can give the deserving people for whom the heart the gentleman from Northampton bleeds so easily, you can give them more money and more subsistence than they are now getting, you can give them more clothing and shoes than they are now getting. You can take the rest off and you can save the taxpayers a lot of money.

Mr. COHEN. Mr. Speaker and members of the House, since the gentleman from Delaware requests a sane, deliberate consideration of this problem and since he has accused this side of the House of missing the point, I want to call to his attention one very salient point that the gentleman from Delaware has missed, namely, that this House is not committing itself by this resolution to a specific time appropriation. We are only transferring to the State Emergency Relief Board these funds beginning from the first of June to last until they are exhausted. It is not a question of six million nine hundred thousand dollars for the month of June or a question of five million five hundred thousand dollars for the month of June, as the gentleman from Delaware suggests. This resolution merely transfers these moneys to the State Emergency Relief Board for their use until they are exhausted.

How has the State Emergency Relief Board conducted itself since January, 1935, with the advent of the Democratic Administration? I just ask you to pay attention to these figures. In January, 1935, there was a total number of relief recipients on the relief rolls amounting to one million six hundred seventy-eight thousand three hundred seventy-seven. In March of 1936 there was six hundred and fifty thousand eight hundred and thirty-eight. The total amount expended including administration, and so forth, in the month of January, 1935 was $21,541,184.28. In the month of March, 1936, that amount was reduced from a high of twenty-one and a half millions to $7,397,886.84, and if you will indulge in a little mathematical computation, if you will divide the number that were on relief in January of 1935 into the amount of money that was spent for relief in January of 1935, you will find that there was expended $12.85 per person, for the individual on relief in January, 1935, and if you will again make a mathmetical calculation and divide the six hundred and fifty thousand in March of 1936 into the amount expended in March of 1936, you will find that there was expended, including administration and all costs, the sum of $11.37 per person.

Now I again wish to impress upon the membership of this House that it shows a gradual decline, it shows a

decline in the number of employes for administration from a high of fourteen thousand down to March of seven thousand three hundred twenty-five—almost a fifty percent decrease in the number of employes administering unemployment relief. You will find the cost of administration falling from January 1935 from one million four hundred thousand dollars plus down to March of 1936 of eight hundred and ninety-two thousand. You see that gradual decrease occuring in the administration of relief, and it is further indicative of the fact that when the State Emergency Relief Board had available eight hundred forty-five thousand dollars for expenditures, they didn't go and spend it.

I again wish to impress upon this House that if you will read the resolve clause, the resolve clause on page 1 and the two resolve clauses on page 2 and ending with page 3, you will find that this money is transferred to the State Emergency Relief Board, and that there is no time limitation, no time limitation whatsoever on the expenditure of the money, although one of the whereas clauses might indicate that the money is for June of 1936. Nevertheless the appropriation is governed by the resolve clause and the money that you appropriate will not necessarily be expended for June unless it is necessary, and will continue to remain in the coffers of the State Emergency Relief Board until that amount is expended and until we make the required appropriations from the new tax bills that are being passed to care for unemployment relief until the end of January, 1937.

Mr. TURNER. Mr. Speaker.

POINT OF ORDER

Mr. BURKE. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. BURKE. Mr. Speaker, the gentleman has already spoken three times on the question.

The SPEAKER. Under the rules, no member is permitted to speak more than two times on any subject before the House. Does the gentleman from Philadelphia, Mr. Burke, press his point of order?

Mr. BURKE. I do, Mr. Speaker.

Mr. WICKERSHAM. Mr. Speaker, I yield to the gentleman from Delaware, Mr. Turner.

Mr. TURNER. Mr. Speaker.

The SPEAKER. The gentleman from Dauphin, Mr. Wickersham, yields to the gentleman from Delaware, Mr. Turner.

Mr. TUMELTY. I move the previous question, Mr. Speaker.

The SPEAKER. The motion for the previous question has not been properly seconded.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Delaware, Mr. Turner, will state his point of order.

Mr. TURNER. Mr. Speaker, I was on the floor and had the floor at the time the motion for the previous question was made. I thank the gentleman from Philadelphia for withdrawing his motion. I do not want to take the time to make a speech but merely desire to correct the statement made by the gentleman from York, Mr. Cohen, in which he said there were twenty-one million dollars for relief in January, 1935, which is correct, but eleven million dollars of that was on direct relief and eight million two hundred sixty-three thousand on work relief. The percentage for administration for that month was 6.84 percent. The number of cases in that month on direct relief was three hundred twenty-two thousand nine hundred and twenty-two and the average weekly grant was $7.38. The average number of cases on work relief was one hundred nine thousand. In the month to which he refers—January of 1936—the percentage of administration in that month, the amount spent was seven million four hundred twenty-nine thousand by direct relief and no work relief and the percentage of administration was 11.84 as against 6.84 mentioned above, and the number of cases was two hundred and six thousand seven hundred and twenty-eight as against three hundred twenty-two thousand plus one hundred and nine, the relief cases were almost half as many. The percentage of cost was almost twice as much for administration.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. TURNER and Mr. J. W. PATTERSON.

Mr. WITKIN. Mr. Speaker, if it is in order I ask for a verification of the affirmative roll.

The SPEAKER. The entire roll will have to be verified.

The roll was verified and was as follows:

YEAS—85

Altenburg,	Habbyshaw,	Nothnagle,	Stewart,
Atkins,	Hamilton, R. S.,	Panton,	Stockham,
Baker, F. T.,	Hefferon,	Parks,	Stott,
Baldi,	Hermansen,	Peters,	Surface,
Barnhardt,	Hoffner,	Phillips,	Sweeney,
Beadman,	Horst,	Reynolds,	Tahl,
Bernhard,	Jackson,	Rhys,	Terry,
Blumberg,	Jones,	Roan,	Trout,
Boose,	Kane,	Rooney,	Turner,
Boyd, R.,	Kelder,	Root,	VanAllsburg,
Boyer,	Kenney,	Royer,	Wall,
Brennan,	Linderman,	Schrock,	Wasserman,
Carr,	Longaker,	Serrill,	Weidemann,
Castor,	Mallen,	Shortz,	White,
Condon,	Mason,	Shreiner,	Wickersham,
Cooper,	McCreary,	Simpson,	Winner,
Cordier,	McDevitt,	Sloan,	Witkin,
Davies,	McKinney,	Snyder, F. E.,	Wood,
Duffort,	Merrell,	Snyder, J. L.,	Woodside,
Forrest,	Moore,	Sowers,	Yeakel,
Gillette,	Muir,	Sproul,	Zimmerman,
Greenstein,			

NAYS—114

Achterman,	Dilley,	Kobelak,	Robinson,
Alexander,	Downey, G. E.,	LaRue,	Sarraf,
Allen,	Downey, J. J.,	Long,	Scanlon,
Andrews,	Eberharter,	Lovett,	Schaeffer,
Anthony,	Eroe,	Lynch,	Schrope,
Arnold,	Falkenstein,	Male,	Schwab,
Aukerman,	Ferko,	McDermo,	Shaw,
Baine,	Finnerty,	McElroy,	Shepard,
Baker, J. J.,	Fitch,	Melchiorre,	Shugarts,
Barber,	Flanagan,	Mentzer,	Siegel,
Bradley,	Flinchbaugh,	Moomaw,	Simon,
Brancato,	Gates,	Mooney,	Sinwell,
Brown, H. S.,	Gerard,	Moran,	Smith, W. G.,
Brown, J. E.,	Haberlen,	Moul,	Stank,
Brownfield,	Hagerty,	Munley,	Stevens,
Brumbaugh,	Haluska,	Murrin,	Stone,
Burke,	Hamilton, F. P.,	Nagel,	Sumney,
Cannon,	Harkins,	O'Keefe,	Tronzo,
Caputo,	Harmuth,	Ominsky,	Tumelty,
Carson,	Hartman,	O'Neill,	VanSickle,
Chervenak,	Hetrick,	Patterson, Cliff,	Weiss,
Coakley,	Hindman,	Patterson, J. W.,	Welliver,
Cochran,	Hirsch,	Pearson,	Welsh,
Cohen,	Holland,	Pfaff,	Westrick,
Coleman,	Holstrom,	Piole,	Yourishin,
Coolahan,	Kelso,	Powers,	Zappala,
Decker,	Kilroy,	Reising,	Furman,
Dent,	Kinney,	Rinn,	Speaker
Diehl,	Klingler,		

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House adopt the resolution?

Mr. WITKIN. Mr. Speaker, may I make a motion to expunge at this time?

The SPEAKER. The gentleman is not in order at this time.

The yeas and nays were required by Mr. J. W. PATTERSON and Mr. AUKERMAN.

The roll was called by the Clerk.

Mr. OMINSKY. Mr. Speaker, how is the gentleman from Delaware, Mr. Turner, recorded as voting?

The SPEAKER. The gentleman is recorded as voting "no."

Mr. OMINSKY. Mr. Speaker, how is the gentleman from Philadelphia Mr. Sowers, recorded as voting?

The SPEAKER. The gentleman is recorded as voting "aye,"

Mr. OMINSKY. Mr. Speaker, how is the gentleman from Philadelphia, Mr. Blumberg, recorded as voting?

The SPEAKER. The gentleman is recorded as voting "aye."

Mr. SOWERS. Mr. Speaker, how is the gentleman from Philadelphia, Mr. Ominsky recorded as voting?

The SPEAKER. The gentleman is recorded as voting "aye."

YEAS—174

Achterman,	Dent,	Long,	Scanlon,
Alexander,	Diehl,	Longaker,	Schaeffer,
Allen,	Dilley,	Lovett,	Schrock,
Andrews,	Downey, G. E.,	Lynch,	Schrope,
Anthony,	Downey, J. J.,	Male,	Schwab,
Arnold,	Eberharter,	Mallen,	Serrill,
Atkins,	Eroe,	Mason,	Shaw,
Aukerman,	Falkenstein,	McCreary,	Shepard,
Baine,	Ferko,	McDermott,	Shortz,
Baker, F. T.,	Finnerty,	McDevitt,	Shreiner,
Baker, J. J.,	Fitch,	McElroy,	Shugarts,
Baldi,	Flanagan,	McHenry,	Siegel,
Barber,	Flinchbaugh,	Melchiorre,	Simon,
Barnhardt,	Forrest,	Mentzer,	Sinwell,
Beadman,	Gerard,	Moomaw,	Smith, J. A.,
Bernhard,	Gillette,	Mooney,	Smith, W. G.,
Blumberg,	Greenstein,	Moore,	Sowers,
Boose,	Haberlen,	Moran,	Sproul,
Boyd, R.,	Hagerty,	Moul,	Stank,
Boyer,	Haluska,	Munley,	Stevens,
Bradley,	Hamilton, F. P.	Murrin,	Stewart,
Brancato,	Hamilton, R. S.,	Nagel,	Stockham,
Brennan,	Harkins,	O'Keefe,	Stone,
Brown, H. S.,	Harmuth,	Ominsky,	Stott,
Brown, J. E.,	Hartman,	O'Neill,	Sumney,
Brownfield,	Hefferon,	Panton,	Surface,
Brumbaugh,	Hermansen,	Patterson, C.,	Tahl,
Burke,	Hetrick,	Patterson, J. W.,	Tronzo,
Cannon,	Hindman,	Pearson,	Tumelty,
Caputo,	Hirsch,	Pfaff,	VanAllsburg,
Carr,	Hoffner,	Phillips,	Van Sickle,
Carson,	Holland,	Piole,	Wasserman,
Castor,	Holstrom,	Powers,	Weiss,
Chervenak,	Horst,	Reising,	Welliver,
Coakley,	Jones,	Reynolds,	Welsh,
Cochran,	Kelder,	Rhys,	Westrick,
Cohen,	Kelso,	Rinn,	Witkin,
Coleman,	Kenney,	Roan,	Yeakel,
Conlon,	Kilroy,	Robinson,	Yourishin,
Coolahan,	Kinney,	Rooney,	Zappala,
Cooper	Klingler,	Root,	Zimmerman,
Cordier,	Kobelak,	Ruffennach,	Furman,
Davies,	LaRue,	Sarraf,	Speaker
Decker,			

NAYS—24

Gates,	Merrell,	Snyder, J. L.,	Weidemann,
Hershyshaw	Muir,	Sweeney,	White,
Jackson,	Peters,	Terry,	Wickersham
Kane	Royer,	Trout,	Winner,
Lineman,	Simpson,	Turner,	Wood,
McKinney,	Snyder, F. E.,	Wall,	Woodside,

So the question was determined in the affirmative and the resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE ON RESOLUTION NO. 14

Mr. GATES offered the following reason for his vote:

I voted "No" on this Resolution for the following reasons:

1. I have consistently voted against the transfer of Motor License Fund for any purpose.

2. I have already during this Session voted for bills which will give over $60,000,000 for Relief and will vote for other bills which see that no man, woman or child shall suffer in any way, due to unemployment.

Mr. KANE filed the following reason for his vote:

I will not vote for resolutions to transfer money out of the motor funds.

I will vote adequate tax and relief measures, but I am against voting special funds continually on the grounds of emergency. The special session was talked of for nearly a year by the Administration and there is no reason why an adequate and carefully prepared legislative program should not have been before us to provide money without transfer of motor funds.

Mr. TERRY filed the following reason for his vote:

Reason: taking funds from Motor Funds.

MOTION TO EXPUNGE

Mr. WITKIN. Mr. Speaker and members of the House, the gentleman from Northampton, I do not think, intended to say that which the record shows clearly he did say. The stenographer's record reports the gentleman from Northampton saying as follows: These remarks on motion of Mr. Van Sickle were expunged from the record.

In the belief that the gentleman from Northampton did not intend any personal reflection on the gentleman from Delaware, I move that those remarks be expunged from the record, in fairness to the gentleman from Delaware, Mr. Turner, who argued the subject matter of relief situation ably and capably, never intended to make a joke out of the relief situation. I ask the gentleman from Northampton, Mr. Van Sickle to agree that the remarks be expunged from the record.

Mr. VAN SICKLE. Mr. Speaker and members of the House, it being so unusual to find a politician so sensitive to what has been said about him, if the gentleman from Delaware feels that there was any personal reference in my remarks, if the gentleman from Philadelphia will withdraw his motion, I will make a motion to have that portion stricken from the record.

QUESTION OF PERSONAL PRIVILEGE

Mr. TURNER. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman from Delaware, Mr. Turner, will state his question of personal privilege.

Mr. TURNER. Mr. Speaker, I have no feeling in the matter whatsoever. What is said about me in debate at any time in this House makes no difference to me. I always try to debate matters entirely upon the basis of trying to stick with the question, trying to have the facts, and trying to base my argument upon logic. I, therefore, am not offended in any way. I think the question is entirely up to the gentleman from Northampton. He should have a proper sense of propriety. If he does not feel that that sense of

propriety has been in any way involved, if he does not feel that he has transgressed, then I certainly would in no way ask him to withdraw his remarks. However, I will say that if I were in the position of the gentleman from Northampton, if a gentleman from this side of the House felt that the remarks did transgress, I would certainly withdraw them, because in that generous gesture you can not in any way be hurt.

The SPEAKER. The remarks of the gentleman upon the question of personal privilege will be spread upon the journal.

REMARKS EXPUNGED FROM RECORD

Mr. VAN SICKLE. Mr. Speaker, I am delighted to extend that generous and kindly feeling towards the gentleman from Delaware, Mr. Turner, and I move that that portion of the remarks quoted be expunged from the record.

On the question,

Will the House agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TUMELTY. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TUMELTY. Mr. Speaker, due to the fact that this motion has been made orally, can I amend it orally?

The SPEAKER. The gentleman is in order provided he only changes—

Mr. TUMELTY. Mr. Speaker, I have no intention to kill the motion with the amendment. If you will let me state my amendment maybe you can rule better on it.

The SPEAKER. The Chair will listen to the gentleman from Philadelphia, Mr. Tumelty.

Mr. TUMELTY. Mr. Speaker, I would like to amend the motion of the gentleman from Northampton, Mr. Van Sickle, to include the remarks, made by the gentleman from Philadelphia, Mr. Witkin, in which he practically said that the Democrats do not pay their bills, when he said they (the Republicans) do pay their bills. I move that that also be expunged from the record.

Mr. WITKIN. Mr. Speaker, I second the amendment.

On the question,

Will the House agree to the motion as amended?

It was agreed to.

RESOLUTION NO. 8

Mr. JOHN E. BROWN. Mr. Speaker, I desire to call up at this time Resolution No. 8, Printer's No. 49.

The resolution was read by the Clerks as follows:

In the House of Representatives, May 12, 1936.

Whereas, The primary purpose of the appropriations for unemployment relief is to care for residents of this Commonwealth who are unemployed and without means of support; and

Whereas, The money expended for administration come from the moneys appropriated for unemployment relief; therefore be it

Resolved, That the Executive Director of the State Emergency Relief Board be directed to furnish to the House of Representatives, as early as possible, a list of the employes of the State Emergency Relief Board, including those employed in counties and districts, (a) whose residence at the time of appointment was outside Pennsylvania (b) the home address of such persons, (c) the positions they fill, (d) the length of time they have been employed, and (e) the compensation to each, averaged monthly.

Resolved, That a copy of this resolution be transmitted to the Executive Director of the State Emergency Relief Board by the Chief Clerk of this House.

On the question,

Will the House adopt the resolution?

MOTION TO RECOMMIT

Mr. EBERHARTER. Mr. Speaker, I move that this resolution be recommitted to the Committee on Appropriations for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. JOHN E. BROWN. I think, Mr. Speaker, that the motion to refer this to the committee for further study is somewhat of a reflection on the intelligence of this House, as the resolution itself is very short, and I think that anyone even out of the fourth grade in school could read the resolution and would easily understand it. The purpose of the resolution is only to knock out some of the rough spots off the administration of relief. It is not a political question at all. As the relief is set up in Pennsylvania both parties will have to take some credit for that. Of course we make mistakes, people always make mistakes, parties make mistakes, and it is only for the purpose of correcting some of those mistakes that I have introduced this resolution. I ask you to vote against the motion to recommit.

Mr. EBERHARTER. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Witkin.

Mr. WITKIN. Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Eberharter.

Mr. EBERHARTER. Mr. Speaker and members of the House, this resolution, from its language, would evidently require the furnishing by the Relief Director of an immense amount of data. It would either require the employment of a large number of persons to assemble the data asked for in the resolution, or else require the taking off from regular work some of the employes of the Department. I believe inasmuch as there has been a good deal of criticism of the administration expenses of the Emergency Relief Administration, that this matter should be duly considered by the Committee on Appropriations.

I therefore ask the members to vote to recommit it to the Committee on Appropriations.

Mr. WITKIN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Eberharter.

The SPEAKER. Will the gentleman from Allegheny, Mr. Eberharter, permit himself to be interrogated?

Mr. EBERHARTER. I will Mr. Speaker.

Mr. WITKIN. Mr. Speaker, do I understand the gentleman from Allegheny to say that the adoption of this resolution would require the gathering together of a great and vast amount of data on the part of the State Emergency Relief Board?

Mr. EBERHARTER. Mr. Speaker, the assembling of the data would require an immense amount of work.

Mr. WITKIN. Mr. Speaker, in other words I take it that the gentleman from Allegheny means that if the resolution were adopted and the State Emergency Relief Board were required to give us the information that it would require a great deal of work on their part?

Mr. EBERHARTER. Mr. Speaker, that is correct.

Mr. WITKIN. Mr. Speaker, may I ask the gentleman from Allegheny if he is familiar with the fact that the only thing this resolution calls for is the names of those persons whose residence at the time of appointment was outside of Pennsylvania, and if that is so, does the gentleman still believe that that requires a vast amount of data?

Mr. EBERHARTER. I am still of that opinion, Mr. Speaker. The Emergency Relief Board employees or outside help brought in, would of necessity be required to go over every application of every employe, and perhaps a good many of those applications do not state on their face whether or not the employe was originally outside of the State at the time of his employment. You will notice that there was no time specified. Some of these emergency relief employes have probably been on the payroll for five years, and that question may not have been entered on the application. The Emergency Relief Board would then be under the necessity of making inquiries of the employes.

Mr. WITKIN. Mr. Speaker, may I ask if the gentleman from Allegheny is not of the opinion that we ought to know the number of persons who came from outside of Pennsylvania, and who possibly if they were appointed from outside of Pennsylvania, are still outside of Pennsylvania, and that it is an important matter for this Commonwealth to know how many persons whose home address in Section B is other than the State of Pennsylvania's today?

Mr. Speaker, I am perfectly satisfied to have the gentleman from Westmoreland, Mr. Mentzer, answer the question.

The SPEAKER. The gentleman is interrogating the gentleman from Allegheny, Mr. Eberharter.

Mr. EBERHARTER. Mr. Speaker, will the gentleman from Philadelphia kindly repeat his question?

Mr. WITKIN. Mr. Speaker, I could not do that. We will have to ask the stenographer. What I asked is this, does he not think it is of sufficient importance to the Commonwealth of Pennsylvania that the Legislature knows the number of persons who are employed, whether they live inside or outside of Pennsylvania, and that we have their home address,—do you not think that is of vital importance to us?

Mr. EBERHARTER. Mr. Speaker, it might be important in some instances, and may not be important in other instances. For that reason I believe that the Committee on Appropriations should have an opportunity to study this resolution first.

Mr. WITKIN. Mr. Speaker and members of the House, how any one can consistently argue that a thirteen-line resolution that has been in this House since May 12, 1936, requires further study is beyond my power of comprehension. Here is a resolution which simply says that they want to know who the employes of the State Emergency Relief Board are, so that they can get the addresses at the time of appointment, the home addresses, the positions they fill, the length of time they were employed, and so forth. It seems to be very simple. The State Emergency Relief Board undoubtedly has that information. There is no use of telling us that they will have to compile it. They have a list over there in their office which sets forth definitely and specifically who the employes are and where they live, what counties they come from. I am sure that the Secretary of the Commonwealth, my good friend Dave Lawrence, can give us this information, and I suggest that there is no purpose in having this resolution go back to the committee. Let us get the information. For once I am with my Democratic friend, Mr. Brown. When our Democratic friends put forth a good resolution I am with them. We will go along with them and not send it back to committee.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. WITKIN and Mr. JOHN E. BROWN.

The roll was called by the Clerk.

Mr. WITKIN. Mr. Speaker, may I ask how the gentleman from York, Mr. Cohen, the gentleman from Allegheny, Mr. Eberharter, and the gentleman from Philadelphia, Mr. Ominsky, are recorded as having voted?

The SPEAKER. The gentleman from York, Mr. Cohen, is not recorded as voting.

The gentleman from Allegheny, Mr. Eberharter is recorded as voting "aye."

The gentleman from Philadelphia, Mr. Ominsky, did not vote.

Mr. COHEN. Mr. Speaker, I desire to be recorded as voting "aye."

YEAS—7

Brancato,	Chervenak,	Eberharter,	Furman,
Burke,	Dilley,	Mentzer,	

NAYS—178

Achterman,	Falkenstein,	McDermott,	Shugarts,
Alexander,	Ferko,	McDevitt,	Siegel,
Allen,	Finnerty,	McElroy,	Simon,
Anthony,	Fitch,	McKinney,	Simpson,
Arnold,	Flanagan,	Melchiorre,	Sinwell,
Atkins,	Forrest,	Merrell,	Sloan,
Aukerman,	Gates,	Moomaw,	Smith, J. A.,
Baine,	Gillette,	Mooney,	Smith, W. G.,
Baker, F. T.,	Greenstein,	Moore,	Snyder, F. E.,
Baker, J. J.,	Habbyshaw,	Moran,	Snyder, J. L.,
Baldi,	Haberlen,	Moul,	Sowers,
Barnhardt,	Hagerty,	Muir,	Sproul,
Beadman,	Haluska,	Munley,	Stank,
Bernhard,	Hamilton, F. P.	Murrin,	Stevens,
Blumberg,	Hamilton, R. S.,	Nagel,	Stewart,
Boose,	Harkins,	Nothnagle,	Stockham,
Boyd, R.,	Hartman,	O'Keefe,	Stone,
Boyer,	Hefferon,	Panton,	Stott,
Bradley,	Hermansen,	Parks,	Sumney,
Brennan,	Hetrick,	Patterson, C.,	Surface,
Brown, H. S.,	Hindman,	Patterson, J. W.,	Sweeney,
Brown, J. E.,	Hirsch,	Pearson,	Tahl,
Brownfield,	Hoffner,	Peters,	Terry,
Brumbaugh,	Holland,	Pfaff,	Tronzo,
Cannon,	Holstrom	Phillips,	Trout,
Caputo,	Horst,	Piole,	Tumelty,
Carr,	Jackson,	Powers,	Turner,
Carson,	Jones,	Reising,	VanAllsburg,
Castor,	Kane,	Rhys,	VanSickle,
Coakley,	Kelder,	Rinn,	Wall,
Cochran,	Kelso,	Roan,	Wasserman,
Cohen,	Kenney,	Robinson,	Weidemann,
Coleman,	Kilroy,	Rooney,	Welliver,
Condon,	Kinney,	Root,	Welsh,
Coolahan,	Klingler,	Royer,	Westrick,
Cooper,	Kobelak,	Scanlon,	White,
Cordier,	Linderman,	Schaeffer,	Wickersham,
Davies,	Long,	Schrock,	Winner,
Decker,	Longaker,	Schrope,	Witkin,
Dent,	Lovett,	Schwab,	Wood,
Diehl,	Lynch,	Serrill,	Woodside,
Downey, G. E.,	Male,	Shaw,	Yeakel,
Downey, J. J.,	Mallen,	Shepard,	Yourishin,
Duffort,	Mason,	Shortz,	Zimmerman,
Eroe,	McCreary,	Shreiner,	

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House adopt the resolution?
It was adopted.

QUESTION OF PERSONAL PRIVILEGE

Mr. SUMNEY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SUMNEY. Mr. Speaker, I just wish to make some remarks concerning the waste of time, and apropos of this I would just like to relate a little story.

Back in Washington County, the county that produced such statesmen as Mr. Carson, Mr. Patterson, Mr. Hindman and my friend Mr. Brown, during my boyhood there was an old lady whose conversational powers were unlimited. Now we sat here and we listened to Mr. Van Sickle and Mr. Turner doing the Alphonso and Gaston act, and it just struck me that a little story relative to that old lady might do the House some good.

As I said before she was a wonderful conversationalist. She could talk more and say less than anybody we ever know. One day she cornered an old farmer and she talked and she talked and she talked and talked. He tried to get away from her unsuccessfully. Finally, however came his chance, he broke loose and he came back to the crowd and he said, My God! That woman can talk three bushel and if you boil it down three minutes it wouldn't fill a thimble. 'Nough said.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

STATEMENT BY MR. BLUMBERG

Mr. BLUMBERG asked and obtained unanimous consent to make the following statement.

Mr. Speaker, during the past four weeks of this special session, hours and hours of the time of this House have been consumed in debating resolutions, motions, and bills, all, it seems to me, pointing toward one end. That particular purpose is to determine the exact amount of our relief needs for the balance of this year. I desire to call to the attention of the members of the House that six weeks prior to this session a non-partisan committee, a bi-partisan committee met in Harrisburg day and night, to consider, first, the items of the call for this special session, and also to try to approximate the amount of money that would be necessary to take care of our direct relief needs. This committee was unable to determine just as this House finds itself unable to determine what amount will be necessary. The Committee found that the information before it was inadequate, and they had no means of securing the real information that it needed. This House has been moving very slowly, encumbered by hours of debate toward arriving at the same position.

Now, I introduced into this House a Resolution No 12, which on May 14 was referred to the Committee on Judiciary Special. This resolution in the preamble called to the attention of the House the fact that the most important crucial question is the determination of how much we must appropriate for the destitute and needy. This resolution can be found on page 35 of the House History This resolution is by no means political in its nature, and was carefully worded so that nobody can take offense; so that it would not appear as emanating as a personal measure. The resolution requests the State Administrator of WPA to furnish this House six different items of information so that we would be able to determine from thosee figures how many we would have to provide for on direct relief. As you gentlemen know there is a direct connection between the number on WPO and the number on direct relief, and as one goes up the other goes down, and vica versa.

This resolution did not attempt to do what the Senate resolution is now attempting to do. It does not provide for an investigation of WPA; it does not have for its purpose the disclosure and the broad casting of all of the manifest abuses in the administration of WPA, that we have been hearing about and been reading about in the newspapers.

In the last week I asked the Chairman of the Judiciary Special Committee, and I also sent him a letter, calling his attention to the urgency of this information and the necessity of prompt consideration of that resolution and reporting to the House. Last night I was informed that on Wednesday of last week that Committee met, and indefinitely postponed consideration of this House Resolution No. 12. When I inguired the reason for that action, the Chairman told me that the Turner Resolution had been released and the men there thought that the two resolutions were much the same or the same. Nothing could be further from the actual fact. The Turner Resolution which is on the floor of the House merely provides that the Federal Relief Administration will return to Pennsylvania ten million dollars which the State Emergency Relief Board paid to those who took WPA jobs during the time they did not receive their WPA checks. That in substance is all it does.

My resolution, however, requests information in a spirit of cooperation in order to determine how much we shall appropriate for direct relief. Now all of us know from the public press that the Senate Investigating Committee has met with a rebuff from the State Administrator, Mr. Jones, and I just want to call your attention to the concluding paragraph of Mr. Jones' letter to Senator Gelder in connection with the attempted investigation. He says, "In conclusion you may assure your committee that WPA in Pennsylvania would welcome an impartial inquiry, but WPA in Pennsylvania cannot and will not be tried by a fixed jury." It seems to me therefore that the resolution that I produced is most timely and important. If the State Administrator of Pennsylvania has come to the conclusion that the Senate Investigating Committee is a fixed jury, he certainly can find no fault in submitting the information which we request ad seriatin one after the other, because he is not subject to investigation, he is merely giving us information. If that Senate Committee is blocked in its attempt to get information by the attitude of the Administrator, and if our own House Committee is going to prevent my resolution from being considered on the floor of the House, then I say to you that the reason behind it is not an accidental one and is not merely because there was confusion between the two House resolutions. I have the right to assume that some higher power behind the Legislature is dictating what should and what should not be done, in our attempts to arrive at a real figure necessary for relief.

I am not altogether unjustified in coming to that con-

clusion because I have had handed to me photographic copies of letters which were used in the distribution of WPA jobs. While I do not want to trespass too long on the time of the House, I still think that this question being so important and being necessary to a decision before we adjourn, that we ought to analyze and think of just where we are going to go, or whether we are going to stop without getting any information.

I have here a photographic copy of a letter on the stationery of the Democratic City Executive Committee of Philadelphia, addressed to Mr. Herbert McGlinchey, 936 East Geneva St., Philadelphia, which reads:

DEMOCRATIC CITY EXECUTIVE COMMITTEE
409 FRANKLIN TRUST BUILDING
PHILADELPHIA

JOHN B. KELLY, Chairman — JOHN E. SHERIDAN, Secretary

January 20th, 1936.

Mr. Herbert McGlinchey,
936 East Geneva Street,
Philadelphia, Penna.

My dear Mr. McGlinchey:

Will you be good enough to talk to Mr. Schmidt who is in charge of the City Inventory Project and tell him that Mr. Kelly would like to have Mr. Fred P. Buob, Jr., of 1014 West Indiana Avenue, given a position at $125. a month, if this is possible.

Thanking you for your courtesy, I am

Sincerely yours,

s L. B. DuVal
(Mrs. R. L. DuVal),
Secretary to the Chairman

The Mr. Kelly referred to is Mr. John B. Kelly whose name appears on this letter and is Chairman of the Democratic City Executive Committee.

In addition I have another photograph of a letter on the stationery of the Federal Works Progress Administration for the Commonwealth of Pennsylvania addressed to Mr. Henry R. Schmidt, 7th Floor, Board of Education Building, 21st and Parkway, Philadelphia, which reads as follows:

FEDERAL WORKS PROGRESS ADMINISTRATION FOR THE COMMONWEALTH OF PENNSYLVANIA

John H. Rankin, Director,
Districts 4-5

Architects Building, Philadelphia, April 7, 1936.

Mr. Henry R. Schmidt,
7th Floor, Board of Education Building.
21st Street & Parkway,
Philadelphia, Pa.

Dear Mr. Schmidt:

We received your requisitions 24 and 25 this morning and will put them through at once.

I intended to write you before about your last requisition. You will notice that I added one timekeeper, Mr. Samuel Sheridan. He is a general office man and was requisitioned by Harrisburg.

It is necessary for me at times to take care of certain people at the request of the Harrisburg Office and the openings are so very scarce now that I have to watch them closely. As a matter of fact, I am only able to place one out of every five that they send down and they sometimes get upset over it. I hope you will cooperate with me on the few placements I am compelled to make with you.

With kindest personal regards, I remain

Very truly yours,
E. R. YARNELLE,
Supervisor
Division of Employment.

I don't know whether this Samuel Sheridan is or is not related to the John E. Sheridan who appears to be Secretary of the Democratic City Executive Committee of Philadelphia.

Now in addition to that I have a photograph reproduced in one of the newspapers of a letter on the stationery of the United States, Senate Committee on Finance, signed by R. H. Bailey, Secretary to Senator Guffey, which reads as follows:

United States Senate
Committee on Finance

April 13, 1936.

Mr. Thomas M. Kerrane
6202 Baynton Street
Philadelphia, Pennsylvania

Dear Mr. Kerrane:

This will acknowledge the receipt of your letter of April 7th.

Senator Guffey has nothing to do with the filling of positions in the Works Progress Administration in Pennsylvania. This matter is handled entirely by Honorable Edward N. Jones, State Administrator, Works Progress Administration, Harrisburg, Pennsylvania.

I would therefore suggest that you contact your local Democratic leaders with a view to having them recommend your appointment to Mr. Jones who will, I feel sure, give your application and their recommendation every possible consideration.

Sincerely yours,

R. H. BAILEY,
Secretary to Senator Guffey.

Then I have this one further letter, also a newspaper reproduction, dated Philadelphia, Pa., March 14, 1936, as follows:

Philadelphia, Pa., March 14, 1936.

Dear Committeeman:

Contact all houses in your division and get the names of all men on relief, also those holding WPA jobs. Urge them to register Democrat on March 25, or else lose position.

Sincerely yours,

CHARLES McDONALD.

Charles McDonald is the Democratic leader of the Fourteenth Ward. I say to you that I am not altogether unjustified, therefore, in believing that there is some sinister motive behind our failure to get information.

In addition to these letters we have all read in the Press, there are any number of allegations of debauchery or misconceptions in the administration of WPA. In Philadelphia there was a project administrator by the name of Henry R. Schmidt who had charge of the City Inventory project, and he resigned recently. When asked why he made this statement: "Message came to me by letter, telephone, and personal visits asking and begging or ordering me to put persons with political influence to work. Occasionally they were well qualified for the work and I was satisfied to place them on the project. Other times I found that they were unqualified. More than once when interviewing their applicants, I found they could neither read

nor write. I tried to run the project in a businesslike way, showing no political favoritism but my policy did not meet with sympathy. Pressure became increasingly great, personnel problems took nearly all of my time, finally I felt I would have to return to my private business."

Back in December of last year in Pittsburgh at a meeting of WPA foremen and administrators, the public press reported this statement made at that meeting by one of the district superintendents in the presence of Mr. Jones: "I will tell you right now that any WPA worker who is not in sympathy with the WPA program and the Roosevelt Administration will be removed from the payroll in this district as quickly as he can go. I want all you men to report all such cases to me immediately.

I don't want to take up the time of the House to go into all the allegations with reference to this misadministration, except as all of us know that reports have been published that WPA workers have had to pay a political assessment of thre per cent up to twelve hundred dollars and five per cent on accounts in excess of twelve hundred dollars. We have seen the public papers tell us of three people in one family holding WPA jobs, getting a total salary per month of three hundred and forty dollars; in another case three people received a salary of two hundred and sixty dollars; in another case two people received a salary of two hundred dollars. It is not altogether an accident that all these people happen to be registered as Democrats, and if there is any question since some member asked for specific information, I think it was the gentleman from Philadelphia, Mr. Shepherd, about these instances, I will gladly supply him with the names and addresses if he will come to my desk.

These are not isolated instances. This entire situation smells, it smells to high heaven, to the detriment of the people who are entitled to relief and adequate relief. The needs of these people are being prostituted, they are being compelled to pay assessments, they are being kept out of adequate relief because people who are not entitled to relief are on those rolls.

The resolution which I introduced does not attempt to attack the WPA administration, it does not attempt to give publicity to these evils to which I have referred, but it does ask for information which will let us know how many people who are now on WPA do not properly belong there, so that we can take off our direct rolls people who are not entitled to WPA jobs and put them there, either creating a saving to the taxpayers or permitting us to make more adequate and more liberal grants to those who are on relief.

Now, that brings me to the resolution. It is absolutely important that we have this information. We can not get it through the Senate investigating committee because that is a "fixed jury". Are we going to sit here in this House and permit a committee of the House, on so vital a question, on such urgent information, to prevent that resolution from being aired. I personally am not in favor and have never during my long service here in the House been in the habit of making motions to discharge committees. I have on rare occasions, when the issue was very clear cut, and the need extremely great, voted along with the motion to discharge committees. I take it we are now in exactly that position. Unless this resolution reaches the floor, we are being withheld information that is vital, and therefore, I have made these remarks merely as a prelude to introducing a motion to discharge the committee on Judiciary General from further consideration of House Resolution No. 12, Serial No. 14.

STATEMENT BY MR. BURKE

Mr. BURKE asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, there is a connection between the number of persons on relief and the number of persons on WPA, who are taken from the relief rolls. As you gentlemen fully know, there is a requirement that to get a relief job, you must be on relief. The State Emergency Relief Board has been troubled for some time because immediately before a project has been announced or before it has been started, people attempt to get on relief, so that they may get a job.

Now, of course, it is perfectly proper for a member of the House, acting in the capacity of a public official, who might contact the relief people in an attempt to say that a just claim is really right, but I don't think it is really proper, since the relief office is open, for a member of this House to intervene for a person who wants a job by first getting him on the relief rolls.

I wish to call the attention of the members of the House to a copy of a letter which I have here. Before I read this letter, I wish to say it is a copy. As a member of a joint committee to investigate relief, I issued a subpoena for certain letters, and I had very little time to wait for the letters, but I have here copies of those letters. If there is any objection, if there is any doubt as to the accuracy of the letters I can later produce the originals.

This letter is dated July 25, 1935, from the House of Representatives, Republican Steering Committee Morton Witkin, Chairman, 911 Finance Building, Philadelphia. The letter reads as follows:

HOUSE OF REPRESENTATIVES
Republican Steering Committee, July 25, 1935.

Morton Witkin, Chairman
911 Finance Building
Philadelphia, Pa.

Mrs. Beatrice Beals,
112 N. Broad Street.,
Philadelphia, Pa.

Dear Mrs. Beals:—

May I call your attention to the case of Mr. Benjamin Pollock, 458 N. 6th St., Philadelphia? This man, as I understand the situation, made application to your Board a long time ago—your visitor was there but he has never heard anything concerning relief.

This man is not working and needs help badly. May I ask you to please invesigate this matter and let me hear from you.

Thanking you

Yours very truly,

M. WITKIN.

Of course, that is a letter from a public official intervening for a person who might be on relief.

I shall read you a letter dated August 8th, from the House of Representatives Republican Steering Committee, Morton Witkin, Chairman, 911 Finance Building, Philadelphia.

HOUSE OF REPRESENTATIVES
Republican Steering Committee, August 8, 1935.

Morton Witkin, Chairman
911 Finance Building
Philadelphia, Pa.

Mrs. Beatrice Beals,
112 N. Broad St.,
Philadelphia, Pa.

Dear Mrs. Beals:—

I wrote you on July 25th, with respects to Mr. Benjamin Pollock, 458 N. 6th Street, but as yet I have received no reply. Mr. Pollock was just in here and tells me that he applied to the Welfare for a job but they informed him they could not get him work unless he was on the welfare.

This man needs help badly and I would certainly appreciate your giving this matter your attention.

Thanking you to look into this matter, I am

Yours very truly,

M. WITKIN.

Members of the House, incorporated in Mr. Blumberg's resolution are several things that are of no concern to the members of this House, they are not connected in any way with the cause of relief. His first three requests are for salaries of people who have non-relief jobs, who have no relation at all to the amount of the appropriation for relief.

Now, we did find instances of people who tried to use their influence and tried to intimidate others, and I say they wrongfully did so, in order to get a person on this work project, to get them on the WPA. I say that that system can not be condemned because of a few letters that Mr. Blumberg produces. If I went far enough I might be able to produce letters from every member on the Republican side of this House. Because of these isolated instances the system can not be condemned. If you find that in your particular county there was an instance of graft, would that justify you in turning out the whole government of the county? You will find after looking into these things that certain people are trying to abuse the privilege which they might have by virtue of their official position. Do not let that deter us from looking at the fair side of the question. Consider the amount of good which is done by these things, don't be so narrow as to condemn a whole system for just a few isolated cases.

STATEMENT BY MR. HOLLAND

Mr. HOLLAND asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, as one of our political writers of Pittsburgh wrote in the Sunday paper, "The pot is calling the kettle black and the kettle is calling the pot black," and if the Socialist member of this House was present I feel he would put the frying pan on the fire and call both of them black.

If you will go back just a few years when the Republican organization was running public relief and the public relief administration in Pennsylvania, you will find that under that administration every rule of decency was broken. They didn't even write letters, they met men on the streets and gave them cards to go to work, and that, gentlemen, was before I got religion, because I was a Republican at that time. I do not say that it is a crime to try and get a job for a man who is out of work. I think it is the duty of any men to help another who is not working to receive employment instead of going on relief. If that man wants to work let him work, and don't tell him that he must go on relief in order to get a job.

When the Republican organization in Pittsburgh promoted a works relief program before an election, let me tell you what they did. A woman, who owned a big hotel, was being carried as a timekeeper at that time at one hundred and eighty dollars a month, because she was the Chairlady of my ward. She never went out on a job, but she drew her check. Another man who was a ward chairman and who owned a whole square of property on the south side of Pittsburgh received two hundred and eighty dollars a month, which he turned into the campaign fund. You say that some WPA workers have made donations to the Democratic cause. I would say that any WPA worker who does not voluntarily give a few dollars to the cause that has put him to work would be a foolish man. If you go to an employment agency and get work, you give them ten per cent of your salary for the entire year.

I think it is time for us to get down to honest-to-God work and do something to relieve this situation instead of merely making political propaganda. The Republican party, when they were in power, used every means possible to control relief. The Democrats are pikers compared to them, because every day men come to my house and tell me that under the Republican regime, when they had control of the works program administration, they just merely walked in and went to work.

STATEMENT BY MR. WITKIN

Mr. WITKIN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, first of all, the gentleman from Philadelphia need not present the originals of these letters. Not only that, but if he comes into my office, I will show him hundreds more of these letters. Let me say to him that I think that when a man is down he is entitled to grab on to the first thing that comes his way, and if that happens to be a board or a straw, that is not strong enough to stop him from drowning, he grabs nevertheless and he drowns just the same. When Mr. Burke read these letters, I think he sealed his own doom, because I am going to read the letters, and if there is any one within the hearing of my voice, or any one in the whole Commonwealth of Pennsylvania who can object to the remarks or the wording of any paragraph in these letters, and point out to me wherein they are wrong, unethical or improper, or not judicious, I will be glad to bow my head and bend my knee.

First of all I may say to you that on July 25, 1935, I wrote on behalf of one Benjamin Pollock; which letter reads as follows:

"May I call your attention to the case of Mr. Benjamin Pollock, 458 N. Sixth Street, Philadelphia,"—Certainly there is no objection to saying to this welfare board "May I call your attention to the case." Nobody can disagree with me. "This man, as I understand the situation,"—you will notice that I did not say it was a fact, but I say "As I understand. It continues, "made application to your board a long time ago." He was a Republican, that is not in the letter, but a long time ago made application and he has never heard of it. Can it be because he was a Republican? Use your own judgment. "Your

visitor was there but he has never heard anything concerning relief," in other words, the visitor came a long time ago,—a Republican. "This man is not working." Is there anything wrong in my statement that the man is not working. "And needs help badly." Why, I could even shed tears myself, the man needs help badly. Do I say "May I ask you to give him relief?" No. I say, "May I ask you to please investigate?" In other words, don't take my word for it, the man may be a chiseler just like a lot of people on relief. Therefore, I ask you, don't take my word for it but please investigate. "May I ask you to please investigate this matter and let me hear from you. Thanking you." There is nothing wrong in saying "Thanking you," is there? "Yours very truly.

I am chairman of the Republican Steering Committee, honored by my colleagues to be their Chairman. About two weeks went by, and here is a letter from a Republican,—don't pay any attention to this letter, he was a Republican out of work, and we will pay no attention to Witkin.

On August 8, 1935, a little chagrined at the fact that they paid no attention to me, and Mr. Pollock came back to my office and he told me he was hard up against it and out of work with a family,—I think that is correct. I got hold of my stenographer, and there is no objection to having a stenographer, 'I wrote you on July 25 with respects to Mr. Benjamin Pollock, 458 N. Sixth Street, but as yet I have received no reply." Do you blame me for getting a little peeved. After all, I am a member of the House. "Mr. Pollock was just in here and tells me,"—I don't tell it to the board but I was complaining and if Mr. Burke will read the letter he will find out I was complaining. "Mr. Pollock was just in and tells me that he applied to the Welfare for a job but they informed him," they didn't mean me,—"They could not get him work unless he was on the Welfare." In other words, they said to him, "Mr. Pollock get on relief, we might get you a job." In other words if he was a Democratic worker in his division he would not have had to go on relief to get a job, I would not have had to write this letter, "this man needs help badly." He is out of work and he needs help badly. I am telling them the same thing I told them in my letter of July 25, "I will appreciate your giving this matter your attention." When a man needs work badly and he is up against it, and everything else, is there anything wrong in my saying, "Thanking you to look into this matter."—And I say to the gentleman from Philadelphia, Mr. Burke, and I say it with some degree of conceit, that I have more intelligence than to write the letters that your friend wrote, I am not that stupid or dumb. I did not tell him anything about committeemen, I did refer him to Jack Kelly, or probably the man would have got relief if I had. I did not tell him that he would loose his job, if he did not register. I want to say to the gentleman from Philadelphia, Mr. Burke, and I say it without any personal reflections upon him that the endeavor to read those two letters in the light of interference with the administration of relief is in my opinion a sign of unfairness. I resent it. I resent it because if you read those letters you would know, you are a lawyer, you are intelligent enough to know, there is nothing improper in them, except that you want to put across to the newspapers the fact that the Chairman of the Republican Steering Committee—or did you want to fool them or fool the people that he wrote letters like the letters Mr. Blumberg read? You know that is not so. Do you think it is good sportsmanship, do you think it is fair play, do you think it is proper to read my type of letter alongside of that type of letter? I say to the membership of this House, it riles me. I say it is a trick long played, but seldom played by members of the House of Representatives, and in my judgment beneath the dignity of any member of this House.

I want to say in conclusion, this: I don't care, my files are open. I will write and will continue to write on behalf of any friend in Philadelphia who comes to me, who is badly in need of work, and I will write to the relief authorities and tell them when they are neglecting their duties. My letters were letters calling their attention to neglect. I say it is an indictment of their administration of relief that they did not answer Pollock, but it is a greater indictment when they did not even answer me, when I interceded as a public official on behalf of a man who was endeavoring to get that which the Democrats could give,—a job. Now, what is this? It is a cloak to enable you to keep in your committee the resolution. When Mr. Blumberg said that it smelled to the high heavens, he uses mild language. I say that when the Democratic chieftains and moguls of this Commonwealth persist in their present course, they are going so far as to endeavor to defraud the taxpayers of Pennsylvania, because every man improperly on WPA takes the place of recipient of relief who could get a job, and thereby reduce the relief payroll for direct relief. There is a great connection between the two.

His Excellency, the Governor of Pennsylvania, said the other day that Mr. Jones,— he praised him to the skies,—I won't quote him because I don't remember the exact words, but at the Democratic convention,—does the Governor of Pennsylvania, the Governor elected by the Democrats, stand for and endorse the concealing of information concerning WPA workers in Pennsylvania? Does he praise an official who has refused to give to us information concerning the number of employes, whether they are on relief or not, what their wages are, whether it exceeds ten per cent. I say that if his Excellency praises the man, he praises the thing he stands for. I say that we are going to fight on this side until we get this information, and I say that you ought to help us to get it. We need it. As the gentleman from Philadelphia has said, we are not investigating. We are asking for what. For facts. Facts concerning what? Facts concerning those things that the taxpayers of Pennsylvania and of this nation are paying for every day. Jones isn't paying this bill. He is not omnipotent; he is not a god in and of himself; he is not all powerful; he is not beyond the realm of an investigation or questioning. He is not so great that we can not even ask him to let us have his files. When a man conceals his files, I say he has a motive for the concealment, and if he conceals his files on matters, important public matters, then I say the motive is apparent,—it reeks with debauchery. I say that the refusal of the Federal Administrator to appear before the Senate Committee, and the refusal of this House to let us ask him for informaion, may be an endorsement that Governor Earle gave this man, but if the Governor of the Commonwealth and the Democratic membership of this House want to stultify themselves, if they want to go before the people of Pennsylvania concealing the facts, then I am satisfied. But we are going to get the oppor-

tunity of getting this resolution out, and when it comes out you can either kill it or pass it. That is within your province or within your control. But the next time you want to quote my letters, Mr. Burke, take letters that say something. Don't pick letters of that kind and they are the only kind of letters you will ever be able to find.

STATEMENT BY MR. BURKE

Mr. BURKE asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I make no apology for what I just did. During the time I have been a member of this House, there is no member who can accuse me of having ever been unfair, and I strongly resent the inference that the gentleman might have created when he so suggested it.

The gentleman made a very significant remark, when he said he apologized for appearing to have been conceited, when he said he was too smart to write some of the letters that Mr. Blumberg read. He does not have to apologize for that. I concede that. But when he said he is too smart to write a letter like that, did he differentiate between the intent that was clearly manifes in the letters that Mr. Blumberg read, and the intent that could have existed in the letters that Mr. Witkin wrote. I say that a member of this House who advises upon matters of relief should know all the procedure connected with getting a job on WPA, and I say that when he asks in one breath that a person gets on relief, even though that is proper, and then two weeks later he wants a job, he should be on welfare, then I say we could inquire into the intent which was not so manifest in Mr. Witkin's letter.

I resent the fact that the gentleman has mildly charged, that I have been unfair. If the members of this House tonight thought I was unfair I would gladly call that letter back. I am not playing to the newspapers. I do not care whether the newspapers print it or ignore it. I want the members of this House to have a fair idea of what everybody does in trying to get either people on relief or to get them on the WPA. I want all the cards opened up, both the Republican and the Democratic cards. I don't want charges made against the Democratic members for the same thing that is done by the Republican members.

I ask the members of the House to vote "no" on the motion of Mr. Blumberg, because I believe the gentleman who is the Chairman of that committee, will later explain the action which he has taken, but just because a resolution happened to reside in a committee for two weeks does not necessarily infer that the resolution has merit. Sometimes a member wants to get a resolution out for personal reasons. I don't think we should take away that deliberation we allow a committee in considering these things. The committee has a perfect right to study that resolution, and I don't think if it happens to run one day over the number of days that are allowed under the Rules of the House, that it should be subject to the censure which the minority members are meting out.

QUESTION OF PERSONAL PRIVILEGE

Mr. ALEXANDER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Mifflin will state his question of personal privilege.

Mr. ALEXANDER. Mr. Speaker, I desire to ask for leave of absence for the balance of the week, the reason being that Mr. and Mrs. Thomas Gibboney, of Belleville, are today celebrating their fiftieth wedding anniversary, and we are going to have a dinner in my home tonight for them, with relatives and friends.

The remarks of the gentleman under his question of personal privilege will be spread upon the journal.

Mr. SIMON. Mr. Speaker, it is not my purpose—

The SPEAKER. Does the gentleman ask unanimous consent to make a statement?

Mr. SIMON. I am speaking on the motion, Mr. Speaker.

The SPEAKER. The motion has not been presented to the House as yet.

COMMITTEE DISCHARGED

The SPEAKER. The Chair now lays before the House the following motion which the Clerk will read.

The motion was read by the Clerk as follows:

Moved by Mr. BLUMBERG, seconded by Mr. MASON. That the Committee of Judiciary Special be discharged from further consideration of House Resolution No. 12, Serial No. 14, said Resolution having been referred to said Committee on May 14, 1936.

On the question,

Will the House agree to the motion?

Mr. Speaker and members of the House, it is not my intention to burden you with any long talk. I don't have to bet that off my chest, like some of the other members. Nor is it my intention to cast any aspersions on the ideas of certain members who were criticizing the WPA administration, because we all realize that those members who come from Philadelphia are absolutely unacquainted with anything that even would indicate that political parties have anything to do with jobs. They never heard anything of that kind in Philadelphia, so that those of us who come from the rural counties, where it has been heard of, should be a little lenient in judging them.

Now, I want to bring before the House the fact that this resolution was properly considered by my committee, a committee, I want to say, of which I am very proud. They acted in a very intelligent manner, and not as the gentleman from Philadelphia has intimated, that there was pressure brought from the outside. That is not the case. I also want to state the fact here, and I don't think I am betraying anything that happened in committee when I say that the meeting at which this resolution was considered was exactly even, as far as parties were concerned. There were six Democrats and six Republicans.

There were three resolutions considered at that time. The Turner resolution was reported out. Two other resolutions were read. The Blumberg resolution was not read in full. It was by unanimous vote decided to postpone it indefinitely.

If the members of the House wish to discharge this committee from further consideration of this resolution, that is all right to me. It seems to me that this resolution has received all the attention it deserves. All the information it asks for is obtainable by anybody at any time, and the Senate is now marking time with such a resolution as this; they are holding up necessary legislation concerning WPA. They did the same thing in

the Pinchot administration. All this talk has no effect upon me because I have listened to it for eight years, but I think it is about time for the House to cut out this foolishness,—doing a thing that does not mean a thing.

Mr. McDEVITT. Mr. Speaker and members of the House, as one of the few members who attended that meeting, I would like first of all to say that I have no intention of criticising Mr. Simon in any respect whatsoever. I think he has always been fair, but I think that one statement should be corrected.

The first resolution considered was that of the gentleman from Delaware, Mr. Turner. There were certain changes made in that resolution and it was reported out. The resolution introduced by the gentleman from Philadelphia, Mr. Blumberg, was then brought up. It was then partially read—it was read to a point before the whereas clause. A statement was made at that time, or rather I should say that I was informed that the resolution really covered the same subject matter and the same ideas as set forth in the resolution of the gentleman from Delaware. For that reason it was suggested that it be set aside. I did not agree to that. I feel that it is a very important resolution, that if it is to be considered at all, it should be considered immediately, and I do not believe that any member on either side of this House should be supersensitive on a subject of such great importance. I want to say that I have no feeling whatsoever in the matter, and I intend to vote "aye" on the resolution to discharge the committee.

Mr. BLUMBERG. Mr. Speaker and members of the House, I merely want to reply to the intimation that some member of the House desired to secure the release of their resolutions for personal reasons, and on that point, in order that the House may be acquainted with the contents of this resolution, I will just read these four paragraphs: "Whereas the most important and crucial problem"—

The SPEAKER. The Chair wishes to state that the gentleman is out of order in discussing the resolution. The motion to discharge is the only question before the House.

Mr. BLUMBERG. Mr. Speaker, I am not discussing the resolution. I am reading portions of it for the information of the House.

The SPEAKER. The resolution is not before the House. The gentleman is out of order. The question on the motion to discharge the Committee is the only question that is before the House at this time.

QUESTION OF INFORMATION

Mr. BLUMBERG. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. BLUMBERG. Mr. Speaker, may I request the Clerk to read the resolution for the information of the members.

The SPEAKER. The Chair is still of the opinion that it is out of order to discuss the resolution. The resolution is printed in full in the history on page 35 of the History, a copy of which is on each member's desk. The contents of the resolution is available to them. At this time the only question we have before the House is the question on the motion to discharge the Committee. That is the only question upon which there can be debate at this time.

Mr. BLUMBERG. Mr. Speaker, I have no desire to discuss or argue the merits of the resolution, but in order that the House may intelligently vote on a motion to discharge a committee from further consideration of a resolution, I take it that the House ought to know the contents of that resolution, and for that reason I suggested to the Chair that it would be fit and proper for the Clerk to read the resolution merely for the information of the members of the House.

The SPEAKER. The Chair wishes to state again that it is not proper to discuss this resolution at this time, but it is proper to have it read for the informaton of the House. If the gentleman insists upon that, the Clerk will read the resolution for the information of the members.

Mr. BLUMBERG. Mr. Speaker, in the interest of saving time and because during the interim I believe the membrs all have read the resolution, I shall not now press my request.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. WITKIN and Mr. BLUMBERG and were as follows:

YEAS—87

Altenburg,	Gates,	Moore,	Sproul,
Atkins,	Gillette,	Muir,	Stewart,
Baker, F. T.,	Greenstein,	Nothnagle,	Stockham,
Baldi,	Habbyshaw,	Panton,	Stott,
Barnhardt,	Hamilton, R. S.,	Parks,	Surface,
Beadman,	Hefferon,	Peters,	Sweeney,
Bernhard,	Hermansen,	Phillips,	Tahl,
Blumberg,	Hoffner,	Reynolds,	Terry,
Boose,	Horst,	Rhys,	Trout,
Boyd, R.,	Jackson,	Roan,	Turner,
Boyer,	Jones,	Rooney,	VanAllsburg,
Brennan,	Kane,	Root,	Wall,
Brown, J. E.,	Kelder,	Royer,	Wasserman,
Cannon,	Kenney,	Schrock,	Weidemann,
Carr,	Linderman,	Serrill	White,
Castor,	Longaker,	Shortz,	Wickersham,
Condon,	Mallen,	Shreiner,	Winner,
Cooper,	Mason,	Simpson,	Witkin,
Cordier,	McCreary,	Sloan,	Wood,
Davies,	McDevitt,	Snyder, F. E.,	Woodside,
Duffort,	McKinney,	Snyder, J. L.,	Yeakel,
Forrest,	Merrell,	Sowers,	

NAYS—103

Achterman,	Eberharter,	Lovett,	Scanlon,
Allen,	Eroe,	Lynch,	Schaeffer,
Anthony,	Falkenstein,	Male,	Schrope,
Arnold,	Ferko,	McDermott,	Schwab,
Aukerman,	Fitch,	McElroy,	Shaw,
Baine,	Flinchbaugh,	Melchiorre,	Shepard,
Baker, J. J.,	Gerard,	Mentzer,	Shugarts,
Barber,	Haberlen,	Moomaw,	Siegel,
Bradley,	Hagerty,	Mooney,	Simon,
Brancato,	Haluska,	Moran,	Sinwell,
Brown, H. S.,	Hamilton, F. P.,	Moul,	Smith, J. A.,
Brumbaugh,	Harkins,	Munley,	Smith, W. G.,
Burke,	Harmuth,	Murrin,	Stank,
Caputo	Hartman,	Nagel,	Stevens,
Carson,	Hetrick,	O'Keefe,	Stone,
Chervenak,	Hindman,	Ominsky,	Sumney,
Coakley,	Hirsch,	O'Neill,	Tronzo,
Cochran,	Holland,	Patterson, C.,	Tumelty,
Cohen,	Holstrom,	Patterson, J. W.,	VanSickle,
Coleman,	Kelso,	Pearson,	Weiss,
Coolahan,	Kilroy,	Pfaff,	Welsh,
Decker,	Kinney,	Piole,	Westrick,
Dent,	Klinger,	Powers,	Yourishin,
Diehl,	Kobelak,	Rinn,	Zappala,
Downey, G. E.,	LaRue,	Robinson,	Furman,
Downey, J. J.,	Long,	Sarraf,	Speaker

The SPEAKER. More than a majority under the rules

having voted in the affirmative the motion is agreed to.

The Committee on Judiciary Special is discharged from further consideration of this resolution. The Chair instructs the Chairman of this committee to return Resolution No. 12, Serial No. 14, to the House, as committed.

REPORT FROM COMMITTEE

Mr. SIMON, from the Committee on Judiciary Special, returned by direction of the House, House Resolution No. 12, as committed.

REASON FOR VOTE TO DISCHARGE COMMITTEE

Mr. McCREARY filed the following reason for his vote:

George W. Norris, U. S. Senator from Nebraska, says: The Committee Room is the Invisible Governmental Department in our government, and if Representative Government ever fails, that will be the rock on which it founders.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FLINCHBAUGH asked and obained permission for the Committee on Insurance to meet during the session of the House.

Mr. AUCKERMAN asked and obtained permission for the Committee on Geological Survey to meet during the session of the House.

QUESTION OF PERSONAL PRIVILEGE

Mr. ANTHONY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. ANTHONY. Mr. Speaker, during the election of a Speaker on May 4th, on page 44 of the Legislative Journal, I find that I am not recorded as having voted for Mr. Furman, as Speaker. I voted for Mr. Furman, and I desire to be so recorded.

Mr. BOYER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BOYER. Mr. Speaker, on page 260 of the Legislative Journal on House Bill No. 26, I find that I have been recorded as voting "aye". I voted "no" and wish to be so recorded.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 74, as follows:

A Joint Resolution proposing an amendment to section eight article nine of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section eight of article nine is hereby amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein but the debt of the city of Philadelphia may be increased in such amount that the total city debt of said city shall not exceed ten per centum (10) upon the assessed value of the taxable property therein nor shall any such municipality or district incur any new debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of property without the consent of the electors thereof at a public election in such manner as shall be provided by law In ascertaining the borrowing capacity of the city of Philadelphia at any time there shall be deducted from such debt so much of the debt of said city as shall have been incurred is about to be iniurred and the proceeds thereof expended or about to be expended upon any public improvement or in the construction purchase or condemnation of any public utility or part thereof or facility therefor if such public improvement or public utility or part thereof whether separately or in connection with any other public improvement or public utility or part thereof may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted may be prescribed by the General Assembly

In incurring indebtedness for any purpose the city of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking-fund sufficient to retire said obligations at maturity the payment to such sinking-fund to be in equal or graded annual or other periodical instalments Where any indebtedness shall be or shall have been incurred by said city of Philadelphia for the purpose of the construction or improvements of public works or utilities of any character from which income or revenue is to be derived by said city or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred and said city shall not be required to levy a tax to pay said interest and sinking-fund charges as required by section ten article nine of the Constitution of Pennsylvania until the expiration of said period of one year after the completion of said work Provided however That any county city borough township or other municipality or incorporated district may without the consent of the electors thereof increase its indebtedness to the extent of three (3) per centum over and beyond any limitation fixed herein toward the sole purpose of constructing or completing sewage treatment works

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. SOWERS. Mr. Speaker, I request that House Bill No. 57, Printer's No. 70 be passed over in its order.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 59, as follows:

An Act to amend sections one three four seven nine ten fourteen fifteen sixteen and eighteen and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of

such State supervisor and assistants defining the powers and duties of boards and trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" by providing for the appointment of a board of trustees for each county changing the equalifications of mothers eligible for assistance requiring all counties to appropriate moneys for mothers assistance except under certain circumstances providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations providing for cooperation by the Department of Welfare with the Federal Social Security Board and authorizing the Department of Welfare with the Federal Social Security Board and authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for aid to dependent children.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" as amended by the act approved the twenty-second day of May one thousand nne hundred and twenty-three (Pamphlet Laws three hundred seven) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representative of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that in each county of the Commonwealth [which by the action of this county commissioners accepts the provisions of this act] the Governor shall appoint a board of trustees composed of seven women residents of the county to be called the Board of Trustees of the Mothers' Assistance Fund

Except as herein otherwise provided such trustees shall hold office for a term of six years and until their successors are duly appointed and qualified

[Whenever any county shall hereafter accept the provisions of this act the] The first board of trustees of a county shall be appointed as follows two for two years each two for four years each and three for six years each from the first day of June next succeeding

In all counties which have [heretofore accepted the provisions of this act the board] boards of trustees new in office such boards shall continue in office as heretofore unless removed by the Governor [but the Governor shall before the first day of June one thousand nine hundred and twenty-three designate two of said trustees to hold office for two years each two for four years each and three for six years each and where such board has less than seven trustees the Governor shall appoint additional trustees so that the total number may be seven and he shall accordingly fix their terms]

If the terms of trustees shall expire the Governor shall appoint successors for terms of six years each

Vacancies other than those due to the expiration of a term shall be filled by appointment by the Governor for the unexpired term

[All counties which have heretofore availed themselves of the provisions of the acts repealed by this act shall be deemed to have accepted the provisions of this act and shall be entitled to the benefits thereof]

Section 2 That section three of said act as amended by the act approved the twenty-second day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred seven) is hereby further amended to read as follows

Section 3 The [State Supervisor] Department of Welfare shall have general supervision over the boards of trustees of the several counties [and shall act as general field organizer She shall be on the staff of the Department of Public Welfare]

The [State Supervisor] Department of Welfare shall formulate and issue to the boards of trustees of the various counties rules of procedure by which they shall be governed to the end that uniformity of interpretation and practice shall obtain throughout the Commonwealth [She] The department by its duly authorized agents shall visit at least twice each year the boards of trustees of each county [accepting the provisions of this act]

She shall as general field organizer visit the county commissioners of those counties which have not availed themselves of the provisions of this act and shall explain to such commissioners the benefits accruing from the act and the advantages of coming within its provisions and shall assist such county commissioners in the organization of boards of trustees

She shall make public a report annually to the Commission of Public Welfare reviewing the work done under the provisions of this act by the trustees of the various counties laying special stress upon educational conditions of the assisted families]

Section 3 That section four of said act is hereby amended to read as follows

Section 4 Subject to the general supervision of the Department of Welfare [The] the administration of this act within the several counties shall be solely in the hands of the boards of trustees appointed by the Governor [subject] however to the rules adopted and issued by the State Supervisor] The members of the boards of trustees shall serve without compensation but shall receive all actual and necessary expenses incurred in the performance of their duty

Section 4 That section seven of said act is hereby amended to read as follows

Section 7 In order to prevent the alienation of the citizenship of those who may receive the benefits under this act no family shall be a beneficiary thereunder unless the mother has been a resident continuously of the State for a period of [two years] one year [and of the county in which she applies for assistance for a period of one year] immediately preceding the date of application for such assistance and unless the child assisted (1) has resided in this Commonwealth for one year immediately preceding the date of application for such assistance or (2) was born in this Commonwealth within one year immediately preceding the date of the application for assistance and whose mother has resided in the Commonwealth for one year immediately preceding the birth

No family entitled to receive the benefits of this act in any county shall be deemed to have lost its residence in such county within one year after removal therefrom but any such family shall if it returns to the county in which it was entitled to receive assistance within said year be immediately entitled to assistance in such county

Section 5 That secton nine of said act is hereby amended to read as follows

Section 9 The [combined] maximum [payment] assistance allowed by an board of trustees shall in no case exceed [twenty] eighteen dollars per month for the first dependent child and [ten] twelve dollars per month for each additional dependent child in the same family A mother shall be entitled to assistance under this act for an unborn child in like manner as for other children if she has one or more children living which entitle her to the benefits of this act

Section 6 That section ten of said act is hereby amended to read as follows

Section 10 Before any payment is made to any family under the provisions of this act a complete report of such family shall be made in quodruplicate giving the name of the mother the number of children with their full names their ages and place of residentce One copy of

such report shall be placed on file in the office of the board of trustees as a record and if the application is approved one copy shall be forwarded to the [State Supervisor] Department of Welfare and two copies shall be forwarded with each application for a warrant for the use of the Auditor General and the county treasurer The copies forwarded to the Auditor General and the county treasurer shall be sworn to by the investigator and shall be approved by a majority of the board of trustees The affidavit on any such report may be taken before any member or employe of the board

Section 7 That section fourteen of said act as amended by the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred seventy-five) is hereby further amended to read as follows

Section 14 [No county shall receive its allotment of the State appropriation available for any year under the classification appointed by the act making an appropriation to carry into effect the provisions of this act unless such county has accepted the provisions of this act and has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year] It shall be mandatory upon each county of the Commonwealth to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such county for such year Provided That if any county is financially unable to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such county in such year the county commissioners of that county shall file a written application with the Department of Welfare on a form prescribed by it asking further appropriation of State funds to that county of a sum equal to the whole or any portion of the amount already allocated under this act to said county for said year such further State appropriation to be in lieu of all or a part of the appropriation required by this act to be made by said county for said year The Department of Welfare shall thereupon conduct an administrative inquiry on a day and at a time fixed of which at least ten days' written notice shall be given to all parties interested and shall hear the testimony of the county commissioners and of such other county officials and other persons as the department may in its discretion require to appear before it and after considering the financial condition of the said county the department shall determine whether the said county is entitled to the additional State appropriation requested or any part thereof in lieu of an appropriation by the said county and the department shall thereupon allocate from any appropriation available for the purpose whatever amount the department shall have determined

Section 8 That section fifteen of said act is hereby amended to read as follows

Section 15 [On the first day of June of the second fiscal year following each State appropriation the State Treasurer shall apportion among the various counties which have accepted the provisions of this act before the end of the first fiscal year a sum equal to the amount apportioned to such county during the first fiscal year according to the aforesaid classification including therein all unexpended balances from the previous fiscal year credited to the several counties accepting the provisions of this act which unexpended moneys shall remain available during the second fiscal year for use by the counties to which theretofore credited and excluding all moneys apportioned to the several counties which have not availed themselves of the provisions of this act he shall likewise exclude from said apportionment all moneys appropriated for the second fiscal year for counties which have not accepted the provisions of this act before the end of the first fiscal year] Any mother of a dependent child may within six months after notice by the county board of trustees that her application for assistance has been refused or that the assistance if formerly a beneficiary has been discontinued take an appeal from the action of the county board of trustees to the Department of Welfare The department on a day and at a time fixed by it of which at least ten days' written notice shall be given to all parties interested shall hear such testimony as may be offered for and against the allowance of assistance or for and against the continuation of assistance and shall determine whether or not the said mother is entitled to assistance if an applicant or to the continuation of assistance if a beneficiary The Department of Welfare shall report its findings to the county board of trustees from whose action the appeal has been taken which board of trustees shall carry into effect the order of the department No appeal to the department by an applicant for or beneficiary of assistance shall lie in any case where assistance has been refused or discontinued for lack of funds The action of the department on any appeal shall be final

Section 9 That section sixteen of said act is hereby amended to read as follows

Section 16 [All funds set aside from year to year for counties which have not availed themselves of the provisions of this act shall be set aside into a surplus fund The surplus fund shall be available during the second fiscal year in the counties which have availed themselves of the provisions of this act before the end of the first fiscal year but no county shall be entitled to an amount from such fund in excess of twenty-five per centum of the aggregate sum apportioned and set aside by the State Treasurer to that county for the two year period and no such county shall participate in such surplus fund unless it shall in addition to the appropriations hereinbefore required appropriate a sum equal to the amount which it desires from the surplus fund] The Department of Welfare is empowered and directed to cooperate with the Federal Social Security Board in carrying out the provisions and purposes and in administration of title four of the act of the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several states to make more adequate provisions for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes" and is further empowered to make such reports in such form and containing such information as the Federal Board may from time to time require and to comply with such orders and regulations as the said board may from time to time make to assure the correctness and verification of such reports

Section 10 That section eighteen of said act is hereby amended to read as follows

Section 18 [A detailed report of the number of beneficiaries the amount expended and the advantages and disadvantages of the system with recommendations for improvement shall be made by the State Supervisor to the General Assembly at the beginning of each session of the General Assembly Such report shall be printed by the State Printer upon requisition by the Superintendent of Public Instruction to the Department of Printing and Binding] The Department of Welfare is hereby empowered and authorized to cooperate and enter into cooperative agreements with and to receive contributions from the United States government for aid to dependent children eligible for assistance under this act All contributions received hereunder from the United States government shall be paid into the State Treasury through the Department of Revenue and credited to the current appropriations to the Department of Welfare for the payment of assistance to mothers eligible for assistance under the act

Section 11 That section two of said act and the amendment thereto be and the same is hereby repealed

Section 12 The provisions of this act shall become effective on the first day of June one thousand nine hundred and thirty-six

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 67, entitled:

An Act to promote flood control and the prevention of soil erosion and incidental therewith to promote agriculture by providing for cooperation by the Commonwealth of Pennsylvania through the Department of Agriculture with the Secretary of Agriculture of the United States in effectuating the purposes of and carrying into effect the provisions of the Federal "Soil Conservation and Domestic Allotment Act" approved the twenty-ninth day of February one thousand nine hundred thirty-six so as to enable agricultural producers to receive Federal grants-in-aid defining the powers and duties of said department creating the Pennsylvania Soil Conservation Board and making an appropriation

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to aid in flood control and protect the rivers streams reservoirs and dams of this Commonwealth against the results of soil erosion and incidental therewith to preserve and improve the fertility of soil to promote the economic use and conservation of land to diminish the exploitation and wasteful and unscientific use of the soil resources and to reestablish the ratio between the purchasing power of the net income of farmers and those not on farms the Commonwealth of Pennsylvania through the Department of Agriculture is hereby authorized and directed to cooperate with the Secretary of Agriculture of the United States in the execution of a State plan to effectuate the purposes of the act of the Congress of the United States approved the twenty-ninth day of February one thousand nine hundred thirty-six entitled "An act to promote the conservation and profitable use of agricultural land resources by temporary Federal aid to farmers and by providing for a permanent policy of Federal aid to states for such purposes" commonly known as the "Soil Conservation and Domestic Allotment Act"

Section 2 The Department of Agriculture is hereby authorized and empowered to formulate and to submit to the Secretary of Agriculture of the United States prior to such time and in such form as said secretary may prescribe a plan to effectuate payments to this Commonwealth of allocations made in accordance with section seven of the said act of Congress of the United States and generally to carry the Soil Conservation and Domestic Allotment Act into effect in this Commonwealth

The Department of Agriculture is hereby authorized to receive any moneys allocated to this Commonwealth to effectuate the purposes of said act of Congress and to provide grants-in-aid for agricultural producers including tenants and share croppers and to pay such Federal moneys into the custody of the State Treasury through the Department of Revenue Payments from the State Treasury to persons entitled thereto shall be made under such system of requisitioning and accounting as the State Treasurer and the Department of Agriculture shall prescribe

The third section was read as follows:

Section 3 The Department of Agriculture is hereby designated as the agency of the Commonwealth subject to the approval of the Secretary of Agriculture of the United States to administer any plan submitted and approved It shall have power to promote the organization of such county community regional and State-wide committees or associations of agricultural producers for the purpose of participating in the administration of such plan as it and the said secretary may deem necessary Such plan shall provide for the submission from time to time of such reports to the Secretary of Agriculture of the United States as he may deem necessary and shall comply with such requirements as said secretary may prescribe to assure the correctness of and make possible the verifications of such reports

On the question,

Will the House agree to the section?

Mr. JAMES W. PATTERSON. Mr. Speaker, at the request of the sponsor, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 3, line 17 by inserting after the word "necessary" and before the word "Such" the following: "It shall have power in accordance with any approved plan to enter into contracts and agreements with producers and to provide by other voluntary methods for adjustments in the utilization of land and in farming practices, and for payment of benefits in connection therewith"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth, fifth and sixth sections and the title were separately read and agreed to as follows:

Section 4 There is hereby created in the Department of Agriculture an advisory board to be known as the Pennsylvania Soil Conservation Board which shall consist of the Secretary of Agriculture the Secretary of Forests and Waters the Superintendent of Public Instruction one representative of the Pennsylvania Agricultural Extension Service to be selected by the Secretary of Agriculture of this Commonwealth and a representative of the agricultural producers chosen in such manner as may be provided through the organization of the county community regional and State-wide committees or associations organized under the authority of this act The Pennsylvania Soil Conservation Board shall elect one of its members as chairman Four members of the board shall constitute a quorum The board shall have and possess all powers and perform all duties generally vested in and imposed upon advisory boards by The Administrative Code of one thousand nine hundred twenty-nine and its amendments

The Pennsylvania Soil Conservation Board shall from time to time advise with the Department of Agriculture in effectuating plans to carry out the provisions of this act and to advise on all such other matters and affairs as are referred to it by the department for advice

Section 5 The Department of Agriculture shall have power to divide the State into a convenient number of regions assigning each of the several counties to a region in order to effectuate the organization of regional committees or associations and otherwise to carry out the purposes of this act and the Soil Conservation and Domestic Allotment Act

Section 6 The sum of twenty thousand dollars ($20,000) or as much thereof as may be necessary is hereby appropriated to the Department of Agriculture to carry out the purposes of this act

An Act to promote flood control and the prevention of soil erosion and incidental therewith to promote agriculture by providing for cooperation by the Commonwealth of Pennsylvania through the Department of Agriculture with the Secretary of Agriculture of the United States in effectuating the purposes of and carrying into effect the provisions of the Federal "Soil Conservation and Domestic Allotment Act" approved the twenty-ninth day of February one thousand nine hundred thirty-six so as to enable agricultural producers to receive Federal grants-in-aid defining the powers and duties of said department creating the Pennsylvania Soil Conservation Board and making an appropriation

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

UNIVERSITY OF ILLINOIS

The House proceeded to the second reading and consideration of House Bill No. 75, as follows:

A Supplement to act number fifty-six-A approved the nineteenth day of July one thousand nine hundred thirty-five (Appropriation Acts of one thousand nine hundred thirty-five Page forty-one) entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind" increasing the current appropriation for blind pensions in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the appropriation made by the act to which this act is a supplement the sum of two hundred thousand dollars ($200,000) or as much thereof as may be necessary is hereby appropriated out of the General Fund to the Department of Welfare for the binnium ending the thirty-first day of May one thousand nine hundred thirty-seven for the payment of pensions for the blind in the manner provided by law

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 79, as follows:

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty one thousand nine hundred and thirty-one one thousand nine hundred and thirty-two one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five and validating the liens of such taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any tax collector or receiver of taxes of any county city borough town township school district or poor district shall have failed or neglected to make return to the county commissioners of taxes assessed and levied against seated lands for the years one thousand nine hundred and thirty one thousand nine hundred and thirty-one one thousand nine hundred and thirty-two one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four or one thousand nine hundred and thirty-five within the time required by law such tax collector or receiver upon obtaining the written consent of the taxing authorities of the municipal subdivision which levied the tax may legally and validly make return of such taxes in the manner provided by law for such return at any time within six months after this act takes effect and the liens of any taxes for said years so returned under the authority of this act shall be valid and are hereby ratified and confirmed and a county treasurer's sale may be had for such taxes at any time when a treasurer's sale is held or on any day to which said sale may be adjourned or readjourned in the manner provided by existing law Provided however That the return of any tax under this act shall not revive or reestablish any tax lien against real estate which was transferred to any purchaser during the time when and such lien was lost nor shall such return affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the collector to return the taxes at the regular time

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 76, as follows:

An Act To amend section eight of the act approved the nineteenth day of January one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws two hundred eighty-six) entitled "An act making appropriations out of the State Stores Fund to the Emergency Relief Board for direct relief work relief and expenses including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments" by imposing a time limit within which counties cities boroughs incorporated towns townships school districts and poor districts may obtain reimbursements for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of the act approved the nineteenth day of January one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws two hundred eighty-six) entitled "An act making appropriations out of The State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses including reimbursements of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments" is hereby amended to read as follows

Section 8 Out of the moneys in The State Stores Fund which represent net profits from the operation of Pennsylvania Liquor Stores an additional sum of two hundred fifty thousand dollars ($250,000) is hereby specifically appropriated to the State Emergency Relief Board for the purpose of reimbursing counties cities boroughs incorporated towns townships school districts and poor districts for such sums as they have paid or which they have become obligated to pay and shall hereafter pay as premiums on workmen's compensation insurance covering persons engaged between January first one thousand nine hundred and thirty-three and June third one thousand nine hundred and thirty-three on work relief projects carried on with the approval of the State Emergency Relief Board or a county emergency relief board and on which the employes were paid by cash or food orders distributed by the State Emergency Relief Board No payment shall be made from this appropriation to any municipal subdivision except upon sworn statement of an executive officer of the subdivision and also sworn receipt from the insurance carrier stating the amount of insurance premium paid by the subdivision and the period covered and that only work relief employes were included in the insurance for which such premiums were paid Any balance of this appropriation that remains unclaimed on January first one thousand nine hundred thirty-seven shall lapse

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 52, as follows:

An Act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth under certain conditions in lieu of the redemption thereof and defining the powers and duties of the Governor the Auditor General the State Treasurer and the duly authorized loan and transfer agent of the Commonwealth in relation thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Auditor General and the State Treasurer upon such terms as they may deem to the best interests of the Commonwealth and under such conditions as they may specify may reduce the rate of interest payable upon any outstanding callable bond of the Commonwealth of Pennsylvania in lieu of redeeming such bond in accordance with the terms thereof upon any date upon which said bond may be called for redemption Provided That such reduction of interest rate its consented to by the holder of the said bond In the event the interest rate on any such bond is reduced as aforesaid sai dbond shall forthwith be presented to the duly authorized loan and transfer agent of the Commonwealth which shall endorse upon the face of the said bond a proper notation evidencing the said reduction of interest rate and as to any such bond as may be in coupon form shall affix thereto in place of the original coupons evidencing the said reduction of interest rate

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Eberharter,	McCreary,	Shepard,
Alexander,	Eroe,	McDermott,	Shortz,
Allen,	Falkenstein,	McDevitt,	Shreiner,
Altenburg,	Ferko,	McElroy,	Shugarts,
Andrews,	Finnerty,	McHenry,	Siegel,
Anthony,	Fitch,	McKinney,	Simon,
Arnold,	Flanagan,	Melchiorre,	Simpson,
Atkins,	Flinchbaugh,	Mentzer,	Sinwell,
Aukerman,	Forrest,	Merrell,	Sloan,
Baine,	Gates,	Moomaw,	Smith, J. A.,
Baker, F. T.,	Gerard,	Mooney,	Smith, W. G.,
Baker, J. J.,	Gillette,	Moore,	Snyder, F. E.,
Baldi,	Greenstein,	Moran,	Snyder, J. L.,
Barber,	Habbyshaw,	Moul,	Sowers,
Barnhardt,	Haberlen,	Muir,	Sproul,
Beadman,	Hagerty,	Munley,	Stank,
Bernhard,	Haluska,	Murrin,	Stevens,
Blumberg,	Hamilton, F. P.,	Nagel,	Stewart,
Boose,	Hamilton, R. S.,	Nothnagle,	Stockham,
Boyd, R.,	Harkins,	O'Keefe,	Stone,
Boyer,	Harmuth,	Ominsky,	Stott,
Bradley,	Hartman,	O'Neill,	Sumney,
Brancato,	Hefferon,	Panton,	Surface,
Brennan,	Hermansen,	Parks,	Sweeney,
Brown, H. S.,	Hetrick,	Patterson, C.,	Tahl,
Brown, J. E.,	Hindman,	Patterson, J. W.,	Terry,
Brownfield,	Hirsch,	Pearson,	Tronzo,
Brumbaugh,	Hoffner,	Peters,	Trout,
Burke,	Holland,	Pfaff,	Tumelty,
Cannon,	Holstrom,	Phillips,	Turner,
Caputo,	Horst,	Piole,	Van Allsburg,
Carr,	Jackson,	Powers,	VanSickle,
Carson,	Jones,	Reising,	Wall,
Castor,	Kane,	Reynolds,	Wasserman,
Chervenak,	Kelder,	Rhys,	Weidemann,
Coakley,	Kelso,	Rinn,	Weiss,
Cochran,	Kenney,	Roan,	Welliver,
Cohen,	Kilroy,	Robinson,	Welsh,
Coleman,	Kinney,	Rooney,	Westrick,
Condon,	Klingler,	Root,	White,
Coolahan,	Kobelak,	Royer,	Wickersham,
Cooper,	LaRue,	Ruffennach,	Winner,
Cordier,	Linderman,	Sarraf,	Witkin,
Davies,	Long,	Scanlon,	Wood,
Decker,	Longaker	Schaeffer,	Woodside,
Dent,	Lovett,	Schrock,	Yeakel,
Diehl,	Lynch,	Schrope,	Yourishin,
Dilley,	Male,	Schwab,	Zappala,
Downey, G. E.,	Mallen,	Serrill,	Zimmerman,
Downey, J. J.,	Mason,	Shaw,	Furman,
Duffort,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 66, entitled:

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions, eliminating fire and other hazards to safety at State institutions, providing for the purchase of safety and other equipment, the erection and construction of new buildings, and repairs, alterations and additions to, and replacement of, existing buildings and equipment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200

Achterman,	Duffort,	Mason,	Shaw,
Alexander,	Eberharter,	McCreary,	Shepard,
Allen,	Eroe,	McDermott,	Shortz,
Altenburg,	Falkenstein,	McDevitt,	Shreiner,
Andrews,	Ferko,	McElroy,	Shugarts,
Anthony,	Finnerty,	McHenry,	Siegel,
Arnold,	Fitch,	McKinney,	Simon,
Atkins,	Flanagan,	Melchiorre,	Simpson,
Aukerman,	Flinchbaugh,	Mentzer,	Sinwell,
Baine,	Forrest,	Merrell,	Sloan,
Baker, F. T.,	Gates,	Moomaw,	Smith, J. A.,
Baker, J. J.,	Gerard,	Mooney,	Smith, W. G.,
Baldi,	Gillette,	Moore,	Snyder, F. E.,
Barber,	Greenstein,	Moran,	Snyder, J. L.,
Barnhardt,	Habbyshaw,	Moul,	Sowers,
Beadman,	Haberlen,	Muir,	Sproul,
Bernhard,	Hagerty,	Munley,	Stank,
Blumberg,	Haluska,	Murrin,	Stevens,
Boose,	Hamilton, F. P.,	Nagel,	Stewart,
Boyd, R.,	Hamilton, R. S.,	Nothnagle,	Stockham,
Boyer,	Harkins,	O'Keefe,	Stone,
Bradley,	Harmuth,	Ominsky,	Stott,
Brancato,	Hartman,	O'Neill,	Sumney,
Brennan,	Hefferon,	Panton,	Surface,
Brown, H. S.,	Hermansen,	Parks,	Sweeney,
Brown, J. E.,	Hetrick,	Patterson, C.,	Tahl,
Brownfield,	Hindman,	Patterson, J. W.,	Terry,
Brumbaugh,	Hirsch,	Pearson,	Tronzo,
Burke,	Hoffner,	Peters,	Trout,
Cannon,	Holland,	Pfaff,	Tumelty,
Caputo,	Holstrom,	Phillips,	VanAllsburg,
Carr,	Horst,	Piole,	VanSickle,
Carson,	Jackson,	Powers,	Wall,
Castor,	Jones,	Reising,	Wasserman,
Chervenak,	Kane,	Reynolds,	Weidemann,
Coakley,	Kelder,	Rhys,	Weiss,
Cochran,	Kelso,	Rinn,	Welliver,
Cohen,	Kenney,	Roan,	Welsh,
Coleman,	Kilroy,	Robinson,	Westrick,
Condon,	Kinney,	Rooney,	White,
Coolahan,	Klingler,	Root,	Wickersham,
Cooper,	Kobelak,	Royer	Winner,
Cordier,	LaRue,	Ruffennach,	Witkin,
Davies,	Linderman,	Sarraf,	Wood,
Decker,	Long,	Scanlon,	Woodside,

Dent,	Longaker,	Schaeffer,	Yeakel,
Diehl,	Lovett,	Schrock,	Yourishin,
Dilley,	Lynch,	Schrope,	Zappala,
Downey, G. E.,	Male,	Schwab,	Zimmerman,
Downey, J. J.,	Mallen,	Serrill,	Furman, Speaker

NAYS—1

Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 53, entitled:

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania, Series "D", for the purpose of refunding, redeeming and retiring said Series "D" authorizing the exchange of bonds of said Series "D" for those issued hereunder; defining the powers and duties of the Governor, the Auditor General and the State Treasurer, in relation thereto; providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Eberharter,	McCreary,	Shepard,
Alexander,	Eroe,	McDermott,	Shortz,
Allen,	Falkenstein,	McDevitt,	Shreiner,
Altenburg,	Ferko,	McElroy,	Shugarts,
Andrews,	Finnerty,	McHenry,	Siegel,
Anthony,	Fitch,	McKinney,	Simon,
Arnold,	Flanagan,	Melchiorre,	Simpson,
Atkins,	Flinchbaugh,	Mentzer,	Sinwell,
Aukerman,	Forrest,	Merrell,	Sloan,
Baine,	Gates,	Moomaw,	Smith, J. A.,
Baker, F. T.,	Gerard,	Mooney,	Smith, W. G.,
Baker, J. J.,	Gillette,	Moore,	Snyder, F. E.,
Baldi,	Greenstein,	Moran,	Snyder, J. L.,
Barber,	Habbyshaw,	Moul,	Sowers,
Barnhardt,	Haberlen,	Muir,	Sproul,
Beadman,	Hagerty,	Munley,	Stank,
Bernhard,	Haluska,	Murrin,	Stevens,
Blumberg,	Hamilton, F. P.,	Nagel,	Stewart,
Boose,	Hamilton, R. S.,	Nothnagle,	Stockham,
Boyd, R.,	Harkins,	O'Keefe,	Stone,
Boyer,	Harmuth,	Ominsky,	Stott,
Bradley,	Hartman,	O'Neill,	Sumney,
Brancato,	Hefferon,	Panton,	Surface,
Brennan,	Hermansen,	Parks,	Sweeney
Brown, H. S.,	Hetrick,	Patterson, C.,	Tahl,
Brown, J. E.,	Hindman,	Patterson, J. W.,	Terry,
Brownfield,	Hirsch,	Pearson,	Tronzo,
Brumbaugh,	Hoffner,	Peters,	Trout,
Burke,	Holland,	Pfaff,	Tumelty,
Cannon,	Holstrom,	Phillips,	Turner,
Caputo,	Horst,	Piole,	Van Allsburg,
Carr,	Jackson,	Powers,	VanSickle,
Carson,	Jones,	Reising,	Wall,
Castor,	Kane,	Reynolds,	Wasserman,
Chervenak,	Kelder,	Rhys,	Weldemann,
Coakley,	Kelso,	Rinn,	Weiss,
Cochran,	Kenney,	Roan,	Welliver,
Cohen,	Kilroy,	Robinson,	Welsh,
Coleman,	Kinney,	Rooney,	Westrick,
Condon,	Klinger,	Root,	White,
Coolahan,	Kobelak,	Rover,	Wickersham,
Cooper,	LaRue,	Ruffennach,	Winner,
Cordier,	Linderman,	Sarraf,	Witkin,
Davies,	Long,	Scanlon,	Wood,
Decker,	Longaker,	Schaeffer,	Woodside,
Dent,	Lovett,	Schrock,	Yeakel,
Diehl,	Lynch,	Schrope,	Yourishin,
Dilley,	Male,	Schwab,	Zappala,
Downey, G. E.,	Mallen,	Serrill,	Zimmerman,
Downey, J. J.,	Mason,	Shaw,	Furman, Speaker
Duffort,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration House Bill No. 73, as follows:

An Act to enable persons associations partnerships and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or descriptions providing for bonds with confessions of judgments regulating the assignment and release of such mortgages and designating the operation and effect of the lien of such mortgages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person association partnership or corporation may enter into an agreement with and borrow funds from the Government of the United States or any department agency or instrumentality thereof including among others the Reconstruction Finance Corporation and the RFC Mortgage Company on the security of the obligation of the borrower and the repayment of any funds so borrowed or of any then existing indebtedness to the United States or any department agency or instrumentality thereof may be evidenced by a bond containing a confession of judgment secured by a chattel mortgage upon any chattel or chattels of any kind or description Such mortgage shall be a lien against the chattel or chattels thereby conveyed and shall be good and available in law against any subsequent purchasers or execution creditors upon the recording thereof as hereinafter directed Such mortgage must be in writing signed by the mortgagor or his agent duly authorized and constituted and duly acknowledged by some person authorized to take acknowledgment of deeds Provisions contained in such chattel mortgage that property of the same class as is covered by the chattel mortgage shall be included in the mortgage lien if acquired by the mortgagor subsequent to the execution of the chattel mortgage and prior to its extinguishment and provisions that the chattel mortgage may secure future advances to be made by the mortgagee at its option within a period of three (3) years from the execution of such chattel mortgage but not to exceed in the aggregate an amount stated in said chattel mortgage and that all advances so made shall be secured by such chattel mortgage equally and to the same extent as the amount originally advanced on the security of such mortgage and that all such future advances shall be a lien upon the property therein described from the time of the recording of such chattel mortgage good and valid against and superior to all rights of sebsequent creditors purchasers mortgagees and other lienors and encumbrances and any of them and provisions that the chattel mortgage may include replacements of any of the mortgaged property therein described shall be valid and binding

Section 2 The chattel mortgage mentioned in the preceding section when executed and acknowledged as hereinbefore provided shall be recorded in the office for the recording of deeds for the county in which the mortgaged property is actually located at the time of the execution of such chattel mortgage and such recorder is hereby required to index and to record the same at length in a book to be by him kept in his said office to be provided at the expense of said county and to be called "Chattel Mortgage Book" and he shall duly certify the record of

all such instruments in the manner provided by law for mortgages on real estate and such recorder shall be entitled to charge and receive for services rendered hereunder the following fees

For recording each chattel mortgage seventy-five cents ($.75)

For noting assignment on the margin of the page on which the chattel mortgage is recorded twenty-five cents ($.25)

For noting release or satisfaction or extension of each such chattel mortgage and the date thereof on the margin of the page of the book where the chattel mortgage is recorded twenty-five cents ($.25)

Such chattel mortgage shall except between parties thereto take effect and be valid only from the the time of recording as herein provided and in case of more than one chattel mortgage the first recorded shall have preference and be first paid out of the proceeds of the sale of the property mortgaged Such mortgage shall remain a lien on the mortgaged property as between the parties thereto until paid but as to third parties shall not remain a lien for a longer period than five (5) years unless the lien thereof is extended for an additional period of five (5) years by the filing with the recorder of deeds of the affidavit of the mortgagee or his successor in interest stating the amount then secured by the lien A notation of the filing of such affidavit and extension of lien shall be made on the margin of the original record of the chattel mortgage in the office of the recorder of deeds

Section 3 Any chattel mortgage executed under and pursuant to this act may be assigned by an instrument in writing signed and acknowledged by the mortgagee his or its agent or assignee and upon presentation of such assignment to the recorder of deeds in the office in which the chattel mortgage is recorded such recorder shall index and file the same and note on the margin of the page in which the chattel mortgage is recorded the fact of the assignment the date of the notation the name of the assignor the name of the assignee and the address of each the date of the assignment and the amount of the debt as of the date of the assignment and such assignment shall except as to the parties thereto take effect and be valid only from the time of the marginal notation as herein provided Any such chattel mortgage may be released by an instrument in writing signed and acknowledged by the mortgagee its assignee or a duly authorized attorney or agent of such mortgagee or assignee and upon presentation of such release in the office of the recorder of deeds where the chattel mortgage is recorded the recorder shall index and file the same and note the fact of such release and the date thereof on the margin of the page of the book where the chattel mortgage is recorded and when so noted such release shall fully and effectually release the lien of such mortgage

Section 4 Upon default of any of the terms and covenants of any chattel mortgage executed in accordance with the provisions of this act the mortgagee its assignee or duly authorized attorney or agent of such mortgagee or assignee shall have the right without process of law immediately to take possession of the mortgaged property and do all things necessary to preserve the same and any expense incurred in connection therewith shall be included in and secured by the lien of said chattel mortgage This right shall be in addition to any and all other rights inuring to the benefit of the mortgagee or its assignee Such chattel mortgage upon default by the mortgagor in the payment of the mortage debt and interest or the covenants in the chattel mortgage contained may be foreclosed and the mortgaged property sold in the same manner as authorized by the laws of this Commonwealth in the case of personal property sold under execution

Section 5 Unless otherwise expressly provided by such chattel mortgage the mortgagor shall be entitled to retain possession of the mortgaged property until default under the terms of his agreement but a removal of the mortgaged property from the county in which it was actually located at the time of the execution of the mortgage shall be deemed a default unless expressly waived by the mortgagee or his duly authorized agent or assignee and the lien of the mortgage shall not be extinguished or impaired by the removal of the mortgaged property from the county in which the mortgage is recorded

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—199

Achterman,	Duffort,	McCreary,	Shortz,
Alexander,	Eberharter,	McDermott,	Shreiner,
Allen,	Eroe,	McDevitt,	Shugarts,
Altenburg,	Falkenstein,	McElroy,	Siegel,
Andrews,	Ferko,	McHenry,	Simon,
Anthony,	Finnerty,	Melchiorre,	Simpson,
Arnold,	Fitch,	Mentzer,	Sinwell,
Atkins,	Flanagan,	Merrell,	Sloan,
Aukerman,	Flinchbaugh,	Moonaw,	Smith, J. A.,
Baine,	Forrest,	Mooney,	Smith, W. G.,
Baker, F. T.,	Gates,	Moore,	Snyder, F. E.,
Baker, J. J.,	Gerard,	Moran,	Snyder, J. L.,
Baldi,	Gillette,	Moul,	Sowers,
Barber,	Greenstein,	Muir,	Sproul,
Barnhardt,	Habbyshaw,	Munley,	Stank,
Beadman,	Haberlen,	Murrin,	Stevens,
Bernhard,	Hagerty,	Nagel,	Stewart,
Blumberg,	Haluska,	Nothnagle,	Stockham,
Boose,	Hamilton, F. P.,	O'Keefe,	Stone,
Boyd, R.,	Hamilton, F. P.,	Ominsky,	Stott,
Boyer,	Harkins,	O'Neill,	Sumney,
Bradley,	Harmuth,	Panton,	Surface,
Brancato,	Hartman,	Parks,	Sweeney,
Brennan,	Hefferon,	Patterson, Cliff,	Tahl,
Brown, H. S.,	Hermansen,	Patterson, J. W.,	Terry,
Brown, J. E.,	Hetrick,	Pearson,	Tronzo,
Brownfield,	Hindman,	Peters,	Trout,
Brumbaugh,	Hirsch,	Pfaff,	Tumelty,
Burke,	Hoffner,	Phillips,	Turner,
Cannon,	Holland,	Piole,	VanAllsburg,
Caputo,	Holstrom,	Powers,	VanSickle,
Carr,	Horst,	Reising,	Wall,
Carson,	Jackson,	Reynolds,	Wasserman,
Castor,	Jones,	Rhys,	Weidemann,
Chervenak,	Kelder,	Rinn,	Weiss,
Coakley,	Kelso,	Roan,	Welliver,
Cochran,	Kenney,	Robinson,	Welsh,
Cohen	Kilroy,	Rooney,	Westrick,
Coleman,	Kinney,	Root,	White,
Condon,	Klingler,	Royer,	Wickersham,
Coolahan,	Kobelak,	Ruffennach,	Winner,
Cooper,	LaRue,	Sarraf,	Witkin,
Cordier,	Linderman,	Scanlon,	Wood,
Davies,	Long,	Schaeffer,	Woodside,
Decker,	Longaker,	Schrock,	Yeakel,
Dent,	Lovett,	Schrope,	Yourishin,
Diehl,	Lynch,	Schwab,	Zappala,
Dilley,	Male,	Serrill,	Zimmerman,
Downey, G. E.,	Mallen,	Shaw,	Furman,
Downey, J. J.,	Mason,	Shepard,	Speaker

NAYS—2

Kane,	McKinney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 70, as follows:

An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into

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effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for assessment of benefits against property benefited and against municipalities counties and townships and for their collection providing for appeals conferring certain powers on municipalities counties and townships and the Department of Highways and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Definitions The word "board" as used in this act means the Water and Power Resources Board of the Department of Forests and Waters

The word "person" as used in this act shall include individuals associations partnerships and corporations

The word "plans" as used in this act shall mean plans maps profiles estimates of costs descriptions of public and private property and of municipalities to be benefited and other data and descriptions prepared by the Water and Power Resources Board to establish the area and boundaries of a proposed flood control district to locate adequate proposed flood control works to determine the cost of the erection and construction of the same to determine property to be taken damaged or benefited by the construction of such works and to make preliminary estimates of benefits to private property and shall also be construed to include similar plans prepared by any agency of the Federal Government

The word "municipality" as used in this act shall include counties cities boroughs incorporated towns and townships

Section 2 Surveys and Preliminary Plans The Water and Power Resources Board shall have power on its own motion or upon the petition of at least three municipalities or upon the petition of at least three hundred persons who are freeholders in any drainage area to make appropriate surveys and to prepare suitable preliminary plans for any proposed flood control district in such drainage area or any part thereof in order to control store preserve and regulate the flow of rivers and streams and diminish or eliminate floods inimical to the public health and safety and destructive to public and private property and works

Section 3 Notice and Public Hearing Objections When such surveys and preliminary plans have been completed the board shall give notice in at least two newspapers in each county wholly or partially within such proposed flood control district if so many are published therein once a week for two consecutive weeks which notice shall state the place where such preliminary plans may be inspected and of a time and place when and where such preliminary plans may be discussed at a public hearing before the board and written objections thereto filed by any person or municipality

The board may in its discretion have such preliminary plans printed and furnish copies thereof to persons interested upon request made

Section 4 Detailed Official Plans Notice When such hearing or hearings on the preliminary plans have been completed the board shall proceed to consider all objections filed to the preliminary plans and shall affirm revise modify or change said plans as in its judgment is deemed just and proper and shall then prepare detailed official plans for the proposed flood control district The board shall give public notice of the adoption of such official plan in the same newspapers and by the same number of insertions as hereinbefore provided for the preliminary plans Such official plans may be printed and distributed in the same manner as the preliminary plans

Section 5 Appeals Procedure Any person or municipality aggrieved by the action of the board in the adoption of the official plans shall have a right to appeal from the action of the board to the Superior Court at any time within thirty days after the date of the last publication of the notice of the adoption of the official plans and not thereafter Such appeal shall be by petition against the board officially as defendant filed with the Superior Court alleging therein in brief the detail the action complained of and praying for a modification or reversal thereof Such petition shall specify the petitioners objections to the action of the board and no objection not so specified shall be considered by the court

A copy of such appeal shall be filed with the board on the same day it is filed with the Superior Court Thereupon the board shall file with the Superior Court at least ten copies of the official plans The board shall not later than fifteen days after the filing of the appeal petition file with the Superior Court an answer thereto and send a copy thereof by registered mail to the person filing the appeal petition or his counsel of record The answer shall deny or admit the allegations in the petition and the grounds for its action

The Superior Court shall fix a time and place of hearing of which due notice shall be given to the appellant and his counsel and to the board in such manner as the Superior Court shall prescribe

After hearing the Superior Court shall make such order affirming the official plans of the board or modifying or changing the same as to it appears just and proper

The Superior Court shall have power to consolidate any and all appeals taken from the action of the board and hear them in the same proceeding

Section 6 When Official Plans Effective Official plans shall become effective for a flood control district and the district shall be deemed established when the period for appeal has expired if no appeal has been taken or if an appeal has been taken then when all apeals have been finally adjudicated

The board may proceed with the exercise of the powers granted by this act whenever an official plan has become effective and shall not be estopped in the exercise of its powers by reason of the fact that benefits assessable under this act have not been determined and that the amount of money accruing to the special flood control fund has not been ascertained but no contract shall be let or agreement executed exceeding the amount of moneys in said fund or to become available to said fund by the time such contract or agreement is completed or concluded

Section 7 General Powers of Board In order to carry into effect the official plans for any flood control district the board shall have power to clean out widen alter deepen or change the course current or channel of any river or stream to fill up any abandoned canal or water course to contruct and maintain levees dikes walls revertments dams lakes reservoirs and other works and improvements deemed necessary to prevent floods and to control preserve and regulate the flow of rivers and streams to construct or enlarge bridges and viaducts to construct relocate and elevate public highways to construct any of said works and improvements across through or over any public highway canal railroad right of way or tracks to remove or change the location of any fence building railroad canal or other improvement to acquire by donation lease purchase or condemnation and own or hold in the name of the Commonwealth real and personal property and easements and the public works erected and contructed under the authority of this act

Section 8 Board Designated As Agency To Receive Federal Moneys The Board is authorized to receive on behalf of the Commonwealth of Pennsylvania any and all Federal moneys grants contributions gratuities and loans available or hereafter made available by the government of the United States or any of its agencies or instrumentalities for State flood control works and improvements under such rules and regulations as may be prescribed by law of the Congress of the United States or any Federal agency or instrumentality and to pay the same over to the State Treasurer through the Department of Revenue for deposit and safe keeping All such moneys shall be paid into the Special Flood Control Fund created by this act

Section 9 Powers and Duties in Connection With Federal Works and Improvements In addition to the powers hereinbefore granted in connection with the creation of flood

control districts the adoption of official plans in connection therewith and the carrying into effect of such official plans the board is hereby empowered and directed for and in behalf of the Commonwealth and its subdivisions to aid assist and cooperate in the carrying out of any Federal flood control program or plans and for such purposes shall have all of the powers conferred by this act with respect to the State created flood control districts and the execution of the official plans for such districts and all other powers whatsoever necessary or required in order to enable the Commonwealth to participate in and receive the benefits of any Federal flood control program or plans in this Commonwealth It shall have power among others to enter into and execute any and all contracts and agreements with agencies of the Federal Government and to do and perform all acts necessary in connection therewith and to assist and cooperate in the construction erection financing maintaining using and operating any Federal public flood control works and improvements and to enter into and execute such contracts as may be deemed necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act It shall have power to obligate the Commonwealth to pay a portion of the cost of such Federal flood control works and improvements not however exceeding amounts of money made available or to become available for such purposes

The board is authorized and directed to conform and comply with all rules regulations and requirements of the Federal Government and its agencies and instrumentalities

Section 10 Contracts All work of any character whatever performed under the authority of this act in connection with any state public flood control works and improvements involving an expenditure of more than one thousand dollars shall be performed under written contract let by the board to the lowest responsible bidder after due advertisement as prescribed by the board

Section 11 Power of Eminent Domain The board shall have power to acquire any property easements rights of way and water courses deemed necessary for the construction of any of its public works or improvements provided for in this act by the right of eminent domain and shall have power to enter upon injure or destroy any property deemed necessary The proceedings for the condemnation of property and for the assessment of damages for property taken injured or destroyed shall be in accordance with the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred seventy-six) entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor" and its amendments and supplements

The board shall have like powers of eminent domain as hereinbefore granted in this section and in accordance with the same procedure provided by this section to acquire property easements rights of way and water courses deemed necessary by the board to enable the Federal Government or any of its agencies or instrumentalities to erect and construct suitable public flood control works and improvements in this Commonwealth in the construction and erection of which the board has been authorized by this act to aid assist and cooperate

The board shall have the power to authorize the Federal Government or any of its instrumentalities or agencies to acquire outside the Commonwealth such property easements rights of way and water courses as are deemed necessary for the construction of any public works or improvements provided for in this act and to order the payment therefor out of the Special Flood Control Fund to the Federal Government or its instrumentality or agency not however exceeding amounts of money made available or to be made available in the flood control fund

Section 12 United States Not to be Liable Federal Rules and Regulations All lands rights in lands rights of way and water courses acquired under the authority of this act for State or Federal flood control works and improvements shall be acquired without cost to the United States and no moneys made available for flood control in this Commonwealth by the United States shall be used for such purposes unless in either event the Government of the United States or any of its agencies or instrumentalities shall first consent thereto nor shall the Government of the United States be deemed liable for any damages by reason of its contribution arising in connection with the construction of any State or Federal public works or improvements The Commonwealth hereby agrees that after such state public works and improvements are constructed where the Federal Government has contributed the same will be operated and maintained in accordance with all rules and regulations prescribed by the Secretary of War of the United States or any other agency or instrumentality of the United States

Section 13 Contracts and Agreements With Municipalities and Persons The board shall have power to enter into contracts and other arrangements with municipalities and persons for cooperation and assistance in constructing financing maintaining using and operating any State or Federal public flood control works or improvements and to enter into and execute such contracts and agreements as may be necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act

Section 14 Relocation of Roads Streets and Bridges The Department of Highways and municipalities may enter into agreements with the board of relocate roads streets bridges and viaducts necessitated by the construction of any State or Federal flood control works and improvements and may agree therein to construct new roads streets bridges and viaducts and pay the cost of the same or any part thereof from the Motor License Fund or municipal moneys with any charge or only part of the cost charged against the moneys in the Special Flood Control Fund The board may consent in any such agreement to pay the whole or any part of the cost of constructing such relocated roads streets bridges and viaducts from the moneys in the Special Flood Control Fund Such relocated roads streets bridges and viaducts may be constructed by the Department of Highways or by contract let by said department or the municipality or by the board as may be agreed upon

Section 15 Acceptance of Completed Federal Works and Improvements The board shall have power to accept on behalf of the Commonwealth all Federal flood control works and improvements after the same have been completed and to agree with the Federal Govrnment to maintain and operate such works and improvements for the primary purpose of flood control in accordance with the rules and regulations of an agency or instrumentality of the Government of the United States

Section 16 Water Power and Supply The rights of landowners municipalities and persons to the waters in a flood control district or in waters affected by any State or Federal flood control works or improvements for domestic use water supply industrial purposes water power or for any other lawful purposes shall extend only to such rights as are owned or possessed by them prior to the establishment of the flood control district or the construction of such flood control works and improvements and to such use as could be made of such waters if the public improvements and works herein authorized had not works make possible a greater better or more convenient use of or benefit from the waters in a flood control district the right of such greater better or more convenient use of or benefit from such waters shall be the property of the Commonwealth saving the rights of the Federal Government as to navigation Such rights may be leased sold or assigned as the Legislature may hereafter provide but at all times the primary purpose of flood control shall be preserved

Section 17 Source of Finances The cost and expenses of making the surveys hereinbefore provided the preparation of preliminary and official plans all advertising the erection and construction of public works and improvements and of all other work of any kind and character authorized by this act the acquisition of any and all property

in connection therewith and of all other necessary and incidental costs and expenses including the expenses of the members of the board salaries and expenses of engineers experts workmen clerks assistants and other employes all court and viewers' costs assessed against the Commonwealth and all other proper and necessary expenses of any kind and character deemed necessary by the board to carry into effect the provisions of this act shall be paid from appropriations made by the Commonwealth to the Special Flood Control Fund from Federal moneys available or made available to this Commonwealth as grants contributions gratituities and loans for flood control works and improvements from gifts and donations received from persons from appropriations and contributions made to the board by municipalities from contributions by other states and its poltical subdivisions and from moneys arising from benefits assessed under the authority of this act against private property and against municipalities benefited or to be benefited by the construction of such public works and improvements to protect public and private property and improvements from damage and destruction by floods All moneys so made available shall likewise be available for expenditure by the board to aid and assist in the erection and construction of Federal public flood control works and improvements beneficial to the people of this Commonwealth

Section 18 Appointment of Viewers After the official plan has been finally adopted and has become effective or whenever the Federal Government has adopted a plan for Federal flood control works and improvements in the construction and erection of which the board has agreed to aid and assist financially and otherwise the court of common pleas of each county wholly or partially within a flood control district as established by the official plan or of any county lying wholly or partially within any drainage area for which Federal flood control works and improvements are to be erected and constructed may on its own motion and shall on the application of the board appoint a board of three viewers from the county board of viewers whose duty it shall be to assess all benefits to private property and to municipalities to be occasioned by the erection and construction of the State or Federal public works and improvements or both It shall be the duty of the board to furnish to each board of viewers so appointed a complete set of the State Official plans showing the private property and the municipalities within the county which will be benefited by the proposed public works and improvements and also of any Federal plans if the same are available

Section 19 Swearing Viewers Assessment of Benefits Notice Hearings The viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters before them or to be submitted to them and relation to which they are authorized to inquire and having viewed each parcel of private property and each municipality which according to the official State plan or Federal plan or program is to be benefited shall hear all parties and their witnesses and shall determine the benefits if any to accrue to each such parcel of private property and to each municipality and shall prepare a schedule of such property and a municipal schedule and the amount of benefits assessed against each piece of private property and against each municipality

No assessment of benefits shall be made against public property No assessment of benefits shall be made against any private property unless in the opinion of the board of viewers such property will be benefited by the prevention or lessening of future flood damage No assessment shal be made against any municipality unless in the opinion of the board of viewers the municipality will be benefited because its buildings roads streets parks water supply plants and other public property and works will be protected from flood damage The fact that public and private property and works have been damaged by flood shall be deemed conclusive evidence that benefit will accrue to such property or municipality by reason of the public works and improvements authorized by this act or provided by the Federal Government or its agencies or instrumentalities No exemption from assessment of benefits shall exist for any private property or any municipality by reason of the fact that the same does not abut on any improvement or on the river or stream carrying the flood waters

The viewers shall give notice to all persons and municipalities against whose properties or against which benefits have been assessed of a time when and place the viewers will meet and exhibit their schedules and hear all exceptions thereto Such notice shall be given by registered mail addressed to the last known post office address of the owner or reputed owner of the property and to the corporate authorities of each municipality and by publication once a week for two weeks in at least two newspapers of general circulation in the county where so many are published in the county The failure of an owner or municipality to receive the registered mail notice shall not be deemed to invalidate the proceedings but in such cases the notice by publication shall be deemed sufficient.

Section 20 Revision of Schedules and Filing Notice Thereof After hearing all parties and after making whatever changes are deemed necessary the viewers shall prepare a revised schedule of benefits to private property and a revised schedule of benefits assessed against municipalities and file a copy of each in the court of common pleas of the county When the reports of the viewers are filed they shall be confirmed nisi When the reports are filed notice thereof shall immediately be given by the board of viewers by publication once in the newspapers publishing the notice of the hearings before the viewers Such notice shall state the date of the filing of the reports contain the schedules of the benefits assessed and shall state that unless exceptions are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the reports will be confirmed absolutely

Section 21 Filing of Exceptions and Appeals Within thirty days after the filing of the report of viewers any person or municipality interested may file exceptions to the same or may appeal to the court of common pleas and demand a jury trial

Each person or municipality filing exceptions or taking an appeal shall except to or appeal from so much of the report only as affects property in which he has an interest or as affects the municipality and the part of the report of the viewers not excepted to or appealed from shall be confirmed absolutely after said thirty day period

Section 22 Procedure on Exceptions and Appeals Where exceptions to a report of the viewers are filed the court shall proceed to hear and determine the same in the manner exceptions to the reports of viewers are generally proceeded within the county Where an appeal is taken it shall state the grounds upon which the appeal is taken and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Upon the trial of any appeal or the hearing of any exceptions in case the appellant or party excepting does not obtain a verdict or decree more favorable than was the report of the viewers he or it shall not recover any costs

The court of common pleas shall order what notices shall be given in connection with such proceedings by exceptions or by appeals and may by rule or otherwise prescribe the form of the pleadings

The court may also in proper cases consolidate proceedings by exceptions or appeal into a single proceeding but exceptions or appeals involving municipalities shall not be consolidated with those involving private property

Section 23 Appeals to Superior and Supreme Courts Any person or municipality aggrieved by an order of court on exceptions filed or determination of the case where a jury trial was demanded may within thirty days after such final order or determination and not thereafter appeal to the Supreme or Superior Court as the case may be

Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same or involve the same questions the Superior Court may certify such appeal to the Supreme Court to be heard with other appeals from the same report

The Supreme or Superior Court shall consolidate all appeals coming before it from the same report and hear

them as one case except that cases arising from exceptions shall not be consolidated with those arising from appeals and demands for a jury trial and those involving municipalities shall not be consolidated with those involving benefits to private property

Where any appeal is taken to the wrong court such court shall certify the same to the court to which it should have been taken

Section 24 Due Date for Payment of Benefits Discounts for Prompt Payment Interest All assessments of benefits shall become due and payable to the board when the State or Federal public flood control works and improvements have been completed which date shall be fixed by the official order of the board notice of which order shall be published by the board in the newspapers in which notice of the preliminary and final plans were published by one insertion

Any person or municipality may pay any part or all of the benefits assessed against him or it to the board before the due date thereof If such payment is made within six months after the amount of the benefits have been finally ascertained a discount of ten per centum of the amount thereof payable shall be allowed All benefits or any part thereof paid after such six months' period and within one year from the time the benefits are finally ascertained shall be subject to a discount of five per centum of the amount payable All assessments of benefits or parts thereof remaining unpaid when the improvements are completed shall bear interest at the rate of six per centum per annum from the date of the completion of the improvements until paid

The board shall send by registered mail addressed to the last known post office address a statement of the amount due by each person after the same has been finally ascertained together with notice of the discounts allowed by this act for prompt payment and when interest will be added to the amount due

Section 25 Liens and Filing Thereof Procedure Thereon to Collect All assessments for benefits against private property shall remain a lien thereon from the time report of the viewers is filed in court until paid unless the lien thereof be lost by failure to revive the same It shall be the duty of the board within six months after its order that the public works and improvements have been completed to file through the Department of Justice in the name of the Commonwealth of Pennsylvania in the office of the prothonotaries of the proper counties liens for all benefits assessed which remain unpaid by persons and municipalities But no such lien shall be filed unless the board shall first notify by mail addressed to the last known post office address of the owner or reputed owner of the property or the municipality against which an assessment has been made of its intention to have said lien filed if payment of the amount due is not made before a time prescribed by the board Such liens shall be filed in the same manner as is provided by law for the filing of municipal claims and shall have priority over all other liens except taxes and municipal claims or liens and except also mortgages and judgments of record prior to the time the report of the viewers was filed in court

Such liens shall be revived prosecuted to judgment executed and collected by the board through the Department of Justice in the same manner in all respects as is provided by law in the case of municipal claims except that in the case of municipalities judgments recovered on such liens shall be collected in the same manner as judgments are collectible by law against municipalities

Section 26 Increase of Municipal Debts Appropriations Any municipality may incur or increase its indebtedness in the manner provided by law for the purpose of appropriating moneys to the board to assist in carrying out the purpose of this act and for the purpose of paying benefits assessed against it by the report of viewers or as finally adjudicated and may make appropriations from current funds for such purposes

Section 27 Special Flood Control Fund Created Appropriation of Moneys Therein A Special Flood Control Fund is hereby established in the State Treasury into which shall be paid all moneys appropriated by the Commonwealth and received from the Federal Government and other states and its political subdivisions for flood control work and projects and all moneys arising from gifts or donations from persons and municipalities and recovered from benefits assessed against persons and municipalities under the provisions of this act

All moneys in the Flood Control Fund from time to time are hereby specifically appropriated to the board for the payment of any and all costs and expenses properly payable under the provisions of section seventeen of this act for repayment to the General Fund of excess appropriations made by the Commonwealth pending the collection of assessments of benefits and for payments on account of any moneys which the board may have agreed to contribute to aid and assist in the erection and construction of any Federal flood control works and improvements and in the erection and construction of flood control works and improvements under compacts and agreements with other states

Where more than one flood control district is created separate accounts shall be kept for each district and payments from the special Flood Control Fund for or on account of any one district shall not exceed the amount credited to such district in said fund.

Section 28 Additional Appropriations to Cover Delayed Payment of Assessments If in the construction and erection of the public works and improvements authorized by this act it becomes necessary for the Commonwealth to advance additional State moneys by appropriation to the Special Flood Control Fund because of a failure of owners of property and municipalities to pay benefits assessed within the time and in the amount estimated by the board then and in that event the General Fund shall be reimbursed by the board from future moneys collected from assessments of benefits to the extent of such additional appropriations The General Assembly shall in its appropriations to carry into effect the provisions of this act state the amount or amounts of appropriations so made which shall be so repaid to the General Fund

Section 29 Cooperation With Other States The Water and Power Resources Board is hereby designated as the agency of the Commonwealth with power to enter into reciprocal compacts and agreements with other states in developing flood control projects and works and shall have authority to expend moneys made available and appropriated by this act for interstate flood control works and improvements located within or without this Commonwealth on rivers and streams entering into or flowing out of or along the borders of this Commonwealth and to receive for payment into the Flood Control Fund from other states and their political subdivisions any moneys to aid and assist in the construction of flood control works and and improvements located in this State which are deemed beneficial to the inhabitants of other states Payments on account of such interstate works and improvements may be made by the board direct to the contractor or to the agency of such other state which let the contract or is performing the work of constructing such works or improvements or to the Federal Government or any of its instrumentalities or agencies supervising the construction of such works or improvements or to the Federal Government or any of its instrumentalities or agencies supervising the construction of such works or improvements

The board is further authorized to empower the Federal Government or any of its instrumentalities or agencies to supervise the construction of such interstate flood control works and improvements

Section 30 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions had not been included therein

Section 31 Appropriation The sum of five hundred thousand dollars ($500,000) or so much thereof as may be necessary is hereby specifically appropriated from the General Fund into the Flood Control Fund created by this act for the purpose of carrying into effect the provisions of this act

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. WEISS. Mr. Speaker, I move that the vote by which the House agreed to the bill on third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WEISS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 3, page 3, line 16 by striking out after the word "and" and before the word "time" the words: "[of a]" and inserting in lieu thereof the word: "the"

Amend section 5, page 4, line 14 by striking out at the end of the line after the word "brief" the word: "[the]"

Amend section 6, page 5, line 24 by inserting after the word "executed" and before the word "exceeding" the words: "requiring expenditures"

Amend section 14, page 11, line 5 by striking out after the word "moneys" and before the word "any" the word: "[with]" and inserting in lieu thereof the word "without"

Amend section 15, page 11, line 22 by striking out after the word "of" and before the word "agency" the word: "[an]' and inserting in lieu thereof the word: "any"

Amend section 17, page 13, line 9 by striking out after the word "and" and before the word "political" the word: "[its]" and inserting in lieu thereof the word: "their"

Amend section 19, page 15, line 22 by inserting after the word 'place" and before the word "the" the word: "where"

Amend section 20, page 16, line 16 by striking out at the beginning of the line before the word "the" the word: "[publishing]" and inserting in lieu thereof the words: "in which"

Amend section 20, page 16, line 16 by inserting at the end of the line after the word "viewers" the words: "was published"

Amend section 20, page 16, line 18 by inserting after "ports" and before the word "contain" the word: "shall"

Amend section 22, page 17, line 9 by inserting after the word "proceeded" and before the word "within" the word "with"

Amend section 22, page 17, line 24 by striking out after the word "or" and before the word "into" the word: "[appeal]" and inserting in lieu thereof the word: "appeals"

Amend section 24, page 19, line 8 by striking out after the word "thereof" and before the word "shall" the word: "[payable]" and inserting in lieu thereof the word: "paid"

Amend section 24, page 19, line 12 by striking out after the word "amount" and before the word "All" the word: "[payable]" and inserting in lieu thereof the word: "paid"

Amend section 24, page 19, line 19 by inserting after the word "person" and before the word "after" the words: "and municipality"

Amend section 27, page 21, line 9 by striking out after the word "and" and before the word "political" the word: "[its]" and inserting in lieu thereof the word: "their"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instruction of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 71, as follows:

An Act providing for the appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof declaring void certain condemnations and appropriations of waters by municipalities corporations copartnerships or persons providing for the ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities corporations copartnerships or persons and appeals therefrom conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto providing for future condemnations and appropriations of waters by municipalities corporations copartnerships or persons and compensation therefor and conferring powers and imposing duties upon the Water and Power Resources Board

Whereas An adequate supply of water is a matter of primary concern affecting the life health and comfort of the people of this Commonwealth and the supervision and equitable allocation thereof is an essential part of the police power of the State which no Legislature could rightfully impair or barter away and

Whereas All of the flowing water of the State by right belongs to the State in trust for the benefit of all of the people thereof and all uses of such flowing water must be regarded as subject to this sovereign right and

Whereas The increase of the population of the State makes it necessary that the available supply of water be apportioned equitably and allocated for the best interests of all concerned

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all of the water of this Commonwealth now unappropriated by any municipality corporation copartnership or person is hereby declared to be appropriated to the Commonwealth, for the benefit of all of the people of this Commonwealth subject only to such existing rights and uses as may now be lawful and no municipality corporation copartnership or person whether heretofore or hereafter created or which may now possess the right to take condemn and appropriate by eminent domain the waters of this Commonwealth shall hereafter take condemn or appropriate any water except as provided in this act

Section 2 Any condemnation or appropriation of waters heretofore made by any municipality corporation copartnership or person heretofore authorized to condemn water which appropriation has not been followed by an actual taking thereof heretofore or within a period of two (2) years after the effective date of this act is hereby declared null and void and of no effect. Where condemnation proceedings are pending in any of the courts of this Commonwealth at the date when this act becomes effective the actual taking of the water shall be within one year following the final determination of such proceeding otherwise the condemnation shall be null and void and of no effect.

Section 3 No condemnation or appropriation of water heretofore made under the power of eminent domain claimed by any municipality corporation copartnership or person authorized to condemn and appropriate water shall be valid or binding unless within six (6) months after the date of approval of this act said municipality corporation copartnershp or person shall produce the record upon which such appropriation or condemnation is founded or prove to the satisfaction of the Water and Power Resources Board that such condemnation was lawfully made in accordance with law at the time said condemnation and appropriation was made and shall thereafter file a transcript or certificate of the resolution or record upon which said condemnation or appropriation is claimed duly acknowledged by the secretary and president of the municipality corporation copartnership or person in the office of the recorder of deeds of the county or the several counties as the case may be in which the water claimed to have been

appropriated flows Any party aggrieved by a decision of the Water and Power Resources Board may within sixty (60) days appeal therefrom to the Court of Common Pleas of Dauphin County and the taking of such appeal shall operate as a supersedeas

Section 4 Hereafter no condemnation or appropriation of streams or the waters thereof for water supply shall be made by any municipality corporation copartnership or person possessing the power of eminent domain except as follows

Municipalities corporations copartnerships or persons desiring additional water supply for present and future needs shall first make application to the Water and Power Resources Board for leave to appropriate or acquire the designated waters of the State setting forth

1 The present source or sources from which water is now taken listing the streams and the quantity of water appropriated therefrom designating as near as may be the point or points from which water is taken or used and the amounts of water stored

2 The necessity for such new or additional source of supply and the river stream or other body of water from which it is proposed to be taken

3 The location and the population needing the supply

4 The amount of water which it is proposed to take

5 The plans for development of the water resources of the streams to maintain the stream flow and to utilize flood runoff including the locations and capacities of any proposed impounding reservoirs

6 The names and addresses of the owners who may be affected by the proposed developments

7 Such other provisions as the Water and Power Resources Board shall deem necessary

Section 5 The Water and Power Resources Board shall upon such application make such investigation as may be necessary and grant such hearing as may be required

The Water and Power Resources Board is hereby given authority upon such application or on its own initiative to allocate all or any part of the waters of the Commonwealth to any municipality corporation copartnership or person

No allocation of the waters of this Commonwealth shall be for a longer term than fifty (50) years and such allocation shall be subject to such terms conditions and stipulations as the board shall deem to be necessary and proper to protect the present and future interests of the Commonwealth in the use and distribution of its water resources

The board shall have the further power to revoke any grant made in case the source of water supply is not developed in the amount or to the extent set forth in the application or required by the order of allocation of the board or if the work is not begun or completed within the time fixed by the board's grant

The Water and Power Resources Board shall further have the power to impose a reasonable charge for the water to be taken at the rate of not less than one dollar ($1.00) nor more than five dollars ($5.00) per million gallons and provide for the collection of the same and shall impose such terms and conditions as may be reasonably necessary bearing in mind the character and navigability of the stream and the need of water for other purposes All moneys collected from such charges shall be paid into the General Fund by and through the Department of Revenue

Section 6 The provisions of this act are severable and if any of the provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 7 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. KANE. Mr. Speaker, I move that the vote by which the House agreed to the bill on third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. KANE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 5, page 5, line 11, by striking out the words "or on its own initiative."

Amend Sec. 5, page 5, line 12, by striking out the words "all or any" and insert in lieu thereof "such."

Amend Sec. 5, page 5, line 14, by inserting after the word "person" the following: "as said application may show to be reasonably necessary to the purpose of the application."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. WEISS. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 3, page 4, line 2 by striking out after the word "party" and before the word "by" the following: "[aggrived]" and inserting in lieu thereof the word: "aggrieved".

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was greed to.

Ordered, that the bill as amended lie over for printing.

REPORTS FROM COMMITTEES

Mr. WEISS, from the Committee on Ways and Means, re-reported as amended, House Bill No. 25, entitled:

An Act imposing a temporary State excise tax on electric power and current generated, manufactured and sold within this Commonwealth; providing for the collection of the tax and the disposition of the revenue derived therefrom; imposing certain costs on counties conferring powers and imposing duties on certain persons, associations, partnerships, corporations, and State departments; and imposing penalties.

Mr. WESTRICK, from the Committee on Ways and Means, re-reported as amended, House Bill No. 36, entitled:

An Act imposing a State emergency tax, payable by those herein defined as distributors, on fuel oil used or sold and delivered within the Commonwealth; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to give security, to file reports, and to retain certain records, imposing duties on retail dealers common carriers, and such distributors;

providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation.

ANNOUNCEMENT

There will be a very important meeting of the Democratic Caucus immediately after this session in the House Caucus Room. The Democratic members are instructed to be present.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wants to impress on the members of the House the importance of being present at tomorrow's session. We hope to adjourn for the week tomorrow and we ask that the members remain over for that session.

ADJOURNMENT

Mr. ROBINSON. Mr. Speaker, I move that this House do now adjourn until tomorrow at 10:00 A. M.

On the question,

Will the House agree to the motion?

Mr. SOWERS. Mr. Speaker, I move that the motion to adjourn be amended by striking out "ten o'clock" and inserting in lieu thereof "nine o'clock."

The SPEAKER. A motion to adjourn cannot be amended.

On the question recurring,

Will the House agree to the motion?

The motion was agreed to, and (at 5:10 P. M.) the House adjourned until Wednesday, May 27, 1936 at 10:00 A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., WEDNESDAY, MAY 27, 1936. No. 13.

SENATE

WEDNESDAY, May 27, 1936.

The Senate met at 10 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Our God and Father, as we stand at the threshold of another Memorial Day, we thank Thee for the brave and fearless men who laid their all upon the altar of their country. In whatever wars they fought we honor their memory and pay silent tribute to their prowess. These heroes have left us a goodly heritage. All we possess is ours because they lived and sacrificed.

"Lord God of hosts, be with us yet,
Lest we forget, lest we forget."

Grant that we of today may not only be proud of our national inheritance but that we may realize our responsibility to maintain and administer it. Help us to defend and protect the principles of liberty and true Americanism against foes from without and from within our borders, thus handing down to future generations, unsullied and multiplied, that which past generations have entrusted to us.

We ask this in the name of Him who built His kingdom upon the foundation of humility and self-abnegation. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HUFFMAN, the further reading was dispensed with, and the Journal was approved.

PETITION

PROTESTING AGAINST CHANGING THE BEER LAWS

The Chair cleared his table and laid before the Senate petition signed by a number of residents of the Seventh Ward, Philadelphia, protesting against making any changes in the beer laws.

Which was referred to the Committee on Law and Order.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 27, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Helen A. Soergel, Perrysville.

BEAVER COUNTY

Joseph C. Sela, Midland.

GREENE COUNTY

Miss Dorina A. Brichetti, Clarksville.

LAWRENCE COUNTY

Walter P: Simpson, Ellwood City.

LYCOMING COUNTY

Ernest J. Cruse, Picture Rocks.

GEORGE H. EARLE.

RESOLUTION REQUESTING USE OF THE SENATE CHAMBER FOR PUBLIC HEARING

Mr. McCLURE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 27, 1936.

Resolved, That the Senate of Pennsylvania grant permission to the Finance Committee for the use of the Senate Chamber for a public hearing on House Bill 21, on Tuesday, June 2, 1936, at 8 P. M., Eastern Standard Time.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 18, (House Bill No. 3), as follows:

An act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class providing for the collection of such taxes by the county treasurers and deputies and the payment of compensation and expenses therefor transferring employes from the office of the delinquent tax collector to the county treasurer's office and making said employes eligible to join and granting them certain credits upon joining the county retirement system

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the

authority of the same That the office of collector of delinquent taxes appointed by the county treasurer in any county of the second class by virtue either of any general special or local act is hereby abolished Provided however That such collectors of delinquent taxes who shall upon the effective date of this act have in their possession a warrant or warrants for the collection of delinquent taxes that are not fully executed shall continue to collect such taxes with the same powers as heretofore and shall receive therefor the same compensation and provided further that none of the interest or penalties for delinquent payments of taxes imposed under the provisions of this act but the full amount of the same shall be collected as hereinafter provided and paid into the county treasury for the use of the county unless abated by other legislation heretofore or hereafter enacted

Section 2 The county treasurer in counties of the second class shall collect all delinquent county taxes interest and penalties and shall have all powers of delinquent tax collectors in counties of such class under the provisions of existing laws and for such purpose the county treasurers in counties of the second class may appoint deputies assistants and clerks whose positions shall be established and the compenation therefor fixed by the salary board of the county but the county treasurer shall receive no additional compensation for the collection of delinquent taxes

Section 3 The county commissioners in counties of the second class shall at the cost of the county provide for and pay the compensation of such deputies assistants and clerks appointed by the county treasurer for the collection of delinquent taxes as hereinabove provided and shall also furnish the county treasurer at the cost of the county with office space office furniture equipment supplies books of record stationery postage and pay all other necessary expense in connection with the collection of such delinquent county taxes

Section 4 All deputies assistants clerks and employes employed in the office of the collector of delinquent county taxes at the time this act becomes effective shall be transferred to and become employes of the county treasurer's office All such deputies assistants clerks and employes shall become eligible to membership in the retirement system established for county employes and shall be entitled to receive credit in the retirement system as county employes for all years of service in the office of the collector of delinquent taxes upon payment into the retirement fund of a sum equal to the amount such persons would have paid into such fund if they had joined the retirement system at the time the same was established if then employed in the office of the delinquent tax collector or if employed first at a later date then a sum equal to the amount such persons would have paid into such fund from the time they were first so employed

Section 5 All acts and parts of acts general local and special inconsistent with the provision of this act are hereby repealed

Section 6 This act shall become effective upon the fifteenth day of August one thousand nine hundred and thirty-six

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 23, (House Bill No. 17), as follows:

An act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That the sum of three million six hundred and thirty thousand dollars ($3,630,000) is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided for the month of May one thousand nine hundred and thirty-six

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the monies appropriated to it among the several counties of this Commonwealth for work relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 Out of the appropriation made by this act the State Emergency Relief Board shall from time to time allocate to the State Veterans' Commission an aggregate of fifty-five thousand dollars ($55,000) for the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means

Section 5 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by a statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehcles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such monies as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 6 The action of the Governor Auditor General and State Treasurer in making said sum of three million six hundred and thirty thousand dollars ($3.630,000) available for expenditure for unemployment relief by the State Emergency Relief Board prior to the effective date of this act in accordance with Concurrent Resolution Serial number three approved by the Governor May thirteenth one

thousand nine hundred and thirty-six is hereby ratified confirmed and validated

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr.REED (Dauphin). Mr. President, I move that the Senate do now take a recess until 12 o'clock noon.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

APPROVAL OF RESOLUTION RELATIVE TO POSTPONING TAX SALES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the Senate and House of Representatives calling upon the various local taxing authorities to postpone tax sales which are now being advertised, until the enactment of legislation now before the General Assembly (House Bill No. 1 and Senate Bill No. 21), authorizing the abatement of tax penalties and interest on local taxes, and permitting the payment thereof.

GEORGE H. EARLE.

REPORT FROM COMMITTEE

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on County Government, reported as amended, Senate Bill No. 47, (House Bill No. 1),

An Act abating certain tax penalties and interest on county city (except cities of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extention thereof.

Mr. EALY. Mr. President, I desire to make a statement in regard to the bill which I have just reported from committee. As the full membership of the Committee on County Government is not present this morning, it is understood that this bill, Senate Bill No. 47, (House Bill No. 1), is reported out, and to be read for the first time at today's session, so that it may be read for the second time on Monday, June 1st, and then recommitted to the Committee on County Government in order that it may be considered by the full committee.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House of Representative as follows:

House Bill No. 59, (Senate Bill No. 55), entitled:

An Act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen, and to repeal section two of the act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards and trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," by providing for the appointment of a board of trustees for each county; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers assistance, except under certain circumstances; providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board; and authorizing the Department of Welfare to cooperate with, and to accept and disburse moneys received from the United States government for aid to dependent children.

Which was committed to the Committee on State Government.

House Bill No. 67, (Senate Bill No. 56), entitled:

An Act to promote flood control and the prevention of soil erosion, and, incidental therewith, to promote agriculture, by providing for cooperation by the Commonwealth of Pennsylvania, through the Department of Agriculture of the United States, in effectuating the purposes of, and carrying into effect the provisions of the Federal "Soil Conservation and Domestic Allotment Act," approved the twenty-ninth day of February, one thousand nine hundred thirty-six, so as to enable agricultural producers to receive Federal grants-in-aid; defining the powers and duties of said department; creating the Pennsylvania Soil Conservation Board; and making an appropriation.

Which was committed to the Committee on Appropriations.

House Bill No. 74, (Senate Bill No. 57), entitled:

A Joint Resolution proposing an amendment to section eight, article nine, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

House Bill No. 75, (Senate Bill No. 58), entitled:

A Supplement to Act No. 56-A, approved the nineteenth day of July; one thousand nine hundred thirty-five (Appropriation Acts of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind," increasing the current appropriation for blind pensions in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same.

Which was committed to the Committee on Appropriations.

House Bill No. 79, (Senate Bill No. 59), entitled:

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty, one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-three, one thousand nine hundred and thirty-four,

and one thousand nine hundred and thirty-five, and validating the liens of such taxes.

Which was committed to the Committee on County Government.

BILL ON FIRST READING

Mr. BUCKMAN. Mr. President, I ask unanimous consent that all bills reported from Committee at today's session be read the first time.

The PRESIDENT. Is there objection, The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 47, (House Bill No. 1), entitled:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extention thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until Monday evening, June 1, 1936, at 9:00 o'clock.

Mr. THOMPSON (Westmoreland). Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:25 P. M. until 9:00 o'clock Monday evening, June 1, 1936.

HOUSE OF REPRESENTATIVES

WEDNESDAY, May 27, 1936.

The House met at 10:00 A. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Rev. MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

O Lord, Our God, how excellent is Thy Name in all of the earth. We worship and adore Thy Name this morning for Thy many blessings. We pray also that Thou wilt bless the members of this House and their families and in this session this morning may we have the realizing sense of Thy presence. Grant us Thy leadership and Thy guidance. May Thy Kingdom come and Thy Will be done. In His Name and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of Yesterday, when, on motion of Mr. HETRICK the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. SIMON. HOUSE BILL No. 111.

A Joint Resolution proposing an amendment to section, one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. PARKS. HOUSE BILL No. 112.

An Act imposing fees for the establishment and maintenance of, and regulating the motor vehicle junk business; requiring a permit from the Department of Revenue to conduct such business: imposing certain restrictions on such business; and imposing penalties.

Referred to the Committee on Ways and Means.

By Mr. FITCH. HOUSE BILL No. 113.

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred and thirty-five (Pamphlet Laws two hundred eight), entitled "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment and collection of the tax, and appeal to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards, and departments; making an appropriation, and providing penalties," by increasing the rate of tax for a limited period of time.

Referred to the Committee on Ways and Means.

By Mr. JOHN E. BROWN. HOUSE BILL No. 114.

A Joint Resolution proposing an amendment to article fourteen, section one, of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk.

MOTOR TRUCK LICENSE FEES

A resolution from the Gretna Grange No. 1543 Washington, Pa. opposing increase in license fees for motor trucks.

Referred to the Committee on Highways.

REPORT FROM COMMITTEE

Mr. YOURISHIN, from the Committee on Municipal Corporations, reported as amended, House Bill No. 109, entitled:

An Act to authorize and empower municipalities and townships, separately or jointly, to erect and construct flood control works and improvements within or without their territorial limits, and to expend moneys and incur indebtedness for such purposes.

RESOLUTION

Mr. FALKENSTEIN offered a resolution which was filed with the Clerk under the rules.

RESOLUTION No. 12

Mr. BLUMBERG. Mr. Speaker, I desire to call up at this time Resolution No. 12, Printer's No. 91.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 12, 1936.

Whereas, The most important and crucial problem before this Extraordinary Session of 1936 is that of relief for the unemployed, the destitute and needy, and

Whereas, It is the sense of the General Assembly that the maximum amount of relief possible under present circumstances should be afforded to this unfortunate class of our citizenship, and

Whereas, Under the terms of the agreement entered into by the Commonwealth of Pennsylvania and the United States Government in 1935, the Federal Government agreed to provide by work projects for all employables in the aforementioned class of citizenship and the State Government was to provide by direct relief for all unemployables, and

Whereas, The State Government has been compelled from the time of said agreement to the present to continue to provide for the unemployables among the needy by means of direct relief grants, despite the said agreement, and

Whereas, The Commonwealth of Pennsylvania is maintaining a large administrative agency operating under the State Emergency Relief Board for the distribution of direct relief at a present administrative cost of approximately $12,000,000 per year, and

Whereas, It has been impossible to determine the cost of administration of WPA projects in Pennsylvania, although it has been reported that same exceeds many times the high cost of administration of direct relief by the State Emergency Relief Board, and

Whereas, Allegations have been made and charges have appeared in the public press of the Commonwealth to the effect that the administration of WPA projects in Pennsylvania has been entirely political, that persons not entitled to relief and whose sole qualification is political activity have been given lucrative administrative positions and white collar jobs; that preferences exist to the detriment of those in need of relief for the benefit of the political parasite, and that vast sums of money which should properly go to the unemployed, the destitute and the needy of this Commonwealth are being diverted to those not in need of relief who receive the political plums of WPA, and

Whereas, A direct relationship exists between the sum to be appropriated by the Commonwealth for direct relief and the number of persons properly employed on WPA projects, therefore be it

Resolved, (if the Senate concur) That the General Assembly of Pennsylvania request the State Administrator of WPA projects, Edward N. Jones, furnish to the General Assembly of Pennsylvania not later than May 19, 1936, the following information:

1. The total cost of administration of WPA projects in Pennsylvania, by counties, for the period beginning January 1, 1935 and ending May 1, 1936.

2. The number of administrative positions in WPA projects in Pennsylvania, by counties, and the salaries of same.

3. The names and addresses of those holding administrative positions in WPA projects in Pennsylvania, by counties, and the respective salaries.

4. The number, by counties, of those working on WPA projects in Pennsylvania not taken from the relief rolls of the State and the percentage of same to the gross number of employables on WPA projects in Pennsylvania.

5. The names and addresses, by counties, of those not taken from direct relief rolls of the State of Pennsylvania holding positions of County Administrator, supervisors, superintendents, secretaries, foremen, assistant foremen, time keepers and disbursing officers on WPA projects in the State and the respective salary of each.

6. The total amount allotted and spent on WPA projects in Pennsylvania, by counties, for the period beginning January 1, 1935 and ending May 1, 1936.

On the question,

Will the House adopt the resolution?

Mr. BLUMBERG. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend line two, page three, by striking out the words "May 19" and inserting in lieu thereof "June 15."

On the question,

Will the House agree to the amendment?

It was agreed.

Ordered, That the resolution as amended lie over for printing.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 44, entitled:

An Act to amend section two hundred and one of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred fifty-three) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" making the real estate of public service companies with certain exceptions subject to taxation for school purposes

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 74, entitled:

A Joint Resolution proposing an amendment to section eight article nine of the Constitution of the Commonwealth of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. WICKERSHAM. Mr. Speaker, I would like to interrogate the sponsor of the resolution, Mr. Holstrom.

The SPEAKER. Will the gentleman from Lehigh, Mr. Holstrom, permit himself to be interrogated?

Mr. HOLSTROM. I will, Mr. Speaker.

Mr. WICKERSHAM. Mr. Speaker, I would like the sponsor of the resolution to explain it to the House.

Mr. HOLSTROM. Mr. Speaker and members of the House, all this does is to allow the cities, counties, boroughs, and townships, and so forth to borrow three percent in excess of the present limitation, for sewage projects only. That is the whole intent of it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Achterman,	Downey, J. J.,	Mason,	Shaw,
Alexander,	Duffort,	McCreary,	Shepard,
Allen,	Eberharter,	McDermott,	Shortz,
Altenburg,	Eroe,	McDevitt,	Shreiner,
Andrews,	Falkenstein,	McElroy,	Shugarts,
Anthony,	Ferko,	McHenry,	Siegel,
Arnold,	Finnerty,	McKinney,	Simon,

Atkins,	Fitch,	Melchiorre,	Simpson,
Baine,	Flanagan,	Mentzer,	Sinwell,
Baker, F. T.,	Flinchbaugh,	Merrell,	Sloan,
Baker, J. J.,	Forrest,	Moomaw,	Smith, J. A.,
Baldi,	Gates,	Mooney,	Smith, W. G.,
Barber,	Gerard,	Moore,	Snyder, F. E.,
Barnhardt,	Gillette,	Moran,	Snyder, J. L.,
Beadman,	Habbyshaw,	Moul,	Sowers,
Bernhard,	Haberlen,	Muir,	Sproul,
Blumberg,	Hagerty,	Munley,	Stank,
Boose,	Haluska,	Nagel,	Stevens,
Boyd, R.,	Hamilton, F. P.,	Nothnagle,	Stewart,
Boyer,	Hamilton, R. S.,	O'Keefe,	Stockham,
Bradley,	Harkins,	Ominsky,	Stone,
Brancato,	Harmuth,	O'Neill,	Stott,
Brennan,	Hartman,	Panton,	Sumney,
Brown, H. S.,	Hermansen,	Parks,	Surface,
Brownfield,	Hetrick,	Patterson, C.,	Sweeney,
Brumbaugh,	Hindman,	Patterson, J. W.,	Terry,
Burke,	Hirsch,	Pearson,	Tronzo,
Cannon,	Hoffner,	Pfaff,	Trout,
Caputo,	Holland,	Piole,	Tumelty,
Carr,	Holstrom,	Powers,	Van Allsburg,
Carson,	Horst,	Reising,	Van Sickle,
Castor,	Jackson,	Reynolds,	Wasserman,
Chervenak,	Jones,	Rhys,	Weidemann,
Coakley,	Kane,	Rinn,	Weiss,
Cochran,	Kelder,	Roan,	Welliver,
Cohen,	Kelso,	Robinson,	Welsh,
Coleman,	Kenney,	Rooney,	Westrick,
Condon,	Kilroy,	Root,	Wickersham,
Coolahan,	Kinney,	Royer,	Winner,
Cooper,	Klingler,	Sarraf,	Wood,
Cordier,	Kobelak,	Scanlon,	Woodside,
Davies,	LaRue,	Schaeffer,	Yeakel,
Decker,	Long,	Schrock,	Yourishin,
Dent,	Longaker,	Schrope,	Zappala,
Diehl,	Lovett,	Schwab,	Furman,
Dilley,	Lynch,	Serrill,	Speaker
Downey, G. E.,	Male,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 59, entitled:

An Act to amend sections one three four seven nine ten fourteen fifteen sixteen and eighteen and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards and trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" by providing for the appointment of a board of trustees for each county changing the qualifications of mothers eligible for assistance requiring all counties to appropriate moneys for mothers assistance except under certain circumstances providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations providing for cooperation by the Department of Welfare with the Federal Social Security Board and authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States government for aid to dependent children

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Contsitution, the yeas and nays were taken and were as follows, viz:

YEAS—182

Achterman,	Downey, J. J.,	Lynch,	Schwab,
Allen,	Duffort,	Male,	Serrill,
Altenburg,	Eberharter,	Mason,	Shaw,
Andrews,	Eroe,	McCreary,	Shepard,
Anthony,	Falkenstein,	McDermott,	Shortz,
Arnold,	Ferko,	McDevitt,	Shugarts,
Atkins,	Finnerty,	McElroy,	Siegel,
Baine,	Fitch,	McHenry,	Simon,
Baker, F. T.,	Flanagan,	McKinney,	Simpson,
Baker, J. J.,	Flinchbaugh,	Melchiorre,	Sinwell,
Baldi,	Forrest,	Mentzer,	Sloan,
Barber,	Gates	Merrell,	Smith, J. A.,
Barnhardt,	Gerard,	Moomaw,	Smith, W. G.,
Beadman,	Gillette,	Mooney,	Snyder, F. E.,
Bernhard,	Habbyshaw,	Moore,	Snyder, J. L.,
Blumberg,	Haberlen,	Moran,	Sowers,
Boose,	Hagerty,	Moul,	Sproul,
Boyd, R.,	Haluska,	Muir,	Stank,
Boyer,	Hamilton, F. P.,	Munley,	Stevens,
Bradley,	Hamilton, R. S.,	Nagel,	Stewart,
Brancato,	Harkins,	Nothnagle,	Stockham,
Brennan,	Harmuth,	O'Keefe,	Stone,
Brown, H. S.,	Hartman,	Ominsky,	Sumney,
Brownfield,	Hermansen,	O'Neill,	Surface,
Brumbaugh,	Hetrick,	Panton,	Sweeney,
Burke,	Hindman,	Parks,	Terry,
Cannon,	Hirsch,	Patterson, C.,	Tronzo,
Caputo,	Hoffner,	Patterson, J. W.,	Trout,
Carr,	Holland,	Pearson,	Tumelty,
Carson,	Holstrom,	Pfaff,	VanAllsburg,
Castor,	Horst,	Piole,	VanSickle,
Chervenak,	Jackson,	Powers,	Wasserman,
Coakley,	Jones,	Reising,	Weidemann,
Cochran,	Kane,	Reynolds,	Weiss,
Cohen,	Kelder,	Rhys,	Welliver,
Coleman,	Kelso,	Rinn,	Welsh,
Condon,	Kenney,	Roan,	Westrick,
Coolahan,	Kilroy,	Robinson,	Wickersham,
Cooper,	Kinney,	Rooney,	Winner,
Cordier,	Klinger,	Root,	Wood,
Davies,	Kobelak,	Royer,	Woodside,
Decker,	LaRue,	Sarraf,	Yeakel,
Dent,	Linderman,	Scanlon,	Yourishin,
Diehl,	Long,	Schaeffer,	Furman,
Dilley,	Longaker,	Schrock,	Speaker
Downey, G. E.,	Lovett,	Schrope,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 67, as follows:

An Act to promote flood control and the prevention of soil erosion and incidental therewith to promote agriculture by providing for cooperation by the Commonwealth of Pennsylvania through the Department of Agriculture with the Secretary of Agriculture of the United States in effectuating the purposes of and carrying into effect the provisions of the Federal "Soil Conservation and Domestic Allotment Act" approved the twenty-ninth day of February one thousand nine hundred thirty-six so as to enable agricultural producers to receive Federal grants-in-aid defining the powers and duties of said department creating the Pennsylvania Soil Conservation Board and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to aid in flood control and protect the rivers streams reservoirs and dams of this Commonwealth against the results of soil erosion and incidental therewith to preserve and improve the fertility of

soil to promote the economic use and conservation of land to diminish the exploitation and wasteful and unscientific use of the soil resources and to reestablish the ratio between the purchasing power of the net income of farmers and those not on farms the Commonwealth of Pennsylvania through the Department of Agriculture is hereby authorized and directed to cooperate with the Secretary of Agriculture of the United States in the execution of a State plan to effectuate the purposes of the act of the Congress of the United States approved the twenty-ninth day of February one thousand nine hundred thirty-six entitled "An act to promote the conservation and profitable use of agricultural land resources by temporary Federal aid to farmers and by providing for a permanent policy of Federal aid to states for such purposes" commonly known as the "Soil Conservation and Domestic Allotment Act"

Section 2 The Department of Agriculture is hereby authorized and empowered to formulate and to submit to the Secretary of Agriculture of the United States prior to such time and in such form as said secretary may prescribe a plan to effectuate payments to this Commonwealth of allocations made in accordance with section seven of the said act of Congress of the United States and generally to carry the Soil Conservation and Domestic Allotment Act into effect in this Commonwealth

The Department of Agriculture is hereby authorized to receive any moneys allocated to this Commonwealth to effectuate the purposes of said act of Congress and to provide grants-in-aid for agricultural producers including tenants and share croppers and to pay such Federal moneys into the custody of the State Treasury through the Department of Revenue Payments from the State Treasury to persons entitled thereto shall be made under such system of requisitioning and accounting as the State Treasurer and the Department of Agriculture shall prescribe

Section 3 The Department of Agriculture is hereby designated as the agency of the Commonwealth subject to the approval of the Secretary of Agriculture of the United States to administer any plan submitted and approved It shall have power to promote the organization of such county community regional and State-wide committees or associations of agricultural producers for the purpose of participating in the administration of such plan as it and the said secretary may deem necessary It shall have power in accordance with any approved plan to enter into contracts and agreements with producers and to provide by other voluntary methods for adjustments in the utilization of land and in farming practices and for payment of benefits in connection therewith Such plan shall provide for the submission from time to time of such reports to the Secretary of Agriculture of the United States as he may deem necessary and shall comply with such requirements as said secretary may prescribe to assure the correctness of and make possible the verifications of such reports

Section 4 There is hereby created in the Department of Agriculture an advisory board to be known as the Pennsylvania Soil Conservation Board which shall consist of the Secretary of Agriculture the Secretary of Forests and Waters the Superintendent of Public Instruction one representative of the Pennsylvania Agricultural Extension Service to be selected by the Secretary of Agriculture of this Commonwealth and a representative of the agricultural producers chosen in such manner as may be provided through the organization of the county community regional and State-wide committees or associations organized under the authority of this act The Pennsylvania Soil Conservation Board shall elect one of its members as chairman Four members of the board shall constitute a quorum The board shall have and possess all powers and perform all duties generally vested in and imposed upon advisory boards by The Administrative Code of one thousand nine hundred twenty-nine and its amendments

The Pennsylvania Soil Conservation Board shall from time to time advise with the Department of Agriculture in effectuating plans to carry out the provisions of this act and to advise on all such other matters and affairs as are referred to it by the department for advice

Section 5 The Department of Agriculture shall have power to divide the State into a convenient number of regions assigning each of the several counties to a region in order to effectuate the organization of regional committees or associations and otherwise to carry out the purposes of this act and the Soil Conservation and Domestic Allotment Act

Section 6 The sum of twenty thousand dollars ($20,000) or as much thereof as may be necessary is hereby appropriated to the Department of Agriculture to carry out the purposes of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Achterman,	Downey, G. E.,	Lovett,	Schropp,
Alexander,	Downey, J. J.,	Lynch,	Schwab,
Allen,	Duffort,	Male,	Serrill,
Altenburg,	Eberharter,	Mason,	Shaw,
Andrews,	Eroe,	McCreary,	Shepard,
Anthony,	Falkenstein,	McDermott,	Shortz,
Arnold,	Ferko,	McDevitt,	Shugarts,
Atkins,	Finnerty,	McElroy,	Siegel,
Baine,	Fitch,	McKinney,	Simon,
Baker, F. T.,	Flanagan,	Melchiorre,	Simpson,
Baker, J J.,	Flinchbaugh,	Mentzer,	Sinwell,
Baldi,	Forrest,	Merrell,	Sloan,
Barber,	Gates,	Moomaw,	Smith, J. A.,
Barnhardt,	Gerard,	Mooney,	Smith, W. G.,
Beadman,	Gillette,	Moore,	Snyder, F. E.,
Bernhard,	Habbyshaw,	Moran,	Snyder, J. L.,
Blumberg,	Haberlen,	Moul,	Sowers,
Boose,	Hagerty,	Muir,	Stank,
Boyd, R.,	Haluska,	Munley,	Stevens,
Boyer,	Hamilton, F. P.,	Nagel,	Stewart,
Bradley,	Hamilton, R. S.,	Nothnagle,	Stockham,
Brancato,	Harkins,	O'Keefe,	Stone,
Brennan,	Hartman,	Ominsky,	Sumney,
Brown, H. S.,	Hermansen,	O'Neill,	Surface,
Brownfield,	Hetrick,	Panton,	Sweeney,
Brumbaugh,	Hindman,	Parks,	Terry,
Burke,	Hirsch,	Patterson, C.,	Tronzo,
Cannon,	Hoffner,	Patterson, J. W.,	Trout,
Caputo,	Holland,	Pearson,	Tumelty,
Carr,	Holstrom,	Pfaff,	VanAllsburg,
Carson,	Horst,	Piole,	VanSickle,
Castor,	Jackson,	Powers,	Wasserman,
Chervenak,	Jones,	Reising,	Weidemann,
Coakley,	Kane,	Reynolds,	Weiss,
Cochran,	Kelder,	Rhys,	Welliver,
Cohen,	Kelso,	Rinn,	Welsh,
Coleman,	Kenney,	Roan,	Westrick,
Condon,	Kilroy,	Robinson,	Wickersham,
Coolahan,	Kinney,	Rooney,	Winner,
Cooper,	Klingler,	Root,	Witkin,
Cordier,	Kobelak,	Royer,	Wood,
Davies,	LaRue,	Sarraf,	Woodside,
Decker,	Linderman,	Scanlon,	Yeakel,
Dent,	Long,	Schaeffer,	Yourishin,
Diehl,	Longaker,	Schrock,	Furman,
Dilley,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 75, entitled:

A Supplement to Act Number fifty-six-A approved the nineteenth day of July one thousand nine hundred thirty-five (Appropriation Acts of one thousand nine hundred thirty-five Page forty-one) entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind" increasing the current appropriation for blind pensions in order to enable the Commonwealth to

match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Achterman,	Downey, G. E.,	Lovett,	Schwab,
Alexander,	Downey, J. J.,	Lynch,	Serrill,
Allen,	Duffort,	Male,	Shaw,
Altenburg,	Eberharter,	Mallen,	Shepard,
Andrews,	Eroe,	Mason,	Shortz,
Anthony,	Falkenstein,	McCreary,	Shugarts,
Arnold,	Ferko,	McDermott,	Siegel,
Atkins,	Finnerty,	McDevitt,	Simon,
Baine,	Fitch,	McElroy,	Simpson,
Baker, F. T.,	Flanagan,	McKinney,	Sinwell,
Baker, J. J.,	Flinchbaugh,	Melchiorre,	Sloan,
Baldi,	Forrest,	Merrell,	Smith, J. A.,
Barber,	Gates,	Moomaw,	Smith, W. G.,
Barnhardt,	Gerard,	Mooney,	Snyder, F. E.,
Beadman,	Gillette,	Moore,	Snyder, J. L.,
Bernhard,	Habbyshaw,	Moran,	Sowers,
Blumberg,	Haberlen,	Moul,	Stank,
Boose,	Hagerty,	Muir,	Stevens,
Boyd, R.,	Haluska,	Munley,	Stewart,
Boyer,	Hamilton, F. P.,	Nagel,	Stockham,
Bradley,	Hamilton, R. S.,	Nothnagle,	Stone,
Brancato,	Harkins,	O'Keefe,	Sumney,
Brennan,	Hartman,	Ominsky,	Surface,
Brown, H. S.,	Hermansen,	O'Neill,	Sweeney,
Brownfield,	Hetrick,	Panton,	Terry,
Brumbaugh,	Hindman,	Parks,	Tronzo,
Burke,	Hirsch,	Patterson, Cliff,	Trout,
Cannon,	Hoffner,	Patterson, J. W.,	Tumelty,
Caputo,	Holland,	Pearson,	VanAllsburg,
Carr,	Holstrom,	Pfaff,	VanSickle,
Carson,	Horst,	Piole,	Wasserman,
Castor,	Jackson,	Powers,	Weidemann,
Chervenak,	Jones,	Reising,	Weiss,
Coakley,	Kane,	Reynolds,	Welliver,
Cochran,	Kelder,	Rhys,	Welsh,
Cohen,	Kelso,	Roan,	Westrick,
Coleman,	Kenney,	Robinson,	White,
Condon,	Kilroy,	Rooney,	Wickersham,
Coolahan,	Kinney,	Root,	Winner,
Cooper,	Klingler,	Royer,	Witkin,
Cordier,	Kobelak,	Sarraf,	Wood,
Davies,	LaRue,	Scanlon,	Woodside,
Decker,	Linderman,	Schaeffer,	Yeakel,
Dent,	Long,	Schrock,	Yourishin,
Dilley,	Longaker,	Schrope,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 79, entitled:

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty one thousand nine hundred and thirty-one one thousand nine hundred and thirty-two one thousand nine hnudred and thirty-three one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five and validating the liens of such taxes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Achterman,	Downey, G. E.,	Longaker,	Schwab,
Alexander,	Downey, J. J.,	Lovett,	Serrill,
Allen,	Duffort,	Lynch,	Shaw,
Altenburg,	Eberharter,	Male,	Shepard,
Andrews,	Eroe,	Mason,	Shortz,
Anthony,	Falkenstein,	McDermott,	Shreiner,
Arnold,	Ferko,	McDevitt,	Shugarts,
Atkins,	Finnerty,	McElroy,	Siegel,
Baine,	Fitch,	McKinney,	Simon,
Baker, F. T.,	Flanagan,	Melchiorre,	Simpson,
Baker, J. J.,	Flinchbaugh,	Merrell,	Sinwell,
Baldi,	Forrest,	Moomaw,	Sloan,
Barber,	Gates,	Mooney,	Smith, J. A.,
Barnhardt,	Gerard,	Moore,	Smith, W. G.,
Beadman,	Gillette,	Moran,	Snyder, F. E.,
Bernhard,	Habbyshaw,	Moul,	Snyder, J. L.,
Blumberg,	Haberlen,	Muir,	Sowers,
Boose,	Hagerty,	Munley,	Sproul,
Boyd, R.,	Haluska,	Nagel,	Stank,
Boyer,	Hamilton, F. P.,	Nothnagle,	Stevens,
Bradley,	Hamilton, R. S.,	O'Keefe,	Stewart,
Brancato,	Harkins,	Ominsky,	Stockham,
Brennan,	Hartman,	O'Neill,	Stone,
Brown, H. S.,	Hermansen,	Panton,	Sumney,
Brownfield,	Hetrick,	Parks,	Surface,
Brumbaugh,	Hindman,	Patterson, Cliff,	Sweeney,
Burke,	Hirsch,	Patterson, J. W.,	Tronzo,
Cannon,	Hoffner,	Pearson,	Trout,
Caputo,	Holland,	Pfaff,	Tumelty,
Carr,	Holstrom,	Phillips,	Van Allsburg,
Carson,	Hoopes,	Piole,	VanSickle,
Castor,	Horst,	Powers,	Wasserman,
Chervenak,	Jackson,	Reising,	Weidemann,
Coakley,	Jones,	Reynolds,	Weiss,
Cochran,	Kane,	Rhys,	Welliver,
Cohen,	Kelder,	Roan,	Welsh,
Coleman,	Kelso,	Robinson,	Westrick,
Condon,	Kenney,	Rooney,	Wickersham,
Coolahan,	Kilroy,	Root,	Winner,
Cooper,	Kinney,	Royer,	Witkin,
Cordier,	Klingler,	Sarraf,	Wood,
Davies,	Kobelak,	Scanlon,	Woodside,
Decker,	LaRue,	Schaeffer,	Yeakel,
Dent,	Linderman,	Schrock,	Yourishin,
Diehl,	Long,	Schrope,	Furman,
Dilley,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 76, entitled:

An Act to amend section eight of the act approved the nineteenth day of January one thousand nine hundred thirty-four Special Session of one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws two hundred eighty-six) entitled "An act making appropriations out of the State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of Certain State departments by imposing a time limit within which counties cities boroughs incorporated towns townships school districts and poor districts may obtain reimbursements for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker and members of the House, during the period between January 1st and June 2, 1933, a number of the school districts and municipalities of this Commonwealth employed labor for which they have to pay Workmen's Compensation. This labor was obtained and paid for by money which was appropriated for relief. We then passed a bill which appropriated $250,000 from the moneys realized by the Liquor Control Board, for the purpose of repaying the districts for the money which the State paid, and the State Workmen's Insurance bond, and this compensation insurance money. As I understand it, there are still a number of these districts in the State which have not received their money. In other words, the State would not repay the districts until after they had paid the insurance company and received a receipt therefor. A number of the districts have been handicapped ever since that time and did not have sufficient money on hand to make this payment. As a result some of these insurance bills have not been paid by the municipalities or the school districts, and as a result they have not collected their various sums from this $250,000. As I understand the bill which is before us it is to lapse that sum—I realize not until January first, 1937. But it seems to me that as long as there are these districts who will have to have relief therefrom, the funds which they would be entitled to under this former act, we should not lapse this appropriation at this time.

I have before me a letter from one of the districts in my legislative district involving the sum of $2,747.60, which is a substantial sum for a number of the districts.

I am wondering if the sponsor of this bill would not agree to place it upon the postponed calendar until this matter could be looked into further by the members of this House. I believe that possibly the matter could be ironed out and made satisfactory. Personally I think it is just as well for the matter to go over until the next session, but I see no reason why it could not be placed upon the postponed calendar, and I respectfully request the sponsor of the bill to so agree, in order that we may have an opportunity to look into the matter a little further.

BILL POSTPONED

Mr. DILLEY. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 25, as follows:

An Act imposing a temporary State excise tax on electric power and current generated manufactured and sold within this Commonwealth providing for the collection of the tax and the disposition of the revenue derived therefrom imposing certain costs on the Commonwealth conferring powers and imposing duties on certain persons associations partnerships corporations and State departments and imposing penalties

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Electric Power Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" A corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other State territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Exemptions (a) Every person engaged in the business of manufacturing or generating hydroelectric power and current in this Commonwealth for the purpose of sale shall be subject to the payment of a State excise tax of three-quarter (¾) mill upon each kilowatt hour of hydroelectric power and current so manufactured or generated

(b) Every person engaged in the business of manufacturing or generating electric power and current by the use of steam power in this Commonwealth for the purpose of sale shall be subject to the payment of a State excise tax of three-quarter (¾) mill upon each kilowatt hour of electric power and current so manufactured or generated

(c) Every person engaged in the business of selling electric power and current within this Commonwealth shall be subject to the payment of a State excise tax of three-quarter (¾) mill upon each kilowatt hour of electric power and current sold in this Commonwealth Provided That if such seller procures electric power or current which has been subject to the payment of the excise tax hereinbefore provided a credit on said tax to the amount of the excise tax already required to be paid by the person manufacturing or generating the same within this Commonwealth shall be allowed Provided further That the provisions of this act shall not apply to the electric power or curren manufactured or generated in another state and brought into this Commonwealth until such power or current has lost its interstate character and immunities

(d) The excise taxes imposed by this section shall not be payable upon electric power and current manufactured generated or sold by the Commonwealth or any political subdivision thereof

(e) The excise taxes imposed by this section shall be in addition to all other taxes which now are or may hereafter be imposed by law

Section 4 Report and Payment of Tax For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every person liable to pay tax under this act on or before the fifteenth day of each month to transmit to the department upon a form prescribed and furnished by the department a report under oath or affirmation of electric power and current manufactured generated or sold in this Commonwealth during the preceding month upon which electric power and current tax is imposed by this act Such report shall show the number of kilowatt hours of such electric power and current manufactured generated or sold in the Commonwealth during the period for which it is made and such further information as the department shall prescribe

Every person liable for tax under this act at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on electric power and current manufactured generated or sold by him during the preceding month The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the fifteenth day of the next succeeding month and shall bear interest at the rate of one per centum per

month or fractional part of a month from the date they are due and payable until paid

If any person liable to pay tax under this act shall neglect or refuse to make any report or payment as herein required an additional ten per centum of the amount of the tax shall be added by the department and collected as hereinafter provided

Section 5 Determination and Redetermination of Tax Penalties and Interest Due (a) If the department is not satisfied with the report and payment of tax made by any person under the provisions of this act it is hereby authorized and empowered to make a determination of the tax due by such person based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such persons Within thirty (30) days after the date of any such determination such person may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons whcih the petitioner believes entitles him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within ninety (90) days after the date of any determination to dispose of any petitions for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty (30) days after notice by the department of the action taken on any petition for redetermination filed with it the person against whom such determination was made by petition such action Every petition for review filed hereunder shall state specifically the reason upon which the petitioned relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of said board to dispose of any such petition within ninety (90) days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) If any person liable to pay tax under this act shall neglect or refuse to make any report or payment of tax required by this act the department shall estimate the tax due by such person and determine the amount due by him for taxes penalties and interest thereon as prscribed herein from which determination there shall be no right of review or appeal

Section 6 Requirements as to Meters Every person engaged in the business of manufacturing generating or selling electric power and current in this Commonwealth shall provide himself with and maintain the necessary meters or other instruments to show the amount of electric power and current manufactured generated or sold expressed in kilowatt hours and shall keep permanent legible records showing the number of kilowatt hours of electric power and current so manufactured generated or sold in each day

Section 7 Examination of Records and Equipment The department or any agent appointed in writing by it is hereby authorized to enter upon the premises and to examine the books papers records meters instruments and any other equipment and to investigate the character of the business of any person liable to pay tax under this act pertaining to the manufacture generation or sale of electric power and current taxable under this act to verify the accuracy of any report or payment made under the provisions of this act or to ascertain whether or not the tax imposed by this act has been paid but any information gained by the department as the result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1000) and costs of presecution or to undergo imprisonment of not more than one (1) year or both in the discretion of the court

Every person is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations

Section 8 Retention of Records Penalty Each person liable to pay tax under this act shall maintain and keep for a period of two years such record or records of electric power and current manufactured generated or sold in this Commonwealth by him together with such other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment for not more than one (1) year or both in the discretion of the court

Section 9 Collection of Unpaid Taxes Whenever the taxes penalties or interest imposed by this act are not paid within thirty (30) days fater the date of their determination if no petition for redetermination has been filed or from the date of undetermination if no petition for review has been filed or within ninety (90) days from the date of the decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judical sales assignments or bankruptcies the department shall call upon the Department of Justice to collect the same

On all claims for taxes penalties and interest hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the taxpayer for the use of the Commonwealth an Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dollars ($10,000.00) and three (3) per centum upon the amount of the recovery in excess of ten thousand dollars ($10,000.00) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

Section 10 Enforcement Rules and Regulations The department shall be charged with the enforcement of the provisions of this act and it is hereby authorized and empowered to prescribe adopt promulgae and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act Such rules and regulations shall have the same force and effect as law and violations thereof shall be punishable as hereinafter provided

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the Commonwealth and not the county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both

Section 11 Disposition of Taxes Interest and Penalties All taxes interest and penalties received and collected under the provisions of this act shall be paid into the State Treasury through the department and shall be used only for unemployment relief purposes and for the pay-

ment of costs imposed upon the Commonwealth and for such purposes are hereby appropriated

Section 12 Violations (a) Any person who shall fail neglect or refuse to make the report and pay the tax interest and penalties imposed by this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books records papers meters instruments or other equipment pertaining to the manufacture generation or sale of electric power and current in this Commonwealth or who shall make attempt to do anything whatsoever to avoid a full disclosure of the amount of electric power and current manufactured generated or sold or to avoid the payment of the whole or any part of the tax interest and penalties due shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand ($1,000.00) and costs of prosecution or to undergo imprisonment for not more than one (1) year or both in the discretion of the court

(b) Any person who shall violate any rule or regulation of the department prescribed adopted or promulgated relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) and costs of prosecution or to undergo imprisonment for not more than six months (6) months or both in the discretion of the court

Section 13 Constitutionality If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional section sentence clause or part thereof not been included therein

Section 14 Effective Date This act shall become effective the first day of the month succeeding its final enactment and shall remain in force for a period of twelve months from the effective date thereof.

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. SIMPSON. Mr. Speaker and members of the House, there are times when I wish it were possible that when a member arises on this floor to address this body, we would not have our attention drawn to the fact, "Oh, that man is a Republican," or "He is a Democrat," and consequently what he says is prejudiced by the way his party may feel or think about the general subject under discussion. I would like, in considering this bill to have each one of us think of the things that he promised when he ran for the office he now holds, when he told his constituents," I will do the things for you which I believe will be best for you and for your county, if and when I am elected." With this in mind I ask you to consider that there are in our districts three great groups, the group who works, the group who invest and the group who at present are receiving relief. If our promises which we made mean anything, they mean that we will not do anything which will injure these groups. When we pass legislation which injures one of the groups, we are not living up to our promises, and when we pass legislation which injures two of them at one time we are not living up to our promises.

This bill imposes a tax on utility company production, and it is a tax bill which injures directly two of those great classes. The first is those who work in that industry, and as a part of that same group, those who work in the coal mining industry in this State. The others are those who invest. It happens that in my county, a county in which a great deal of coal is produced, the miners have not see fit to support me, despite the fact that I felt and still feel that I have been doing what is best for their interests. This bill is one which will very directly injure the miners in Huntingdon and Cambria and the various other coal counties in this State. It is useless to argue that we can impose a tax on utilities of the State, and not get that money from the only source of income that the utilities have, mainly, the consumer of power. These companies will either increase their rates, they will curtail the work which they have planned, or they will dismiss or cut down the payrolls that they now pay. The first thing that they will do will be the easiest, that is to cut down the men now working for them, and the result will be something that none of us want. Additional men will thrown out of employment. They will latter endeavor to have their rates increased. .They must do this if they are to continue paying the same rates of wages, continue with the work they have planned, continue to increase as organizations, and eventually do as they have been doing namely, give us lower power rates.

So, I say that the first result will be the lessening of the amount of payrolls of the corporations. Our present low electric rates result very largely from the great blocks of electricity sold to industry at extremely low rates, low because of the very competitive field, rates that are so low that this proposed increase, that we speak of, which seems to us perhaps small, being only three-quarters of a mill, amounts to ten per cent of the rate which the company charges. These great blocks of currents consumed by industry give the companies a fixed income that they can depend on, which goes a great ways towards paying the fixed charges of the corporations. Consequently the rate of every individual who uses electric power, the rate he pays is directly bound and tied up with the amount of income that the company receives from these great industrial blocks of current. If this tax goes on a great amount of those large blocks will be totally wiped out, great masses of those blocks will be so eliminated that the companies will have to find some other source of income. They can do it in only two ways, by cutting down employment or increasing the rates. This, I submit to you, will greatly affect your position in your community.

The Governor in his program submitted seven tax bills, and of those seven, six applied to one class, namely, the utility corporations. Many of them apply to you and to me, but here is one group, one industry, which is affected by six of the seven proposed tax bills.

Gentlemen, I come back to the point at which I started, namely, the affect of this tax on our coal miners. The Pennsylvania power plants are located near the great coal fields of our State. The reason for this is obvious, the coal is there and it is cheap, the miners are there, and the power is produced and transmitted by wire to the industrial centers where it is used. It requires eleven and one-half percent of all the power produced in order to force enough electricity to the consumer. Under this bill, a tax is imposed upon this eleven and one-half percent. And that, I submit, is unjust. I cannot tell you the total amount of power produced in Pennsylvania, which is sold to companies doing business outside of Pennsylvania, but

I can tell you of one large corporation that buys coal from Cambria and Huntingdon Counties to the extent of one hundred thousand tons a year, which will be forced to stop buying that coal because the corporations in Maryland will furnish electricity or the electric power and will not buy the coal from Pennsylvania. Who will suffer? The Pennsylvania coal miners, and the West Virginia miners get the work. This will be terrible for our miners.

In addition, gentlemen, the public service corporations suffered a loss of six and a half million dollars due to the flood. There was no thought that this body would raise money to pay back the utility corporations for their loss. No, they are forced to assume that loss, along with the additional tax imposed last year and the tax suggested here. One comparatively small corporation with which I am familiar, supplying electric power in six counties of Pennsylvania, has thirteen thousand stockholders in the area, has two thousand employes and many, many thousands of miners in the area. The passing of this act will result in a great loss of wages to employes, very serious loss to miners, serious loss to the stockholders and an eventual increase in rates to every electric power user. I submit to you that for us to support this tax, those of us in particular from the central part of the state, will be doing a thing which will be nothing more or less than selling out the coal miners in central Pennsylvania. Gentlemen, I ask that this bill be defeated.

HOUSE BILL No. 25 MADE A SPECIAL ORDER

Mr. EBERHARTER. Mr. Speaker, I move that this bill be made a special order of business on final passage on Monday, June 1, 1936, at 10:00 P. M.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 36, as follows:

An Act imposing a State emergency tax payable by those herein defined as distributors on fuel oil used or sold and delivered within the Commonwealth providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to give security to file reports and to retain certain records imposing duties on retail dealers common carriers and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation

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Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authortiy of the same That this act shall be known and may be cited as "The Fuel Oil Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other State territory or foreign country or dependency

"Dealer" Any person as herein defined engaged in the retail sale of fuel oil

"Department" The Department of Revenue of this Commonwealth

"Distributor" Any person as herein defined who or which

1 Produces refines prepares blends distils manufactures or compounds fuel oil in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein

2 Imports or causes to be imported from any other state or territory of the United States or from a foreign counry fuel oil for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original package receptacle or container

3 Imports or causes to be imported from any other state or territory of the United States fuel oil for his own use in the Commonwealth of Pennsylvania or for sale and delivery therein after the same have come to rest or storage therein whether or not in the original package receptacle or container

4 Purchases or receives fuel oil in the original package receptacle or contained in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

5 Purchases or receives fuel oil in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein from any person who has imported the same from any other state or territory of the United States in case such fuel oil has not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

6 Receives and in any manner uses or distributes fuel oil in the Commonwealth of Pennsylvania on which the tax provided for in this act has not been previously paid

"Fuel Oil" All liquids derived from crude petroleum which are ordinarily practically and commercially usable as fuel except kerosene and which are otherwise exempt from State taxation and not subject to the tax imposed on liquid fuels by the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled "An act imposing a State tax payable by those heretin defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file cor-

porate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" and its amendments

"Magistrate" A magistrate alderman justice of the peace or other officer having the powers of a committing magistrate in this Commonwealth

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Secretary" The Secretary of Revenue of this Commonwealth or his duly authorized deputy or representative

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Fuel Oil Permit Bond or Deposit of Securities (a) On and after the effective date of this act it shall be unlawful for any distributor to continue to engage in or thereafter to begin to engage in the use or sale and delivery of fuel oil within this Commonwealth unless a fuel oil permit or permits shall have been issued to him as hereinafter prescribed

Penalty Each day in which any distributor shall engage in the use or sale and delivery of fuel oil within this Commonwealth without a fuel oil permit or permits as required by this act shall constitute a separate offense and for each such offense such distributor shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of two thousand dollars ($2,000) and costs of prosecution or undergo imprisonment for not more than two years or both in the discretion of the court

(b) Every person desiring to operate as a distributor shall file an application for a fuel oil permit or permits with the department The application for a fuel oil permit or permits shall be made upon a form prescribed prepared and furnished by the department and shall set forth the name under which the applicant transacts or intends to transact business the location of his place of business within this Commonwealth and such other information as the department may require If the applicant has or intends to have more than one place of business within the Commonwealth the application shall state the location of each place of business If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for purposes of identification The application shall be signed and verified by oath or affirmation by the owner if a natural person in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority

Upon approval of the application and the bond hereinafter required the department shall grant and issue to each distributor a fuel oil permit for each place of business within the Commonwealth set forth in his application Fuel oil permits shall not be assignable and shall be valid only for the distributors in whose names issued and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the places for which issued All permits shall expire on the thirty-first day of May next succeeding the date upon which they are issued unless sooner suspended surrendered or revoked for cause by the secretary

(c) A fuel oil permit shall not be granted and issued until the person applying therefor has filed with the department a surety bond payable to the Commonwealth of Pennsylvania in such amount as shall be fixed by the department except that the amount shall never be less than one thousand five hundred dollars ($1,500) Every such bond shall have as surety a duly authorized surety company to be approved by the department conditioned that the distributor will faithfully comply with the provisions of this act during the effective period of his permit The department may require any distributor to furnish such additional acceptable corporate surety bond as shall be necessary to secure at all times the payment by him to the Commonwealth of all taxes penalties and interest due under the provisions of this act If any distributor shall fail to file such additional bond within ten days after written notice from the department the department may forthwith suspend or revoke the permit or permits issued to him and collect all taxes penalties and interest due by him For the purpose of determining whether an existing bond or bonds are sufficient the department may at any time by written notice require any distributor to furnish a financial statement in such form as it may prescribe Upon failure of any distributor to furnish a financial statement within thirty (30) days of such written notice the department may forthwith suspend or revoke the permit or permits issued to him and shall collect all taxes penalties and interest due by him

Any surety on a bond furnished by a distributor as provided herein shall be released and discharged from any and all liability to the Commonwealth accruing on such bond after the expiration of sixty (60) days from the date upon which such surety shall have lodged with the department a written request to be released and discharged but this provision shall not operate to relieve release or discharge the surety from any liability already accrued or which shall accrue before the expiration of the sixty (60) day period The department shall promptly upon receiving any such request notify the distributor who furnished the bond and unless the distributor shall on or before the expiration of the sixty (60) day period file with the department a new bond with corporate surety approved by and acceptable to the department the department shall forthwith cancel the distributor's permit or permits Whenever a new bond shall be furnished by a distributor as aforesaid the department shall cancel and surrender the old bond of the distributor as soon as it and the Department of Justice shall be satisfied that all liability under the old bond has been fully discharged

(d) Permits issued under the provisions of this act may be renewed annually before the first day of June upon an application as aforesaid being made to the department but no permit shall be renewed until the applicant shall file with the department a new surety bond in such amount as shall be fixed by the department and conditioned that the distributor will faithfully comply with the provisions of this act

(e) Nothing contained in this act shall require the filing of any application or bond or the possession and display of a fuel oil permit for the use or sale and delivery of fuel oil in interstate or foreign commerce not within the taxing power of the Commonwealth or for the use of fuel oil by the United States government

(f) Any person required by the provisions of this section to file a surety bond may in lieu thereof deposit with the State Treasurer bonds of the United States or of the Commonwealth of Pennsylvania the par value thereof to be of the amount of the surety bond required of such person The treasurer shall issue to such person a certificate of such deposit which he shall file with the Department of Revenue Such securities deposited with the State Treasurer shall be held as a guarantee that the holder of the permit shall faithfully comply with the provisions of this act during the effective period of his permit The said securities shall be retained by the State Treasurer for a period of sixty (60) days after the termination of the permit of such person whether by his own act or by action of the department and such securities shall not be released from any liability to the Commonwealth already accrued or which shall accrue before the expiration of the sixty (60) day period At the end of such sixty (60) day period the said securities shall be returned to their owner only if all claims of the Com-

monwealth guaranteed by such deposit have been fully satisfied

Penalty Any person assigning or attempting to assign a fuel oil permit or who shall fail to display conspicuously his permit at the place for which it is issued shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for not more than ten days

Section 4 Imposition of Tax Exemptions and Deductions An emergency State tax of one-half cent a gallon or fractional part thereof is hereby imposed and assessed upon all fuel oil used or sold and delivered by distributors within this Commonwealth excepting fuel oil delivered to the United States government on presentation of a duly auhorized United States government exemption certificate or other evidence satistactory to the department fuel oil delivered to ships engaged in interstate or foreign commerce for use as fuel for the generation of power and such fuel oil used or sold and delivered as is not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be collected by and paid to the Commonwealth but once in respect to any fuel oil.

Distributors shall be liable to the Commonwealth as taxpayers for the payment of the tax imposed by this act

The tax shall be payable upon fuel oil sold and delivered to or used by the Commonwealth and every political subdivision thereof

Each distributor who shall promptly pay on or before the last day of a particular month the tax due for the preceding month shall be allowed in consideration of leakage spillage shrinkage evaporation and any expense to which he may be put in carrying out the provisions of this act a discount of one per centum on the aggregate amount of tax which is payable by the distributor for such preceding month The discount may be deducted by the distributor from the amount of tax payable for such month

Section 5 By Whom Tax Is Payable Every distributor using or delivering fuel oil upon which a tax is imposed by this act shall pay the tax into the State Treasury through the department in the manner and within the time specified in this act but whenever fuel oil is delivered within the Commonwealth by one distributor to another distributor holding a permit under this act the distributor receiving such fuel oil shall separately show in his monthly reports to the department all such deliveries from each distributor and shall pay the fuel oil tax provided for by this act upon all such fuel oil used or sold and delivered by him within this Commonwealth The distributor making such deliveries shall separately show the same in his monthly reports to the department and shall thereupon be exempt from the payment of the tax which would otherwise be imposed upon the fuel oil so delivered It shall be the duty of each distributor to furnish to the department such information concerning such deliveries as the department may require The department shall furnish to any distributor upon request a list of distributirs holding permits under this act and their addresses

Distributors may add the amount of the tax to the price of fuel oil sold by them and shall state the rate of the tax separately from the price of the fuel oil on all price display signs sales or delivery slips bills and statements which advertise or indicate the price of fuel oil

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for not more than ten days

Section 6 Distributor's Report and Payment of Tax For the purpose of assertaining the amount of tax payable under this act it shall be the duty of every distributor on or before the last tay of each month to transmit to the department upon a form prescribed prepared and furnished by the department a report under oath or affirmation of the fuel oil used or delivered by him within this Commonwealth during the preceding month Such report shall show the number of gallons of fuel oil used or delivered within the Commonwealth during the period for which it is made and such further information as the department shall prescribe A distributor having more than one place of business within this Commonwealth shall combine in each report the use or delivery of fuel oil at all such separate places of business

Every distributor at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on fuel oil used or sold and delivered by him during the preceding month less a one per centum discount if the report is filed and the tax paid on time The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum per month or fractional part of a month from the date they are due and payable until paid

If any distributor shall neglect or refuse to make any report and payment as herein required an additional ten per centum of the amount of the tax shall be added by the department and collected as hereinafter provided and in addition thereto the fuel oil permit of such distributor may be suspended or revoked by the department

Section 7 Determination and Redetermination of Tax Penalties and Interest Due (a) If the department is not satisfied with the report and payment of tax made by any distributor under the provisions of this act it is hereby authorized and empowered to make a determination of the tax due by such distributor based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such distributor Within thirty (30) days after the date of any such determination such distributor may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within ninety (90) days after the date of any determination to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty (30) days after notice by the department of the action taken on any petition for redetermination filed with it the distributor against whom such determination was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reason upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of said board to dispose of any such petition within ninety (90) days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin County from the

decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) If any distributor shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such distributor and determine the amount due by him for taxes penalties and interest thereon as prescribed herein from which determination there shall be no right of review or appeal Upon any such neglect or refusal the fuel oil permit or permits issued to such distributor may be suspended or revoked by the department and required to be surrendered to the department

Section 8 Examination of Records and Equipment The department or any agent appointed in writing by it is hereby authorized to examine the books papers records storage tanks and any other equipment of any distributor dealer or any other person pertaining to the use or sale and delivery of fuel oil taxable under this act to verify the accuracy of any report or payment made under the provisions of this act or to ascertain whether or not the tax imposed by this act has been paid but any information gained by the department as the result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment of not more than one year or both

Section 9 Retention of Records by Distributors and Dealers Each distributor shall maintain and keep for a period of two years such record or records of fuel oil used or sold and delivered within this Commonwealth by such distributor together with invoices bills of lading and other pertinent papers as may be required by the department

It shall be the duty of every person purchasing fuel oil taxable under this act from a distributor for the purpose of resale to maintain and keep for a period of one year a record of fuel oil received the amount of tax paid to the distributor as part of the purchase price together with delivery tickets invoices and bills of lading and such other records as the department shall require

Penalty Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment for not more than one year or both in the discretion of the court

Section 10 Disposition and Use of Tax The entire amount of the emergency tax collected under the provisions of this act shall be paid into the State Treasury by and through the department and shall be credited to the General Fund

Section 11 Discontinuance or Transfer of Business Whenever a distributor engaged in the use or sale and delivery of fuel oil ceases to be a distributor by reason of the discontinuance sale or transfer of his business it shall be his duty to notify the department in writing within ten days after the discontinuance sale or transfer takes effect His notice shall give the date of discontinuance and in the event of a sale or transfer of his business the name and address of the purchaser or transferee thereof It shall also be the duty of any such distributor within ten days after the discontinuance sale or transfer takes effect to make a report and pay all taxes interest and penalies that may be due by him and to surrender to the department the permit or permits theretofore issued to him by the department

Penalty Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than three hundred dollars ($300.00) and costs of prosecution or to undergo imprisonment for not more than one year or both

Section 12 Suspension or Revocation of Fuel Oil Permits The department may suspend or after hearing revoke a fuel oil permit whenever it finds that the holder thereof has failed to comply with any of the provisions of this act and upon suspending or revoking any fuel oil permit shall request the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him and the holder shall surrender promptly all such permits to the department as requested.

Whenever the department suspends a fuel oil permit it shall notify the holder immediately and afford him a hearing if desired and if a hearing has not already been afforded After such hearing the department shall either rescind its order of suspension or good cause appearing therefor shall continue the suspension or revoke the permit

Penalty Any person refusing to surrender a fuel oil permit or permits suspended or revoked by the department shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty dollars ($50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for not more than ten days

Section 13 Lien of Taxes Penalties and Interest (a) All taxes herein imposed and unpaid penalties and interest due by any person shall be a lien upon the franchises and property both real and personal of such person from the date said taxes are due and payable as provided in this act and shall have priority over any subsequent lien or encumbrance whatsoever except the lien of other State taxes having priority by law and except also that such taxes penalties and interest shall have priority over a mortgage only if the statements hereof were filed of record as provided in clause (b) hereof prior to the recording of the mortgage

(b) Statements of all taxes herein imposed due and unpaid together with penalties and interest thereon certified by the secretary or his representative may at any time be transmitted to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

(c) No sheriff receiver trustee assignee master or other officer shall sell the property or franchises of any person who is a distributor as herein defined without first filing with the department a statement containing the following information

1 Name or names of the plaintiff or party at whose instance or upon whose account the sale is made

2 Name of the person whose property or franchise is to be sold

3 The time and place of sale

4 The nature of the property and the location of the same

(d) It shall be the duty of the department after receiving notice as aforesaid to furnish to the sheriff receiver trustee assignee master or other officer having charge of the sale a certified copy or copies of all fuel oil tax penalties and interest on file in the department as liens against such person and in the case of no such liens a certificate showing that fact which certified copy or copies or certificate shall be publicly read by such officer at and immediately before the sale of the property or franchise of such person

(e) It shall be the duty of the department to furnish to any person applying therefor upon payment of the fee herein prescribed a certificate showing the amount of all liens for fuel oil tax penalties and interest that may be of record in the department against any person under the provisions of this act

Section 14 Collection of Unpaid Taxes Whenever the taxes penalties or interest imposed by this act are not paid within thirty days after the date of their determination if no petition for redetermination has been filed or from the date of redetermination if no petition for review has been filed or within ninety days from the date of the decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's

time for acting upon such petition if no appeal has been made and in all cases of judicial sales assignments or bankruptcies the department shall call upon the Department of Justice to collect the same

On all claims for taxes penalties and interest hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the distributor for the use of the Commonwealth an Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dollars ($10,000.00) and three (3) per centum upon the amount of the recovery in excess of ten thousand dollars ($10.-000.00) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the general fund The amount of the Attorney General's commission shall in all cases be added to the amount of the claim against the distributor and shall be a lien against his property in like manner as the amount of the claim

Section 15 Reports from Common Carriers Every person including railroad companies street suburban and interurban railway companies pipe line companies and water transportation companies transporting fuel oil in any manner either in interstate or intrastate commerce to a point within this Commonwealth from a point within or without the Commonwealth shall report under oath or affirmation to the department on or before the last day of each month for the preceding month all deliveries of fuel oil made to points within this Commonwealth

Such reports shall be on forms prescribed prepared and furnished by the department and shall state the names and addresses of the consignor and consignee the number of gallons of fuel oil transported and any other information which the department may require

Penalty Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not more than one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment for not more than one year or both

Section 16 Reward for Detection of Violations The secretary is authorized to pay out of any moneys appropriated for the purpose to any person other than a State officer or employe who brings to his attention any distributor who has failed to file the reports required and pay the tax imposed by this act such sums as he may deem proper not exceeding ten per centum of the amount of the tax penalty and interest due but a reward shall not be paid hereunder unless and until collection of the delinquent tax shall have been made or the distributor shall have been convicted for violating this act

Section 17 Refunds The Board of Finance and Revenue may refund to distributors taxes penalties and interest paid by them on fuel oil delivered to the United States government or paid as the result of an error of law or of fact or of both law and fact Claims for refunds shall be made under the procedure prescribed by The Fiscal Code

As much of the moneys collected under the provisions of this act as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds as herein authorized Estimates of the amounts to be expended for refunds from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

Section 18 Enforcement The department shall be charged with the enforcement of the provisions of this act Such employes of the Commonwealth as are designated as "State Highway Patrolmen" shall aid the department in the enforcement of this act and for this purpose are hereby declared to be peace officers and are hereby given policy power and authority throughout the Commonwealth to arrest on view without writ rule order or process any person known to have violated any of the provisions of this act

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section 19 Disposition of Fees Fines and Forfeitures Except as otherwise in this act provided and except as otherwise provided by the Constitution fees fines penalties and bail forfeited that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury through the department and shall be credited to the General Fund

Section 20 Certified Copies of Records The fee for a certified copy or certified photostat copy of any department record shall be one dollar ($1.00) but fees shall not be charged for certified copies or certified photostatic copies of any department record furnished to federal state county or municipal authorities

Section 21 Uncollectible Checks Whenever any check issued in payment of tax penalty or interest imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars ($5.00) per hundred dollars or fractional part thereof plus all protest fees to the person presenting such check to the department

Section 22 Violations (a) Any person who shall fail neglect or refuse to make the report and pay the tax penalties and interest imposed by this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books records papers storage tanks or other equipment pertaining to the use or sale and delivery of fuel oil within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the amount of fuel oil used or sold and delivered or to avoid the payment of the whole or any part of the tax penalties and interest due shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) and costs of prosecution or imprisonment for not more than one (1) year or both In the case of an association any partner or member thereof and in the case of a corporation any officer thereof whose duty it was to make the report required by this act shall be subject to imprisonment as aforesaid for failing to make the report required and attend to the payment of the tax imposed by this act Such fine shall be in addition to any penalty imposed by any other section or subsection of this act Upon any such conviction all of the guilty distributor's permits shall be revoked

(b) It shall be unlawful for any person to commit any of the following acts

1 To display or cause or to permit to be displayed or to have in possession any fuel oil permit knowing the same to be fictitious or to have been suspended cancelled revoked or altered

2 To lend to or knowingly permit the use of by one not entitled thereto any fuel oil permit issued to the person lending it or permitting to be used

3 To display or to represent as one's own any fuel oil permit not issued to the person displaying the same

4 To use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or otherwise commit a fraud in any application record or report

Penalty Except as herein otherwise provided any person violating any of the provisions of this section shall be guilty of a misdemeanor unless such act is by any other law of this Commonwealth declared to be a felony and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00) and costs of

prosecution or undergo imprisonment for not more than one (1) year or both in the discretion of the court

Such fine shall be in addition to any penalty imposed by any other section or subsection of this act Upon conviction all of the guilty person's fuel oil permits shall be revoked

Section 23 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 24 This act shall become effective the first day of the month succeeding its final enactment and shall remain in force for a period of twelve months from the effective date thereof

On the question,

Will the House agree to the bill on third reading?

HOUSE BILL No. 36 MADE A SPECIAL ORDER

Mr. ANDREWS. Mr. Speaker, I move that this bill be made a special order of business on third reading and final passage on Monday, June 1, 1936, at 10:30 P. M.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 70, as follows:

An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for assessment of benefits against property benefited and against municipalities counties and townships and for their collection providing for appeals conferring certain powers on municipalities counties and townships and the Department of Highways and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Definitions The word "board" as used in this act means the Water and Power Resources Board of the Department of Forests and Waters

The word "person" as used in this act shall include individuals associations partnerships and corporations

The word "plans" as used in this act shall mean plans maps profiles estimates of costs descriptions of public and private property and of municipalities to be benefited and other data and descriptions prepared by the Water and Power Resources Board to establish the area and boundaries of a proposed flood control district to locate adequate proposed flood control works to determine the cost of the erection and construction of the same to determine property to be taken damaged or benefited by the construction of such works and to make preliminary estimates of benefits to private property and shall also be construed to include similar plans prepared by any agency of the Federal Government

The word "municipality" as used in this act shall include counties cities boroughs incorporated towns and townships

Section 2 Surveys and Preliminary Plans The Water and Power Resources Board shall have power on its own motion or upon the petition of at least three municipalities or upon the petition of at least three hundred persons who are freeholders in any drainage area to make appropriate surveys and to prepare suitable preliminary plans for any proposed flood control district in such drainage area or any part thereof in order to control store preserve and regulate the flow of rivers and streams and diminish or eliminate floods inimical to the public health and safety and destructive to public and private property and works

Section 3 Notice and Public Hearing Objections When such surveys and preliminary plans have been completed the board shall give notice in at least two newspapers in each county wholly or partially within such proposed flood control district if so many are published therein once a week for two consecutive weeks which notice shall state the place where such preliminary plans may be inspected and the time and place when and where such preliminary plans may be discussed at a public hearing before the board and written objections thereto filed by any person or municipality

The board may in its discretion have such preliminary plans printed and furnish copies thereof to persons interested upon request made

Section 4 Detailed Official Plans Notice When such hearing or hearings on the preliminary plans have been completed the board shall proceed to consider all objections filed to the preliminary plans and shall affirm revise modify or change said plans as in its judgment is deemed just and proper and shall then prepare detailed official plans for the proposed flood control district The board shall give public notice of the adoption of such official plan in the same newspapers and by the same number of insertions as hereinbefore provided for the preliminary plans Such official plans may be printed and distributed in the same manner as the preliminary plans

Section 5 Appeals Procedure Any person or municipality aggrieved by the action of the board in the adoption of the official plans shall have a right to appeal from the action of the board to the Superior Court at any time within thirty days after the date of the last publication of the notice of the adoption of the official plans and not thereafter Such appeal shall be by petition against the board officially as defendant filed with the Superior Court alleging therein in brief detail the action complained of and praying for a modification or reversal thereof Such petition shall specify the petitioners objections to the action of the board and no objection not so specified shall be considered by the court

A copy of such appeal shall be filed with the board on the same day it is filed with the Superior Court Thereupon the board shall file with the Superior Court at least ten copies of the official plans The board shall not later than fifteen days after the filing of the appeal petition file with the Superior Court an answer thereto and send a copy thereof by registered mail to the person filing the appeal petition or his counsel of record The answer shall deny or admit the allegations in the petition and the grounds for its action

The Superior Court shall fix a time and place of hearing of which due notice shall be given to the appellant and his counsel and to the board in such manner as the Superior Court shall prescribe

After hearing the Superior Court shall make such order affirming the official plans of the board or modifying or changing the same as to it appears just and proper

The Superior Court shall have power to consolidate any and all appeals taken from the action of the board and hear them in the same proceeding

Section 6 When Official Plans Effective Official plans shall become effective for a flood control district and the district shall be deemed established when the period for appeal has expired if no appeal has been taken or if an appeal has been taken then when all appeals have been finally adjudicated

The board may proceed with the exercise of the powers granted by this act whenever an official plan has become effective and shall not be estopped in the exercise of its powers by reason of the fact that benefits assessable under this act have not been determined and that the amount of

money accruing to the special flood control fund has not been ascertained but no contract shall be let or agreement executed requiring expenditures exceeding amount of moneys in said fund or to become available to said fund by the time such contract or agreement is completed or concluded

Section 7 General Powers of Board In order to carry into effect the official plans for any flood control district the board shall have power to clean out widen alter deepen or change the course current or channel of any river or stream to fill up any abandoned canal or water course to contruct and maintain levees dikes walls revertments dams lakes reservoirs and other works and improvements deemed necessary to prevent floods and to control preserve and regulate the flow of rivers and streams to construct or enlarge bridges and viaducts to construct relocate and elevate public highways to construct any of said works and improvements across through or over any public highway canal railroad right of way or tracks to remove or change the location of any fence building railroad canal or other improvement to acquire by donation lease purchase or condemnation and own or hold in the name of the Commonwealth real and personal property and easements and the public works erected and contructed under the authority of this act

Section 8 Board Designated As Agency To Receive Federal Moneys The Board is authorized to receive on behalf of the Commonwealth of Pennsylvania any and all Federal moneys grants contributions gratuities and loans available or hereafter made available by the government of the United States or any of its agencies or instrumentalities for State flood control works and improvements under such rules and regulations as may be prescribed by law of the Congress of the United States or any Federal agency or instrumentality and to pay the same over to the State Treasurer through the Department of Revenue for deposit and safe keeping All such moneys shall be paid into the Special Flood Control Fund created by this act

Section 9 Powers and Duties in Connection With Federal Works and Improvements In addition to the powers hereinbefore granted in connection with the creation of flood control districts the adoption of official plans in connection therewith and the carrying into effect of such official plans the board is hereby empowered and directed for and in behalf of the Commonwealth and its subdivisions to aid assist and cooperate in the carrying out of any Federal flood control program or plans and for such purposes shall have all of the powers conferred by this act with respect to the State created flood control districts and the execution of the official plans for such districts and all other powers whatsoever necessary or required in order to enable the Commonwealth to participate in and receive the benefits of any Federal flood control program or plans in this Commonwealth It shall have power among others to enter into and execute any and all contracts and agreements with agencies of the Federal Government and to do and perform all acts necessary in connection therewith and to assist and cooperate in the construction erection financing maintaining using and operating any Federal public flood control works and improvements and to enter into and execute such contracts as may be deemed necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act It shall have power to obligate the Commonwealth to pay a portion of the cost of such Federal flood control works and improvements not however exceeding amounts of money made available or to become available for such purposes

The board is authorized and directed to conform and comply with all rules regulations and requirements of the Federal Government and its agencies and instrumentalities

Section 10 Contracts All work of any character whatever performed under the authority of this act in connection with any state public flood control works and improvements involving an expenditure of more than one thousand dollars shall be performed under written contract let by the board to the lowest responsible bidder after due advertisement as prescribed by the board

Section 11 Power of Eminent Domain The board shall have power to acquire any property easements rights of way and water courses deemed necessary for the construction of any of its public works or improvements provided for in this act by the right of eminent domain and shall have power to enter upon injure or destroy any property deemed necessary The proceedings for the condemnation of property and for the assessment of damages for property taken injured or destroyed shall be in accordance with the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred seventy-six) entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor" and its amendments and supplements

The board shall have like powers of eminent domain as hereinbefore granted in this section and in accordance with the same procedure provided by this section to acquire property easements rights of way and water courses deemed necessary by the board to enable the Federal Government or any of its agencies or instrumentalities to erect and construct suitable public flood control works and improvements in this Commonwealth in the construction and erection of which the board has been authorized by this act to aid assist and cooperate

The board shall have the power to authorize the Federal Government or any of its instrumentalities or agencies to acquire outside the Commonwealth such property easements rights of way and water courses as are deemed necessary for the construction of any public works or improvements provided for in this act and to order the payment therefor out of the Special Flood Control Fund to the Federal Government or its instrumentality or agency not however exceeding amounts of money made available or to be made available in the flood control fund

Section 12 United States Not to be Liable Federal Rules and Regulations All lands rights in lands rights of way and water courses acquired under the authority of this act for State or Federal flood control works and improvements shall be acquired without cost to the United States and no moneys made available for flood control in this Commonwealth by the United States shall be used for such purposes unless in either event the Government of the United States or any of its agencies or instrumentalities shall first consent thereto nor shall the Government of the United States be deemed liable for any damages by reason of its contribution arising in connection with the construction of any State or Federal public works or improvements The Commonwealth hereby agrees that after such state public works and improvements are constructed where the Federal Government has contributed the same will be operated and maintained in accordance with all rules and regulations prescribed by the Secretary of War of the United States or any other agency or instrumentality of the United States

Section 13 Contracts and Agreements With Municipalities and Persons The board shall have power to enter into contracts and other arrangements with municipalities and persons for cooperation and assistance in constructing financing maintaining using and operating any State or Federal public flood control works or improvements and to enter into and execute such contracts and agreements as may be necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act

Section 14 Relocation of Roads Streets and Bridges The Department of Highways and municipalities may enter into agreements with the board of relocate roads streets bridges and viaducts necessitated by the construction of any State or Federal flood control works and improvements and may agree therein to construct new roads streets bridges and viaducts and pay the cost of the same or any part thereof from the Motor License Fund or municipal moneys without any charge or only part of the cost charged against the moneys in the Special Flood Control Fund The board may consent in any such agreement to

pay the whole or any part of the cost of constructing such relocated roads streets bridges and viaducts from the moneys in the Special Flood Control Fund Such relocated roads streets bridges and viaducts may be constructed by the Department of Highways or by contract let by said department or the municipality or by the board as may be agreed upon

Section 15 Acceptance of Completed Federal Works and Improvements The board shall have power to accept on behalf of the Commonwealth all Federal flood control works and improvements after the same have been completed and to agree with the Federal Government to maintain and operate such works and improvements for the primary purpose of flood control in accordance with the rules and regulations of any agency or instrumentality of the Government of the United States

Section 16 Water Power and Supply The rights of landowners municipalities and persons to the waters in a flood control district or in waters affected by any State or Federal flood control works or improvements for domestic use water supply industrial purposes water power or for any other lawful purposes shall extend only to such rights as are owned or possessed by them prior to the establishment of the flood control district or the construction of such flood control works and improvements and to such use as could be made of such waters if the public improvements and works herein authorized had not works make possible a greater better or more convenient use of or benefit from the waters in a flood control district the right of such greater better or more convenient use of or benefit from such waters shall be the property of the Commonwealth saving the rights of the Federal Government as to navigation Such rights may be leased sold or assigned as the Legislature may hereafter provide but at all times the primary purpose of flood control shall be preserved

Section 17 Source of Finances The cost and expenses of making the surveys hereinbefore provided the preparation of preliminary and official plans all advertising the erection and construction of public works and improvements and of all other work of any kind and character authorized by this act the acquisition of any and all property in connection therewith and of all other necessary and incidental costs and expenses including the expenses of the members of the board salaries and expenses of engineers experts workmen clerks assistants and other employes all court and viewers' costs assessed against the Commonwealth and all other proper and necessary expenses of any kind and character deemed necessary by the board to carry into effect the provisions of this act shall be paid from appropriations made by the Commonwealth to the Special Flood Control Fund from Federal moneys available or made available to this Commonwealth as grants contributions gratuities and loans for flood control works and improvements from gifts and donations received from persons from appropriations and contributions made to the board by municipalities from contributions by other states and their political subdivisions and from moneys arising from benefits assessed under the authority of this act against private property and against municipalities benefited or to be benefited by the construction of such public works and improvements to protect public and private property and improvements from damage and destruction by floods All moneys so made available shall likewise be available for expenditure by the board to aid and assist in the erection and construction of Federal public flood control works and improvements beneficial to the people of this Commonwealth

Section 18 Appointment of Viewers After the official plan has been finally adopted and has become effective or whenever the Federal Government has adopted a plan for Federal flood control works and improvements in the construction and erection of which the board has agreed to aid and assist financially and otherwise the court of common pleas of each county wholly or partially within a flood control district as established by the official plan or of any county lying wholly or partially within any drainage area for which Federal flood control works and improvements are to be erected and constructed may on its own motion and shall on the application of the board appoint a board of three viewers from the county board of viewers whose duty it shall be to assess all benefits to private property and to municipalities to be occasioned by the erection and construction of the State or Federal public works and improvements or both It shall be the duty of the board to furnish to each board of viewers so appointed a complete set of the State Official plans showing the private property and the municipalities within the county which will be benefited by the proposed public works and improvements and also of any Federal plans if the same are available

Section 19 Swearing Viewers Assessment of Benefits Notice Hearings The viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters before them or to be submitted to them and relation to which they are authorized to inquire and having viewed each parcel of private property and each municipality which according to the official State plan or Federal plan or program is to be benefited shall hear all parties and their witnesses and shall determine the benefits if any to accrue to each such parcel of private property and to each municipality and shall prepare a schedule of such property and a municipal schedule and the amount of benefits assessed against each piece of private property and against each municipality

No assessment of benefits shall be made against public property No assessment of benefits shall be made against any private property unless in the opinion of the board of viewers such property will be benefited by the prevention or lessening of future flood damage No assessment shal be made against any municipality unless in the opinion of the board of viewers the municipality will be benefited because its buildings roads streets parks water supply plants and other public property and works will be protected from flood damage The fact that public and private property and works have been damaged by flood shall be deemed conclusive evidence that benefit will accrue to such property or municipality by reason of the public works and improvements authorized by this act or provided by the Federal Government or its agencies or instrumentalities No exemption from assessment of benefits shall exist for any private property or any municipality by reason of the fact that the same does not abut on any improvement or on the river or stream carrying the flood waters

The viewers shall give notice to all persons and municipalities against whose properties or against which benefits have been assessed of a time when and place where the viewers will meet and exhibit their schedules and hear all exceptions thereto Such notice shall be given by registered mail addressed to the last known post office address of the owner or reputed owner of the property and to the corporate authorities of each municipality and by publication once a week for two weeks in at least two newspapers of general circulation in the county where so many are published in the county The failure of an owner or municipality to receive the registered mail notice shall not be deemed to invalidate the proceedings but in such cases the notice by publication shall be deemed sufficient

Section 20 Revision of Schedules and Filing Notice Thereof After hearing all parties and after making whatever changes are deemed necessary the viewers shall prepare a revised schedule of benefits to private property and a revised schedule of benefits assessed against municipalities and file a copy of each in the court of common pleas of the county When the reports of the viewers are filed they shall be confirmed nisi When the reports are filed notice thereof shall immediately be given by the board of viewers by publication once in the newspapers in which the notice of the hearings before the viewers was published Such notice shall state the date of the filing of the reports shall contain the schedules of the benefits assessed and shall state that unless exceptions are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the reports will be confirmed absolutely

Section 21 Filing of Exceptions and Appeals Within thirty days after the filing of the report of viewers any person or municipality interested may file exceptions to the same or may appeal to the court of common pleas and demand a jury trial

Each person or municipality filing exceptions or taking an appeal shall except to or appeal from so much of the report only as affects property in which he has an interest or as affects the municipality and the part of the report of the viewers not excepted to or appealed from shall be confirmed absolutely after said thirty day period

Section 22 Procedure on Exceptions and Appeals Where exceptions to a report of the viewers are filed the court shall proceed to hear and determine the same in the manner exceptions to the reports of viewers are generally proceeded with within the county Where an appeal is taken it shall state the grounds upon which the appeal is taken and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Upon the trial of any appeal or the hearing of any exceptions in case the appellant or party excepting does not obtain a verdict or decree more favorable than was the report of the viewers he or it shall not recover any costs

The court of common pleas shall order what notices shall be given in connection with such proceedings by exceptions or by appeals and may by rule or otherwise prescribe the form of the pleadings

The court may also in proper cases consolidate proceedings by exceptions or appeals into a single proceeding but exceptions or appeals involving municipalities shall not be consolidated with those involving private property

Section 23 Appeals to Superior and Supreme Courts Any person or municipality aggrieved by an order of court on exceptions filed or determination of the case where a jury trial was demanded may within thirty days after such final order or determination and not thereafter appeal to the Supreme or Superior Court as the case may be

Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same or involve the same questions the Superior Court may certify such appeal to the Supreme Court to be heard with other appeals from the same report

The Supreme or Superior Court shall consolidate all appeals coming before it from the same report and hear them as one case except that cases arising from exceptions shall not be consolidated with those arising from appeals and demands for a jury trial and those involving municipalities shall not be consolidated with those involving benefits to private property

Where any appeal is taken to the wrong court such court shall certify the same to the court to which it should have been taken

Section 24 Due Date for Payment of Benefits Discounts for Prompt Payment Interest All assessments of benefits shall become due and payable to the board when the State or Federal public flood control works and improvements have been completed which date shall be fixed by the official order of the board notice of which order shall be published by the board in the newspapers in which notice of the preliminary and final plans were published by one insertion

Any person or municipality may pay any part or all of the benefits assessed against him or it to the board before the due date thereof If such payment is made within six months after the amount of the benefits have been finally ascertained a discount of ten per centum of the amount thereof paid shall be allowed All benefits or any part thereof paid after such six months' period and within one year from the time the benefits are finally ascertained shall be subject to a discount of five per centum of the amount paid All assessments of benefits or parts thereof remaining unpaid when the improvements are completed shall bear interest at the rate of six per centum per annum from the date of the completion of the improvements until paid

The board shall send by registered mail addressed to the last known post office address a statement of the amount due by each person and municipality after the same has been finally ascertained together with notice of the discounts allowed by this act for prompt payment and when interest will be added to the amount due

Section 25 Liens and Filing Thereof Procedure Thereon to Collect All assessments for benefits against private property shall remain a lien thereon from the time report of the viewers is filed in court until paid unless the lien thereof be lost by failure to revive the same It shall be the duty of the board within six months after its order that the public works and improvements have been completed to file through the Department of Justice in the name of the Commonwealth of Pennsylvania in the office of the prothonotaries of the proper counties liens for all benefits assessed which remain unpaid by persons and municipalities But no such lien shall be filed unless the board shall first notify by mail addressed to the last known post office address of the owner or reputed owner of the property or the municipality against which an assessment has been made of its intention to have said lien filed if payment of the amount due is not made before a time prescribed by the board Such liens shall be filed in the same manner as is provided by law for the filing of municipal claims and shall have priority over all other liens except taxes and municipal claims or liens and except also mortgages and judgments of record prior to the time the report of the viewers was filed in court

Such liens shall be revived prosecuted to judgment executed and collected by the board through the Department of Justice in the same manner in all respects as is provided by law in the case of municipal claims except that in the case of municipalities judgments recovered on such liens shall be collected in the same manner as judgments are collectible by law against municipalities

Section 26 Increase of Municipal Debts Appropriations Any municipality may incur or increase its indebtedness in the manner provided by law for the purpose of appropriating moneys to the board to assist in carrying out the purpose of this act and for the purpose of paying benefits assessed against it by the report of viewers or as finally adjudicated and may make appropriations from current funds for such purposes

Section 27 Special Flood Control Fund Created Appropriation of Moneys Therein A Special Flood Control Fund is hereby established in the State Treasury into which shall be paid all moneys appropriated by the Commonwealth and received from the Federal Government and other states and their political subdivisions for flood control work and projects and all moneys arising from gifts or donations from persons and municipalities and recovered from benefits assessed against persons and municipalities under the provisions of this act

All moneys in the Flood Control Fund from time to time are hereby specifically appropriated to the board for the payment of any and all costs and expenses properly payable under the provisions of section seventeen of this act for repayment to the General Fund of excess appropriations made by the Commonwealth pending the collection of assessments of benefits and for payments on account of any moneys which the board may have agreed to contribute to aid and assist in the erection and construction of any Federal flood control works and improvements and in the erection and construction of flood control works and improvements under compacts and agreements with other states

Where more than one flood control district is created separate accounts shall be kept for each district and payments from the special Flood Control Fund for or on account of any one district shall not exceed the amount credited to such district in said fund.

Section 28 Additional Appropriations to Cover Delayed Payment of Assessments If in the construction and erection of the public works and improvements authorized by this act it becomes necessary for the Commonwealth to advance additional State moneys by appropriation to the Special Flood Control Fund because of a failure of owners of property and municipalities to pay benefits assessed within the time and in the amount estimated by the board then and in that event the General Fund shall be reimbursed by the board from future moneys collected from assessments of benefits to the extent of such additional appropriations The General Assembly shall in its appropriations to carry into effect the provisions of this act state the amount or amounts of appropriations so made which shall be so repaid to the General Fund

Section 29 Cooperation With Other States The Water and Power Resources Board is hereby desig-

nated as the agency of the Commonwealth with power to enter into reciprocal compacts and agreements with other states in developing flood control projects and works and shall have authority to expend moneys made available and appropriated by this act for interstate flood control works and improvements located within or without this Commonwealth on rivers and streams entering into or flowing out of or along the borders of this Commonwealth and to receive for payment into the Flood Control Fund from other states and their political subdivisions any moneys to aid and assist in the construction of flood control works and and improvements located in this State which are deemed beneficial to the inhabitants of other states Payments on account of such interstate works and improvements may be made by the board direct to the contractor or to the agency of such other state which let the contract or is performing the work of constructing such works or improvements or to the Federal Government or any of its instrumentalities or agencies supervising the construction of such works or improvements

The board is further authorized to empower the Federal Government or any of its instrumentalities or agencies to supervise the construction of such interstate flood control works and improvements

Section 30 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions had not been included therein

Section 31 Appropriation The sum of five hundred thousand dollars ($500,000) or so much thereof as may be necessary is hereby specifically appropriated from the General Fund into the Flood Control Fund created by this act for the purpose of carrying into effect the provisions of this act

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. WEISS. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 71, as follows:

An Act providing for the appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof declaring void certain condemnations and appropriations of waters by municipalities corporations copartnerships or persons providing for the ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities corporations copartnerships or persons and appeals therefrom conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto providing for future condemnations and appropriations of waters by municipalities corporations copartnerships or persons and compensation therefor and conferring powers and imposing duties upon the Water and Power Resources Board

Whereas An adequate supply of water is a matter of primary concern affecting the life health and comfort of the people of this Commonwealth and the supervision and equitable allocation thereof is an essential part of the police power of the State which no Legislature could rightfully impair or barter away and

Whereas All of the flowing water of the State by right belongs to the State in trust for the benefit of all of the people thereof and all uses of such flowing water must be regarded as subject to this sovereign right and

Whereas The increase of the population of the State makes it necessary that the available supply of water be apportioned equitably and allocated for the best interests of all concerned

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all of the water of this Commonwealth now unappropriated by any municipality corporation copartnership or person is hereby declared to be appropriated to the Commonwealth, for the benefit of all of the people of this Commonwealth subject only to such existing rights and uses as may now be lawful and no municipality corporation copartnership or person whether heretofore or hereafter created or which may now possess the right to take condemn and appropriate by eminent domain the waters of this Commonwealth shall hereafter take condemn or appropriate any water except as provided in this act

Section 2 Any condemnation or appropriation of waters heretofore made by any municipality corporation copartnership or person heretofore authorized to condemn water which appropriation has not been followed by an actual taking thereof heretofore or within a period of two (2) years after the effective date of this act is hereby declared null and void and of no effect. Where condemnation proceedings are pending in any of the courts of this Commonwealth at the date when this act becomes effective the actual taking of the water shall be within one year following the final determination of such proceeding otherwise the condemnation shall be null and void and of no effect.

Section 3 No condemnation or appropriation of water heretofore made under the power of eminent domain claimed by any municipality corporation copartnership or person authorized to condemn and appropriate water shall be valid or binding unless within six (6) months after the date of approval of this act said municipality corporation copartnership or person shall produce the record upon which such appropriation or condemnation is founded or prove to the satisfaction of the Water and Power Resources Board that such condemnation was lawfully made in accordance with law at the time said condemnation and appropriation was made and shall thereafter file a transcript or certificate of the resolution or record upon which said condemnation or appropriation is claimed duly acknowledged by the secretary and president of the municipality corporation copartnership or person in the office of the recorder of deeds of the county or the several counties as the case may be in which the water claimed to have been appropriated flows Any party aggrieved by a decision of the Water and Power Resources Board may within sixty (60) days appeal therefrom to the Court of Common Pleas of Dauphin County and the taking of such appeal shall operate as a supersedeas

Section 4 Hereafter no condemnation or appropriation of streams or the waters thereof for water supply shall be made by any municipality corporation copartnership or person possessing the power of eminent domain except as follows

Municipalities corporations copartnerships or persons desiring additional water supply for present and future needs shall first make application to the Water and Power Resources Board for leave to appropriate or acquire the designated waters of the State setting forth

1 The present source or sources from which water is now taken listing the streams and the quantity of water appropriated therefrom designating as near as may be the point or points from which water is taken or used and the amounts of water stored

2 The necessity for such new or additional source of supply and the river stream or other body of water from which it is proposed to be taken

3 The location and the population needing the supply

4 The amount of water which it is proposed to take

5 The plans for development of the water resources of the streams to maintain the stream flow and to utilize flood runoff including the locations and capacities of any proposed impounding reservoirs

6 The names and addresses of the owners who may be affected by the proposed developments

7 Such other provisions as the Water and Power Resources Board shall deem necessary

Section 5 The Water and Power Resources Board shall

upon such application make such investigation as may be necessary and grant such hearing as may be required

The Water and Power Resources Board is hereby given authority upon such application to allocate such part of the waters of the Commonwealth to any municipality corporatin copartnership or person as said application may show to be reasonably necessary to the purpose of the application

No allocation of the waters of this Commonwealth shall be for a longer term than fifty (50) years and such allocation shall be subject to such terms conditions and stipulations as the board shall deem to be necessary and proper to protect the present and future interests of the Commonwealth in the use and distribution of its water resources

The board shall have the further power to revoke any grant made in case the source of water supply is not developed in the amount or to the extent set forth in the application or required by the order of allocation of the board or if the work is not begun or completed within the time fixed by the board's grant

The Water and Power Resources Board shall further have the power to impose a reasonable charge for the water to be taken at the rate of not less than one dollar ($1.00) nor more than five dollars ($5.00) per million gallons and provide for the collection of the same and shall impose such terms and conditions as may be reasonably necessary bearing in mind the character and navigability of the stream and the need of water for other purposes All moneys collected from such charges shall be paid into the General Fund by and through the Department of Revenue

Section 6 The provisions of this act are severable and if any of the provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 7 This act shall become effective immediately upon its final enactment

RECONSIDERATION OF VOTE

Mr. WEISS. Mr. Speaker, I move that the vote by which the House agreed to the bill on third reading be reconsidered.

The motion was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. WEISS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 1 of the title, by striking out at the beginning of the line before the word "for" the word "[Providing]" and inserting in lieu thereof the following: "To promote the construction of flood control works and improvements by providing"

Amend page 1, line 2 of the title, by inserting after the word "Commonwealth" and before the word "for" the following: "and incidental thereto to secure the use thereof"

Amend page 1, line 3 of the title, by striking out after the word "people" and before the word "declaring" the word: "[thereto]"

Amend page 1, by inserting after line 15 of the title, the following new WHEREAS clause: "Whereas the recent floods in this Commonwealth and elsewhere have awakened the people to the necessity of developing appropriate plans and constructing adequate flood control works and improvements to prevent periodic recurrences of such calamities and"

Amend page 2, line 1 of the first WHEREAS clause, by striking out after the word "WHEREAS" and before the word "adequate" the word: "[An]" and inserting in lieu thereof the following: "The construction of adequate flood control works and improvements will aid materially in providing an"

Amend page 2, line 1 of the first WHEREAS clause, by inserting after the word 'water" and before the word "is" the word: "which"

Amend page 2, line 3 of the first WHEREAS clause, by inserting after the word "and" and before the word "the" the following: "will also permit"

Amend page 2, line 4 of the first WHEREAS clause, by striking out after the word "allocation" and before the word "is" the word: "[thereof]" and inserting in lieu thereof the following: "of water which"

Amend page 2, line 5, of the first WHEREAS clause, by striking out after the word "the" and before the word "which" the word: [State] and inserting in lieu thereof the word: "Commonwealth"

Amend page 2, line 5 of the first WHEREAS clause, by striking out at the end of the line after the word "Legislature" the word: "[could]"

Amend page 2, line 6 of the first WHEREAS clause, by striking out at the beginning of the line before the word "impair" the word: "[rightfully]" and inserting in lieu thereof the word: "should"

Amend page 2, line 1 of the second WHEREAS clause, by striking out at the end of the line after the word "the" the word: "[State]" and inserting in lieu thereof the word: "Commonwealth"

Amend page 2, line 2 of the second WHEREAS clause, by striking out after the word "the" and before the word "in" the word: "[State]" and inserting in lieu thereof the word: "Commonwealth"

Amend page 2, line 5 of the second WHEREAS clause by inserting after the word "right" and before the word "and" the following: "and the right so vested must be regarded also as vesting in the Commonwealth a duty to control the flow of water so as to prevent loss of life and destruction of property"

Amend page 2, line 2 of the third WHEREAS clause by striking out at the beginning of the line before the word "makes" the word: "[State]" and inserting in lieu thereof the word: "Commonwealth"

Amend page 2, line 2 of the third WHEREAS clause by striking out at the end of the line after the word "it" the following: "[necessary that the available supply of]"

Amend page 2, line 3 of the third WHEREAS clause by striking out at the beginning of the line before the word "for" the following: "[water be apportioned equitably and allocated]" and inserting in lieu thereof the following: "obligatory on the Commonwealth to control and regulate the flow of our rivers and streams and thereby to secure also an equitable allocation"

Amend section 1, page 2, line 7 by inserting after the word "for" and before the word "the" the following: "the purpose of enabling the Commonwealth separately or in cooperation with other states and the Federal Government to construct an adequate system of flood control works and improvements and to avoid the payment of damages in connection with the acquisition of rights to waters which might otherwise be acquired and incidental thereto to secure the use of waters for"

Amend section 4, page 4, line 15 by striking out after the word "the" and before the word "setting" the word: "[State]" and inserting in lieu thereof the word: "Commonwealth"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

AMENDED RESOLUTION No. 14 RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced returned resolution from the House of Representatives as follows:

In the House of Representatives, May 25, 1936.

Whereas, It is estimated that approximately eight hundred forty-five thousand dollars ($845,000.00) of moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes will be lapsed into the General Fund on May thirty-first, one thousand nine hundred thirty-six; and

Whereas, The sum of six million eighty-six thousand two hundred eleven dollars ($6,086,211.00) in addition to the aforesaid eight hundred forty-five thousand dollars ($845,000.00) will be necessary for unemployment relief purposes for the month if June, one thousand nine hundred thirty-six; and

Whereas, There is an immediate need for the raising of this amount for the use of the General Fund by transfers of money from the Motor License Fund, the State Stores Fund, and the Liquid Fuels Tax Fund; therefore, be it

Resolved (if the Senate concur), That the General Assembly hereby authorizes the Governor and the Fiscal Officers of the Commonwealth to transfer to the General Fund the sum of two million five hundred thousand dollars ($2,500,000.00) from the State Stores Fund, the sum one million five hundred eighty-six thousand two hundred eleven dollars ($1,586,211.00) from the Motor License Funl and the sum of two milion dolars ($2,000,000.00) from the Liquid Fuels Tax Fund, and hereby makes available to the State Emergency Relief Board the aggregate sum of six million eighty-six thousand two hundred eleven dollars ($6,086,211.00) for unemployment relief purposes; and

Resolved, That any moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes that remain unobligated and unexpended on May thirty-first, one thousand nine hundred thirty-six, are hereby made available to the State Emergency Relief Board for unemployment relief purposes on and after May thirty-first, one thousand nine hundred thirty-six; and

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers authorized by this resolution, (2) appropriating or re-appropriating as the case may be to the State Emergency Relief Board for unemployment relief purposes the sum of six million eighty-six thousand two hundred eleven dollars ($6,086,211.00) and any moneys heretofore appropriated for unemployment relief that remain unobligated and unexpended on May thirty-first, one thousand nine hundred thirty-six, and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Motor License Fund and the Liquid Fuels Tax Fund.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend on page 1, second whereas clause in first line by striking out after the word "of" the word "six" and inserting in lieu thereof the word "four"; also in next line, by striking out after the word "dollars" the figures "($6,086,211.00)" and inserting in lieu thereof the figures "($4,086,211.00)".

Amend on page 1, third whereas clause, in third line, by inserting after the word "Fund" the word "and"; also in next line by striking out after the word "Fund" the words "and the Liquid Fuels Tax Fund".

Amend on page 2, line 3, by inserting after the word "fund" the word "and"; also in lines 6 and 7 by striking out the following: "and the sum of two million dollars ($2,000,000.00) from the Liquid Fuels Tax Fund"; also in line 9, by striking out after the word "of" the word "six" and inserting in lieu thereof the word "four"; also in line 10 by striking out after the syllables 'lars" the figures "($6,086,211.00)" and inserting in lieu thereof the figures "($4,086,211.00)"; also in line 25, by striking out at the beginning of said line the word "six" and inserting in lieu thereof the word "four"; also in line 26, by striking out at the beginning of said line the figures "($6,086,-211.00)" and inserting in lieu thereof the figures "($4,-086,211.00)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. COHEN. Mr. Speaker and members of the House, I am just in receipt of a communication from Dr. De Schweinitz, Director of the State Emergency Relief Board, written to me as the Chairman of the Appropriations Committee, indicating the following:

"I understand that the House has before it an amended resolution from the Senate providing for transfers of funds in the amount of $4,086,211, and making available any balance existing on May 31st for unemployment relief during the month of June. This involves an amount less than the budget approval for June by the State Emergency Relief Board. If in view of this the House should fail to act all of our funds will lapse at the end of this week. and there will be a complete stoppage of relief money. This would entail such suffering for the needy and unemployed that I earnestly hope that the House will concur in the resolution adopted by the Senate. If these funds should not be sufficient I shall ask for a further appropriation later in the month of June."

In view of the letter from Dr. Schweinitz the House finds itself in the position at the present time that we are confronted with the problem of either concurring in the arbitrary amount set by the Republican Senate, or else be confronted with the stoppage of relief after the thirty-first of this month. Again this House finds itself in a position where they have to either accede to the arbitrary figure of the Republican Senate or else take the result of the stoppage of relief after May 31st. We are again faced with the position of either concurring, and being forced so to do with the gun at our heads. This figure of four million plus, arrived at by the Senate is not based upon any actuarial accounting or any definite figure. This figure, as I have indicated before is an arbitrary figure arrived at by the Senate in an effort apparently to hamstring the operation of the State Emergency Relief Board. As I told you yesterday, the State Emergency Relief Board is capable of exercising its trust to the Commonwealth of Pennsylvania and to the taxpayers. Over the months of April and May the State Emergency Relief Board, was able to save out of the allocation of funds made to them, in the month of April $345,000, and in the month of May approximately $500,000. But, nevertheless, irrespective of the possibility of any increased relief load, irrespective of the possibility that over fifty thousand cases have been dropped by the WPA, and that thirteen thousand of those cases are now on the State Emergency Relief, irrespective of the fact that there is a back load of thirty-seven thousand cases that mignt possibly be turned on the State Emergency Relief Board, irrespective of any emergency or any possibility that might exist in this Commonwealth, the Senate fixed that arbi-

trary figure of four million dollars plus, for the relief requirements for the month of June.

There has been some indication of the ideas of the Republicans in the Republican press. The Philadelphia Inquirer carries an account which would indicate as follows:

Although the resolution authorizing the $4,931,211 appropriation expressly reads that the funds should last for the entire month of June, a gentlemen's agreement was reached between the Senate Republican and Democratic blocs that if more money is necessary for the period it probably will be advanced.

We realize by that statement that the figure is purely an arbitrary one. It is not based upon any accounting or compilation. They, nevertheless, put this House in a position whereby we must either concur in the resolution as presented, and the amendments made by the Senate, or else be confronted with the possibility of the stoppage of relief in this Commonwealth after May. I know, in speaking for the Democratic members of the House, that we do not feel we are bound as to the relief requirements for the month of June, as indicated by this figure that is arbitrarily fixed. I know, in speaking for the Democratic members of the House, that we expect to provide funds as are necessary for the relief requirements of the Commonwealth of Pennsylvania, irrespective of the sum arbitrarily fixed by the Senate. But, nevertheless, in view of the emergency and in view of the exigency that now exists, it is with a great deal of reluctance on my part and on the part of the Democratic members of this House, that I move you, Mr. Speaker, that we concur in the amendments inserted by the Senate.

On the question,

Will the House agree to the motion?

Mr. BLUMBERG. Mr. Speaker and members of the House, I am rather amused at the great deal of trepidation and surprise on the part of my friend from York, when he tells you that the Senate arbitrarily acted yesterday. In the first place, he reads a letter from Dr. De Schweinitz, in which the statement is made that should this amount prove deficient he will come back to the Legislature and ask for more. Apparently Dr. De Schweinitz has much more confidence in the House and Senate than Mr. Cohen has. All of us know that regardless of party lines, we will not permit relief to stop in Pennsylvania, not for one day. If any amount that we appropriate proves insufficient, we will immediately supply the deficiency. Was this figure an arbitrary figure? Well, pensonally, I don't know. Was Dr. De Schweinitz's figure arbitrary? I don't know. When the harmony committee met with the Relief Board, we asked them how much money they needed for a particular month, and the members of the board said, "We don't know, we don't attempt to find out, we take whatever amount you people give us, then we take the estimate of the director and we try to make it fit the cloth." Now, gentleman, that is exactly the situation. They will, of course, utilize what we give them and they might use it. In some instances they might not be able to use it, and you have a lapsed sum, as you have at the present time, of eight hundred forty-five thousand dollars. But the function of the board itself is merely to administer the funds that we appropriate. Now, the director does submit to the board his estimate of relief needs, but the director is not infallible, as our experience in the latter part of the months of April and May has disclosed. The figures have suddenly dropped from nine million dollars to below seven million dollars. The Senate yesterday, in considering this resolution, apparently did not act on party lines, because as I read the same article that my friend from York, Mr. Cohen, referred to, this resolution, as amended to four million dollars plus passed the Senate unanimously. That means that both the Democrats and Republicans voted for the amendment and sent it back to us for concurrence. So it does not seem to me as though partisan lines dictated the action of the Senate, and no more than that will partisan lines dictate our action here. We on this side of the House are just as sensitive to the needs of the people as you are, and we on this side of the House have been as liberal as you, but we do say this, that we are not going to sit by and permit excessive sums to be used for administrative costs, for padding payrolls, and call that relief. Dr. De Schweinitz will have to cut his administrative costs. It will not be necessary to take one cent away from a single recipient of relief in Pennsylvania during the month of June, and this sum will be sufficient, if he pays as much attention to efficient administration as Mr. Cohen does to the needs of relief recipients.

I ask the gentlemen on this side of the House to vote to concur in the amendment of the Senate.

Mr. ANDREWS. Mr. Speaker and members of the House. I do not care to take the time of the House to ask for a roll call, but I want to be recorded as voting "no" and opposing this compromise. I am certainly of the opinion that the majority of members of this House should end the program of staging a schottische, three steps forward and one step back. I am most emphatically of the opinion that now would be as good a time as any other to determine the relief budget, and I do not believe that this House or the Senate would permit relief to lapse next Monday, if this House refused to concur. I, for one, stand for the policy of stopping the game. I would call the Senate's bluff, I would see whether relief would lapse Monday. I am sorry, Mr. Speaker, that we have declined to force the issue and face it now.

Mr. EBERHARTER. Mr. Speaker and members of the House, in addition to what the gentleman from York, Mr. Cohen, has said to the members of the House, and in partial answer to my colleague from Cambria County, Mr. Andrews, I want the members of the House to very carefully read the second whereas clause of this resolution. You will notice that it says:

"Whereas, The sum of six million eighty-six thousand two hundred eleven dollars ($6,086,211.00) in addition to the aforesaid eight hundred forty-five thousand dollars ($845,000.00) will be necessary for unemployment relief purposes for the month of June one thousand nine hundred thirty-six."

Now, that does not say, members of the House, that that is the entire sum that will be necessary for unemployment relief purposes during the month of June. It does not say that that sum of money will last out the entire month of June, 1936. It merely says that that much will be necessary. On the same basis you might say that the sum of one hundred thousand dollars will be necessary for the month of June. For that reason, ladies and gentlemen, I say that we should vote to concur in this amendment, with the understanding that we are not com-

mitting ourselves to the proposition that this sum is all that is necessary. This amount of money may run out in the second or third week of June. The understanding, it seems to me, should be, when we vote to concur in the amendment, if the money does run out in the second or third week of June, that we will immediately furnish the director of relief with a sum sufficient to carry the balance of the month.

Yesterday, I believe, or the day before, an amendment was offered from the Republican side of the House to this resolution, wherein they asked for the sum of $655,000 more than this resolution now asks for. That in itself would indicate that the Republican members of the House believed that this sum that we are concurring in is not sufficient for the entire month.

The gentleman from Philadelphia, Mr. Blumberg, made the statement that the relief director will cut the cloth to suit the appropriation. I will vote for this concurrence on that assumption and on that basis because the relief director, as I understand it, intends to continue the same standards of relief that have been in existence for some time past. It is based on the same amount of grant to individuals, the same grant per case and the same grant per month. It is only on that basis that I vote to concur in this amendment, and I trust that the members of the House will take my explanation and the explanation of the gentleman from York, Mr. Cohen, and vote to concur in this resolution.

Mr. SIMON. Mr. Speaker and colleagues of the House, I intend to vote for this resolution with a great deal of reluctance, but it seems to me there is one element that has not been spoken of yet, and that is these investigations which have been started. There is an investigation going on by members of the Senate at the present time, and I understand one is to be started by this body. I believe that the situation will be taken care of by the great mass of statistics that these gentlemen will gather as to the underprivileged and unemployed, until about the fifteenth of June and I think that will take care of the situation very well.

Mr. ACHTERMAN. Mr. Speaker and members of the House, I desire to be placed on record as concurring just one hundred percent in the remarks made by the gentleman from Cambria, Mr. Andrews. I agree with him distinctly that this House should not bend the knee to a recalcitrant Senate. I say without hesitation that I feel incensed when any member of this House without warrant takes the floor and insinuates that the administrative cost of the State Emergency Relief Board is unwarranted and tries to intimate that those expenses should be cut, and I say without hesitation that that Board shows more charity to that body of men than they are entitled to when they say, "We will accept this amount," and it is only because that Board says so that I am willing to vote for the amendments, but I say without hesitation here that I am going to support that Board one hundred percent in their efforts to take care of the poor and the needy of this Commonwealth, and I say that we will invite them back at any time, when they feel they are short of funds, regardless of what may be said on the other side of this House. I am saying that they should not hesitate to expend as much in funds as they deem necessary in administering to their wards, and that they should not be intimidated by the members on the other side of this House in properly administering to their wards and relieving the poor of this Commonwealth. If it is necessary to have a showdown with the recalcitrant Senate, then we are going to have it. I have stated the reason why I am voting for the amendment, not with reluctance, but with a challenge to the other side of the House that they shall and will have a showdown at the time that these funds are exhausted.

Mr. REISING. Mr. Speaker and members of the House, I wish to be recorded as voting in favor of this amendment, not because I think it might be the political thing to do, but I feel as a representative of an industrial district, where there is a lot of distress by reason of unemployment, that it is the humane thing to do, while the Shylocks are playing politics over dollars and cents.

Mr. BLUMBERG. Mr. Speaker and member of the House, I merely want to reply to the gentleman from Monroe, Mr. Achterman. He seemed to be a little bit exercised about my intimation that the administration costs were too high. I made that statement advisedly because I have in front of me the reports of some of the House investigating committees. They were Democratic investigating committees of the regular session of 1935. For instance, the report by the Westmoreland county committee states that they should eliminate the exhorbitant administration costs. The report from Washington and Greene counties states that a reduction of at least one third in the cost in these counties could be effected. Gentlemen, I merely call that to your attention to show you that the statements made on this side are made advisedly, and given to you for what it might be worth. They are your reports, not ours.

Mr. DENT. Mr. Speaker and members of the House, I remember very vividly the report of the Westmoreland County investigating committee, made to the House on relief. I understand that we made certain recommendations, and I am certainly glad to see that at least one Republican has seen fit to read that report. I had my doubts as to whether anybody would read it. I will say for the information of the House that the administrative costs have been cut in Westmoreland County, as per the instructions of the resolution.

Mr. MORAN. Mr. Speaker and members of the House, I very reluctantly get on my feet today to make a very brief statement. We have seen one of the greatest side shows in this session that has ever been pulled in Pennsylvania, especially on Monday night. Last Monday night, the minority floor leader made the keynote speech of the Republican campaign for 1936, and we have had several other keynote speeches since that time.

Mr. Speaker and members of the House, I think we have reached the stage or the point where we should have a showdown. We should not concur in this resolution amended by the Senate. We might as well have that showdown here today as have it in June; we might as well have it today as to probably have it in July or August, because we are going to have to have a showdown sooner or later. This relief problem is nothing more than a political football, and I, for one, am not going to concur with anything that the reactionary Senate sends over here.

Mr. VAN SICKLE. Mr. Speaker and members of the House, if we were poker players, I would say that as far as I am concerned, the Senate has pulled its last bluff, and I am calling right now, and I will sit here until they

are ready to talk business. If the rest of you have any nerve, you will do the same.

Mr. KANE. Mr. Speaker and members of the House, as one of those who is perfectly willing to vote for this or even a larger sum, if necessary, I do not think it is fair for you over there to place on the gentleman from Philadelphia, Mr. Blumberg, or the opposite faction, or any one else, the blame, on the one hand, for refusing sufficient money and charging them with ignorance as to the facts, upholding the relief board as the court of last resort as to how much money is needed, and then on each and every occasion trying to block any attempts to get adequate information. Your constituents, as well as ours, are going to hold you responsible for the amount of money that is spent, and you are not going to be able to explain to them that Director De Schweinitz was the man who was responsible for the amount of money that was spent. I think that most of the men on this side of the House will be perfectly willing to stay here the rest of this week, or this session, or the rest of the Summer, before they will let anybody starve for lack of adequate relief. According to the newspapers at least, the appropriation of the Senate, this agreement for this sum was carried unanimously with the understanding that a sum would be appropriated later if necessary. I do not think that the remarks with regard to the Republicans playing football with relief, or this House playing football with relief was at all warranted. I for one will be very glad to stay here as long as necessary, speaking for myself only. I don't think that a person who votes to appropriate this money, rather than have the poor shut off from the relief next week can be accused of playing football. I think it is well for those who consider having a showdown at this time at the expense of the people on relief, to consider well who will be suffering during the showdown, whether it will be the fighters in the House of Representatives or whether it will be the people of Pennsylvania on relief.

Mr. MOOMAW. Mr. Speaker and members of this House, I listened very closely to the remarks by the gentleman from Philadelphia, Mr. Blumberg, concerning the reduction of administrative cost in the operation of relief. He cited recommendations of certain legislative investigating committees of the last session. I was a member of a legislative investigating committee which he did not cite, and I will say to the members of this House that our report likewise made recommendations that the cost of administration could be reduced and should be reduced. However, we are coming to a point here on Wednesday, just a few days away from the time that relief will stop in Pennsylvania, and asking by reduction of approximately thirty-three and one-third per cent of the revenues asked for, for June, to reduce administrative costs thirty-three and a third per cent in a matter of four or, five days. I admit to the membership of this House that it would be a miracle, yes more than a miracle to attempt to perform a surgical operation or disembowelment as it would really be, to adjust the administrative forces of the State Emergency Relief Board to a reduction of thirty-three and a third per cent in a matter of five days, and for that reason, and that reason alone I do not expect to concur in the amendments made by the Senate. As previously stated, I expect to urge with every possible means at my command as a single member of this House, to bring about a reduction in the administrative cost of emergency relief, and I am confident it can be so done, but I again want to call to your attention the fact that it would be an impossibiliy to try to perform the disembowelment in a period of five days.

I for one am going to vote to non-concur in the amendment of the Senate.

Mr. TRONZO. Mr. Speaker and members of the House, I too am one of the members who are tired watching a political relief football kicked around on the floor of both the House and the Senate. I have come to the conclusion that the Republican members of both the House and the Senate are not so vitally interested in the continuance of relief in Pennsylvania. To begin with they tried to discredit the relief administration by saying there were too many chiselers on relief. Now they are hitting at the top-heaviness of the relief forces. To begin with, as far as the chiselers on relief are concerned I am willing to admit that there are some. However, I sincerely feel that there are more chiselers on the floor of both the House and the Senate than in the entire relief setup in the State of Pennsylvania.

As I said, we might as well have the showdown right here and now. The people who are on relief in Pennsylvania probably are not given any more than eleven cents a meal a day. I am very sure that they would much rather starve than continue with the allowance that is given them, so I say let us fight it out here and now; let us hold out,—we are not going anywhere, and bring this to an end.

Mr. BLUMBERG. Mr. Speaker, inasmuch as we have been complimented on reading these reports of the investigating committees of the House in the past session, I want to read this statement of Mr. Tronzo to the other members of the House from the report of the Allegheny County committee: "A serious condition undoubtedly exists on what has been referred to as chiselers, namely the acceptance of relief funds by people not entitled to them." And for the information of the gentleman from Franklin, I read from the report signed by him—

POINT OF ORDER

Mr. HOLLAND. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Allegheny, Mr. Holland, will state his point of order.

Mr. HOLLAND. Mr. Speaker, the gentleman is not speaking on the subject before the House.

The SPEAKER. The point of order is not well taken. The question before the House is relief and the amendments made by the Senate.

Mr. BLUMBERG. Mr. Speaker and members of the House, in the report of the House Committee investigating Franklin County, the home of Mr. Moomaw, with reference to the administrative costs, the folowing is said: "After the investigation started we discovered that effective April 1st increases were made in the salaries of the administrative personnel. We do not believe this should have been done, particularly at the time when practically all the work relief projects were suspended due to the shortage of relief funds. A check of the record reveals these increases were given to approximately ninety per cent of the administrative employes and the average increase on those affected was approximately nineteen and a half per cent."

Mr. JONES. Mr. Speaker and members of the House, I am one of the fellows who is going to concur in this resolution because I want the unemployed to eat after next Monday, and I want the Democratic members of the House to help us so that they will eat, because the Senate has already adjourned, and if you do not concur in this amendment, they will go hungry, and I will have to go back home and tell my people that the Republicans in both the House and the Senate passed this resolution, and the Democrats in the House refused, and let you go hungry after next Monday.

POINT OF INFORMATION

Mr. COHEN. Mr. Speaker, I arise to a point of information.

The SPEAKER. The gentleman from York will state his point of information.

Mr. COHEN. Will the Chair inform the membership of this House, Mr. Speaker, whether or not the Republican Senate is in session?

The SPEAKER. The information that they have adjourned has not been conveyed to the desk. The Chair is unable to inform the gentleman.

Mr. COHEN. Mr. Speaker, may I request that the Sergeant-at-Arms be sent to ascertain whether or not the Senate has adjourned, so that the House will have official notice of what action the Senate has taken?

The SPEAKER. For the information of the gentleman from York, Mr. Cohen, the Secretary of the Senate has informed the House that the Senate has adjourned until next Monday night at 9:00 o'clock.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from York, Mr Cohen, will state his question of parliamentary inquiry.

Mr. COHEN. Will the Chair inform the membership of this House the exact time at which the Senate adjourned?

The SPEAKER. The Chair has not been informed on the exact time the Senate adjourned. That is a matter of Senate record only, and we do not have that available.

Mr. COHEN. Mr. Speaker, would it be possible to send the Sergeant-at-Arms directly to the Senate to the record of the Senate, to ascertain the exact official time at which the Senate adjourned?

The SPEAKER. The Chief Clerk informs the Chair that the exact time that the Senate adjourned will be found out and submitted to the House.

Mr. BLUMBERG. Mr. Speaker, might I also request the Chair to ascertain through the Chief Clerk whether the vote on the motion to adjourn was unanimous or not?

The SPEAKER. For the information of the gentleman from Philadelphia the Chief Clerk will be instructed to ask the Secretary of the Senate the vote on the motion to adjourn.

Mr. ANDREWS. Mr. Speaker, I do not believe it is possible in parliamentary history to find a precedent for the present action. It is inconceivable that one chamber of this Legislature should presume to amend a measure of such major importance, passed in this House and then insolently to adjourn, taking our acquiescence for granted. I say, Mr. Speaker, that there is no parallel for such action and I arise to ask you, Mr. Speaker, what power there is resident in this House to compel the Senate to reconvene for the consideration and for conference, if necessary, if this House in its wisdom and by means of its constitutional rights shall refuse to concur in the amendments of the Senate?

The SPEAKER. The Chair has been advised that the Senate adjourned at 12:25. There was no record of a roll call and no discussion on the motion to adjourn.

In answer to the question of the gentleman from Cambria, Mr. Andrews, I wish to read Section 14, Article II, of the Constitution of Pennsylvania:

"Adjournment. Neither House shall, without the consent of the other, adjourn for more than three days nor to any other place than that in which the two houses shall be sitting." In accordance with this provision the House and the Senate adopted a resolution agreeing to adjourn until next Monday night at 9:00 P. M. Therefore, the House has no power to compel the Senate to reconvene.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, will state his question of parliamentary inquiry.

Mr. ANDREWS. Mr. Speaker, what would be the procedure if this House refused to concur in the amendments of the Senate and appointed a committee for conference?

The SPEAKER. Replying to the question of the gentleman from Cambria, Mr. Andrews, if this House should non-concur in the amendments offered by the Senate, this information would be conveyed to the Senate, but it could not be conveyed until they are officially in session next Monday night.

In order to more fully answer the question of the gentleman from Cambria, Mr. Andrews, when this resolution is conveyed to the Senate officially, which would have to be next Monday night, they are in the position of either receding from or insisting upon the amendments to the resolution. If they insist upon the amendments, then it would be up to this House to appoint its members of the conference committee.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the majority leader, the gentleman from York.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. COHEN. Mr. Speaker, I will.

Mr. ANDREWS. Mr. Speaker, I desire to ask whether it is not true that the relief needs of the relief clients have been cared for for next week by money and checks now in the mails or now in the process of transmission?

Mr. COHEN. My understanding, Mr. Speaker and members of the House, is that the relief requirements for the month of May have been met. Next week is the month of June. The eight hundred forty-five thousand dollars which the State Emergency Relief Board has been able to save will lapse, and will not be susceptible of expenditure by the State Emergency Relief Board after or on the first of June.

Mr. ANDREWS. Mr. Speaker, will not the eight hundred and some thousand dollars, however, be available for immediate appropriation?

Mr. COHEN. Mr. Speaker, the eight hundred forty-five thousand dollars will be available for immediate reappropriation after an appropriation bill has been read in the

House on three days, and the same in the Senate and has been passed.

Mr. ANDREWS. Mr. Speaker, may I ask, is it not true therefore that no one will go hungry next week if this House refuses today to concur in the amendments of the Senate?

Mr. COHEN. Mr. Speaker, I hoped I had made that clear. On the first of June all dispensation of relief by the State Emergency Relief Board will stop. These recipients of relief who would have received their checks on June 1 or June 2 will not be able to so receive those checks and will not be able to receive those checks until proper enabling legislation has been passed both by the House and the Senate.

Mr. ANDREWS. Mr. Speaker, I can not conceive of a situation such as the majority leader outlines. If the people of this State are to receive any aid next week, the checks must be already written and in the process of being transmitted. Surely by all of the mechanics of the system as I know of them,—and if I am wrong I hope I will be corrected,—the checks that go out the first week in June are not for the first week in June; they are for the second week in June or for some other period. Certainly you can not care for the first week in June with the checks that are going out sometime during that period.

Mr. SOWERS. Mr. Speaker, I yield to the gentleman from York, Mr. Cohen.

Mr. COHEN. Mr. Speaker, inconceivable as it might seem to the gentleman from Cambria, Mr. Andrews, nevertheless the facts are these, that the relief payments for the month of June are made during the month of June from funds that have been appropriated and are available for the month of June. After June 1 and on June 1 and thereafter there is no money available to the State Emergency Relief Board upon which checks can be drawn.

Mr. SOWERS. Mr. Speaker and members of the House, I understand that the leaders of the Democratic party and the Republican party got together before the Senate adjourned and agreed that the Senate pass the resolution that it passed, and that should more money be needed during the month of June to take care of unemployment relief, that money would be voted in due course. Yesterday I wanted this House to meet at 9:00 o'clock. I kind of thought that some of my friends on the other side would need extra time in order to explode and speak.

It is about time that we close on this subject. It seems to me it is merely bluff, bluster and blunder.

I move you, Sir, the previous question.

The SPEAKER. Does the gentleman insist on his motion for the previous question?

Mr. SOWERS. Mr. Speaker, will you tarry just a few moments until my Democratic friends make up their minds.

Mr. Speaker, I withdraw my motion.

QUESTION OF PARLIAMENTARY INQUIRY.

Mr. HARKINS. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny, Mr. Harkins, will state his question of parliamentary inquiry.

Mr. HARKINS. Mr. Speaker, under Section 14 of Article II of the Constitution it reads: "Neither House shall, without the consent of the other, adjourn for more than three days nor to any other place than that in which the two Houses shall be sitting."

"I wish to inquire whether or not since the Senate has adjourned and will not meet until Monday evening, since there will intervene four days, namely, Thursday, Friday, Saturday and Sunday, I wish to inquire whether or not the Senate has adjourned in violation of that Section 14 of Article II of the Constitution.

The SPEAKER. In answer to the parliamentary inquiry of the gentleman from Allegheny, the gentleman will find by reading Section 14 that, Neither House shall, without the consent of the other, adjourn for more than three days—." This house has already agreed to a resolution giving its consent to the Senate to adjourn until next Monday night, at nine P. M. Does that answer the question of the gentleman from Allegheny?

Mr. HARKINS. Mr. Speaker, if I have the decision of the Speaker, that there will not intervene more than three days, that does answer that question. But the question on which I specificaly asked for a ruling was whether or not from today and that time that the Senate has adjourned there will intervene more than three days, until the Senate reconvenes.

The SPEAKER. The gentleman is correct. That there will intervene more than three days, but the question of the number of days is not an issue, because the House has given its consent for the Senate to adjourn.

Mr. HOMER S. BROWN. Mr. Speaker and members of the House, some serious accusations have been made during this debate, some accusations which may transcend the very question that we are interested in, and those accusations, as I understand it, came from members who accused certain leaders of this House, without naming the leaders, of entering into some secret agreement or some agreements that this matter would be carried in this House, and I presume the gentleman meant that the agreements were made between probably the Republican leaders and the Democratic leaders.

I, for one, am not willing to sit in this House without ascertaining, first, whether or not those accusations are correct, and if they are correct to state to the members of the House just how I feel about such agreements.

Therefore, Mr. Speaker, I should like the opportunity to interrogate Mr. Cohen, the majority leader of this House.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. HOMER S. BROWN. Mr. Speaker, if I understood correctly the statement made by the gentleman from Philadelphia, Mr. Sowers, he intimated, and I do not want to say anything that he did not intend to say—I do not remember his exact words, but I think he intimated that there had been an agreement made to the extent that this matter would be concurred in by the House.

Do you know, Mr. Majority Floor Leader, of any agreement that was made either late yesterday or made today concerning an agreement whereby this House would concur in the amendments made by the Senate?

Mr. COHEN. Mr. Speaker and members of the House, this morning, at approximately nine thirty o'clock, I came to the floor of the House and ascertained that the Senate had amended Resolution No. 14, cutting off two million

dollars from the appropriation to the State Emergency Relief Board.

The gentleman from Philadelphia, Mr. Burke, the gentleman from Allegheny, Mr. Eberharter, and I proceeded to the Senate, where we were confronted with Senator Buckman, Senator Gelder and Senator Homsher.

At that time I tried to prevail upon those gentlemen so that they would strike from the second whereas clause, "For the month of June, 1936." I felt that the membership of this House should not be bound by the arbitrary figures of some four million dollars plus, which the Republican Senate had indicated would be the relief requirements for the month of June. I felt that by striking from the second whereas clause "For the month of June, 1936" that we could then concur in these four million dollars plus and not put this House on record as feeling that that arbitrary figure represented the relief requirements of the SERB for the month of June. They refused so to do, and as we left the conference, it was indicated at that time by the gentleman from Allegheny, Mr. Eberharter, that the House would non concur in the amendments inserted by the Senate.

Mr. HOMER S. BROWN. Mr. Speaker, I should like to interrogate the gentleman from Allegheny, Mr. Eberharter.

The SPEAKER. Will the gentleman from Allegheny, Mr. Eberharter, permit himself to be interrogated?

Mr. EBERHARTER. I will, Mr. Speaker.

Mr. HOMER S. BROWN. Mr. Speaker and members of the House, I should like to ask the gentleman from Allegheny, Mr. Eberharter, whether he yesterday, today or at any other time made any agreement that this House would concur in the amendments made by the Senate to this resolution which is before us at this time.

Mr. EBERHARTER. Mr. Speaker, in answer to the gentleman from Allegheny, Mr. Brown, I can say definitely and positively that I did not either yesterday or today or at any other time agree with the members of the Senate that this House would concur in this resolution.

The facts are substantially, or I might even say exactly, as recited by the gentleman from York, Mr. Cohen.

The last words which I said on leaving that conference this morning were these: "I do not see how we can concur in this resolution."

Further than that, Mr. Speaker and members of the House, as I mentioned in my remarks on this resolution, it was argued by the Republican Senators at the time we were trying to reach an agreement on this proposition—it was argued by them that the statement in the second whereas clause should not mean that the sum of four million dollars was all that was necessary. In other words, the members of the House who voted to concur in those amendments would not be committing themselves to the proposition that that was the total amount required.

Mr. HOMER S. BROWN. Mr. Speaker, I should like to interrogate the gentleman from Philadelphia, Mr. Sowers.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sowers, permit himself to be interrogated?

Mr. SOWERS. I will, Mr. Speaker.

Mr. HOMER S. BROWN. Mr. Speaker and members of the House, I should like to ask the gentleman from Philadelphia, Mr. Sowers, whether or not I am correct when I say that I understood him to say that there was some agreement whereby the House would concur in these amendments.

Mr. SOWERS. Mr. Speaker, the gentleman is partially correct and partially incorrect. I said it was rumored around here that such an agreement was made and the corroborative evidence of it is that the Democratic Senators and the Republican Senators all voted for the resolution. The additional corroborative evidence is that Mr. Cohen, your floor leader, got up and started to pave your way by reading a letter, and it appeared to me and would appear to any reasonable person reading between the lines that such an agreement existed, and then when you, yourselves, revolted. I noticed that your State leader, David Lawrence, came in and put you back in your places.

Mr. HOMER S. BROWN. Mr. Speaker, in all seriousness I should like further to interrogate the gentleman from Philadelphia, Mr. Sowers.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sowers, permit himself to be further interrogated?

Mr. SOWERS. Mr. Speaker, if it gives my friend Mr. Brown of Allegheny County any pleasure, I will be glad to accommodate him.

Mr. HOMER S. BROWN. Mr. Speaker, I should like to ask the gentleman from Philadelphia, Mr. Sowers this question: Whether or not he has any information other than what he just stated, which was a mere rumor, that there was any agreement on the part of any of the members of this House to the effect that the House would concur in this resolution.

Mr. SOWERS. Mr. Speaker, I have had a little experience around this place and I can read between the lines; I can see; I can understand. I do not know why my Democratic friends are revolting against their leaders.

Mr. HOMER S. BROWN. Will the gentleman from Philadelphia, Mr. Sowers, answer the question and answer it yes or no and explain afterwards, after he has answered the question?

Mr. SOWERS. Mr. Speaker, will the gentleman frame anew his question?

Mr. HOMER S. BROWN. Yes, Mr. Speaker. The question is: Does the gentleman have any information other than that based upon mere rumor that there was an agreement by any members of this House that this House would concur in the resolution of the Senate?

Mr. SOWERS. Mr. Speaker, the gentleman from Philadelphia has never been a squealer.

Mr. HOMER S. BROWN. Mr. Speaker, the gentleman from Philadelphia has just referred to the fact of our leader coming in. I wonder if he is cognizant of the fact that the minority floor leader, with his hat in his hand, has also just come in?

Mr. CAPUTO. Mr. Speaker and members of the House, the gentleman from Philadelphia, Mr. Sowers, just made a statement that all of the members of the Senate voted to adjourn this morning. I want to correct that statement. I have talked with at least one member of the Senate, a Democratic member, and he voted "no" when the question of adjournment came up, and I have spoken to another member of the Senate, also a Democrat, and he was not present on the floor of the Senate when that vote was taken, but that if he had been present he would have voted "no" on the question.

Mr. BLUMBERG. Mr. Speaker and members of the House, my personal reaction is that the gentleman from

Allegheny, Mr. Brown, is entitled to such information along the lines of his inquiry that we can give to him, and I do not believe that I am violating any personal confidences when I tell you that this morning I went over to the desk of the majority floor leader, and I asked Mr. Cohen whether any arrangements had been made or any agreement made as to the action of the Democratic majority in this House on the Senate amendments. Mr. Cohen told me that the Democratic contingent in this House would vote to concur on the resolution, but that he would make a statement or a stinging speech, and I then told him that he would get a reply.

Mr. COHEN. Mr. Speaker and members of the House, since it has gone this far, I think that I might as well go a little further. When we left the Republican Senate, as has been indicated by the gentleman from Allegheny, Mr. Eberharter, it was indicated to the Senators then present that we would not concur.

I consulted with Mr. De Schweinitz, and after consulting with him he explained to me the exigencies that would exist if we would not concur. I felt, under the circumstances, that the advisable thing to do was to make the motion, which I have made, for concurrence.

The gentleman from Philadelphia, Mr. Blumberg, came over to my desk, and I saw him surreptitiously reading the letter on my desk, and at that time I indicated to him, after he had read the letter, that it was my inention to make the motion which I did make.

As far as any agreement with the Republican Senate, as far as any agreement with Mr. Blumberg, or with any Republican in the Commonwealth of Pennsylvania is concerned, there is no agreement from this side of the House as to what action would be taken.

I made the motion for concurrence relying upon the exigencies as they exist and as explained to me by Dr. De Schweinitz.

I made that motion, because I feel that the exigency does exist, and I further feel that with the present exigency, if the Senate can adjourn, knowing that there is a possibility of this House non-concurring, and still be so devoid of their responsibility of public dutes, then I say that there should be some means, some method whereby the Senate can be brought back to this city, in order to provide the necessary relief for the unemployed.

Mr. DENT. Mr. Speaker and members of the House, I am not so particularly worried about the remarks made a while ago by one of the representatives, that he would have to go back to his party and shout to the high heavens or words to that effect, if we didn't start relief, inasmuch as I know from experience that you must be on relief before you receive a check. Therefore, you would have to be on relief all week of June first and the following week—you must be on relief the entire week before you got any money for relief for that week. So, there will be no starving children in Pennsylvania on Monday if we do not concur. The only thing that I want to particularly stress upon the Democratic members is this: This resolution or the amendment itself to this resolution will tend to give to the taxpaying public of Pennsylvania the idea through the newspapers that the Republican Senate has succeeded in cutting down the cost of relief in Pennsylvania by the sum of two million dollars.

That has not been proved, because the statement has been on the floor of this House by the gentleman from Philadelphia, Mr. Blumberg, that more money can be given to the relief administration if they need it. If the newspapers want to print this fact they can say that the relief expenditures were cut by the Republican Senate, but that is an absolute falsehood, because they themselves admit that they don't know what it will cost, they say "If you need more, we will give it to you."

I am going to ask the Democratic members not to concur in this resolution.

Mr. BLUMBERG. Mr. Speaker and members of the House, particularly those members on this side of the House, while we have enjoyed the confusion and the unusual spirit of independence that has so suddenly appeared on the other side, I want you to remember the statement made by the majority floor leader, to the effect that if this resolution is not concurred in today, there will be no money available for relief on June first. Therefore, I urge all you men on this side of the House to vote to concur in the resolution.

Mr. JONES. Mr. Speaker, I would like to interrogate the gentleman from Westmoreland, Mr. Dent.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. I will, Mr. Speaker.

Mr. JONES. Mr. Dent, you just made the assertion that no one would go hungry in the first week of June if this amendment was not agreed to?

Mr. DENT. I did, Mr. Speaker.

Mr. JONES. Mr. Speaker, does the gentleman know that on the 28th, the primary election, two days after that, there were 3000 PWA workers laid off in Luzerne County and that another week after that there were 1250—

POINT OF ORDER

Mr. BURKE. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia, Mr. Burke, will state his point of order.

Mr. BURKE. Mr. Speaker, the gentleman is not discussing the resolution before the House.

The SPEAKER. The point of order is well taken. The gentleman will confine himself to the amendments before the House.

Mr. JONES. Mr. Speaker, what I am trying to find out, or trying to show this House is that we have 4,250 people that absolutely will get their check in June—

POINT OF ORDER

Mr. BURKE. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. BURKE. The gentleman has the floor for the purpose of interrogating the gentleman from Westmoreland and not for the purpose of making a speech.

The SPEAKER. The point of order is well taken. The gentleman from Luzerne will proceed with his interrogation.

Mr. JONES. Mr. Speaker, I am through with the interrogation.

Mr. MOUL. Mr. Speaker, I move the previous question.

The SPEAKER. Does the gentleman insist? The previous question has been moved by the gentleman from York, Mr. Moul.

Mr. WITKIN. Mr. Speaker, I ask for recognition.

The SPEAKER. Will the gentleman yield for just a moment?

Mr. WITKIN. No, Mr. Speaker, I will not yield, because I desire to obtain some information before the Speaker puts the previous question.

I rise to a question of information.

The SPEAKER. Is the information that the gentleman desires on the motion before the House?

Mr. WITKIN. It is, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Witkin.

Mr. WITKIN. Did I understand that the Speaker recognized, prior to the previous question being, the gentleman from Luzerne, Mr. Jones?

The SPEAKER. That is correct.

Mr. WITKIN. And at the time of the previous question do I further understand that the gentleman from Luzerne, Mr. Jones, had the floor?

The SPEAKER. The gentleman did have the floor.

Mr. WITKIN. That is all, Mr. Speaker.

The motion for the previous question was seconded by Messrs. Stank, George E. Downey, Pfaff, Melchiorre, Reising, Cochran, Frank P. Hamilton, Decker, Arnold, Klinger, Holland, Holstrom, Kilroy, Kobelak, Tronzo, John J. Baker, Moran, Bradley, Cohen, Westrick, Finnerty and others.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. WITKIN and Mr. NOTHNAGLE and were as follows:

YEAS—92

Achterman,	Dilley,	Kilroy,	Reising,
Anthony,	Downey, G. E.,	Kinney,	Robinson,
Arnold,	Downey, J. J.,	Klingler,	Sarraf,
Baine,	Eberharter,	Kobelak,	Scanlon,
Baker, J J.,	Eroe,	LaRue,	Schaeffer,
Barber,	Falkenstein,	McDermott,	Schrope,
Bradley,	Ferko,	McElroy,	Schwab,
Brancato,	Finnerty,	McHenry,	Shaw,
Brown, H. S.,	Fitch,	Melchiorre,	Shepard,
Brown, J. E.,	Flanagan,	Mentzer,	Shugarts,
Brownfield,	Flinchbaugh,	Mooney,	Siegel,
Brumbaugh,	Gerard,	Moran,	Simon,
Burke,	Haberlen,	Munley,	Sinwell,
Cannon,	Hagerty,	Murrin,	Smith, J. A.,
Caputo,	Haluska,	Nagel.	Smith, W. G.,
Carson,	Hamilton, F. P.,	O'Keefe,	Stank,
Chervenak,	Harkins,	Ominsky,	Stevens,
Cochran,	Hartman,	O'Neill,	Tronzo,
Cohen,	Hetrick,	Patterson, J. W.,	Weiss,
Coleman,	Hirsch,	Pearson,	Welliver,
Coolahan,	Holland,	Pfaff,	Welsh,
Decker,	Holstrom,	Piole,	Westrick,
Diehl,	Kelso,	Powers,	Furman,

NAYS—70

Altenburg,	Flynn,	McKinney,	Stewart,
Andrews,	Forrest,	Merrell,	Stockham,
Atkins,	Gates,	Moore,	Sumney,
Baker, F. T.,	Hamilton, R. S.,	Muir,	Surface,
Baldi,	Hermansen,	Nothnagle,	Sweeney,
Barnhardt,	Hindman,	Patterson, Cliff,	Terry,
Beadman,	Hoffner,	Reynolds,	Trout,
Bernhard,	Horst,	Roan,	VanAllsburg,
Blumberg,	Jackson,	Royer,	Van Sickle,
Boose,	Jones,	Schrock,	Weidemann,
Boyd, R.,	Kelder,	Serrill,	Wickersham,
Boyer,	Kenney,	Shortz,	Winner,
Brennan,	Longaker,	Simpson,	Witkin,
Coakley,	Lovett,	Sloan,	Wood,
Cordier,	Male,	Snyder, F. E.,	Woodside,
Davies,	Mason,	Snyder, J. L.,	Yeakel,
Dent,	McCreary,	Sowers,	Yourishin,
Duffort,	McDevitt,		

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

(During the calling of the roll.)

Mr. WITKIN. Mr. Speaker, may I ask how the gentleman from York, Mr. Cohen, voted.

The SPEAKER. The gentleman is out of order until after the roll has been called.

(After the calling of the roll.)

Mr. FLINCHBAUGH. Mr. Speaker, I ask for a verification of the roll.

The Clerk read the affirmative roll.

Mr. WITKIN. Mr. Speaker, may I ask whether Mr. Sumney is recorded, and if so, how he is recorded?

The SPEAKER. The negative roll has not been verified. He is not on the affirmative roll.

Mr. WITKIN. Mr. Speaker, may I ask how the gentleman, Mr. Finnerty voted?

The SPEAKER. The gentleman's name is not on the affirmative roll.

Mr. WITKIN. May I ask whether the name of Mr. Achterman was called on the affirmative roll?

The SPEAKER. The gentleman is not recorded on the affirmative roll.

The affirmative roll was verified.

The Clerk read the negative roll.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WICKERSHAM. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. WICKERSHAM. Mr. Speaker, I note that the gentleman from Monroe, Mr. Achterman, was in the Hall of the House, but he is not on the roll, and I ask, if under the rules of the House, he is required to vote?

Mr. ACHTERMAN. Mr. Speaker, I was not in the Hall of the House when the roll was called, regardless of what the gentleman may say.

The SPEAKER. The gentleman is not entitled to vote.

MEMBER GIVEN PERMISSION TO VOTE

Mr. WITKIN. Mr. Speaker, I move that the House give the gentleman unanimous consent to vote.

Mr. MELCHIORRE. Mr. Speaker, I object.

Mr. ACHTERMAN. Mr. Speaker, with the kind consent of the gentleman from Philadelphia and the other members, I desire to be recorded as voting "aye." I do that with the greatest reluctance.

The SPEAKER. If there are no objections the gentleman will be so recorded.

The negative roll was verified.

The roll was verified and was as follows:

YEAS—71

Achterman,	Duffort,	McKinney,	Sproul,
Altenburg,	Eberharter,	Merrell,	Stewart,
Atkins,	Forrest,	Moore,	Stockham,
Baker, F. T.,	Gates,	Muir,	Surface,
Baldi,	Gillette,	Nothnagle,	Sweeney,
Barnhardt,	Hamilton, R. S.,	Reising,	Terry,
Beadman,	Hermansen,	Reynolds,	Trout,
Bernhard,	Hoffner,	Roan,	VanAllsburg,
Blumberg,	Horst,	Rooney,	Wasserman,
Boose,	Jackson,	Royer,	Weidemann,
Boyd, R.,	Jones,	Schrock,	Wickersham,

Boyer,	Kane,	Serrill,	Winner,
Brennan,	Kelder,	Shortz,	Witkin,
Castor,	Kenney,	Simon,	Wood,
Cohen,	Longaker,	Simpson,	Woodside,
Cooper,	Mason,	Sloan,	Yeakel,
Cordier,	McCreary,	Snyder, F. E.,	Yourishin,
Davies,	McDevitt,	Sowers,	

NAYS—98

Allen,	Downey, J. J.,	LaRue,	Powers,
Andrews,	Eroe,	Long,	Robinson,
Anthony,	Falkenstein,	Lovett,	Sarraff,
Arnold,	Ferko,	Male,	Scanlon,
Baine,	Finnerty,	McDermott,	Schaeffer,
Baker, J. J.,	Fitch,	McElroy,	Schrope,
Bradley,	Flanagan,	McHenry,	Schwab,
Brancato,	Flinchbaugh,	Melchiorre,	Shaw,
Brown, H. S.,	Gerard,	Mentzer,	Shepard,
Brownfield,	Haberlen,	Moomaw,	Shugarts,
Brumbaugh,	Hagerty,	Mooney,	Siegel,
Burke,	Haluska,	Moran,	Sinwell,
Cannon,	Hamilton, F. P.,	Moul,	Smith, J. A.,
Caputo,	Harkins,	Munley,	Smith, W. G.,
Carson,	Hartman,	Murrin,	Stank,
Chervenak,	Hetrick,	Nagel,	Stevens,
Coakley,	Hindman,	O'Keefe,	Sumney,
Cochran,	Hirsch,	Ominsky,	Tronzo,
Coleman,	Holland,	O'Neill,	VanSickle,
Coolahan,	Holstrum,	Patterson, C.,	Weiss,
Decker,	Kelso,	Patterson, J. W.,	Welliver,
Dent,	Kilroy,	Pearson,	Welsh,
Diehl,	Kinney,	Pfaff,	Westrick,
Dilley,	Klingler,	Piole,	Furman,
Downey, G. E.,	Kobelak,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REASON FOR VOTE

Mr. SIMON filed the folowing reason for his vote:

I am voting "aye" although I am opposed to the reduction in the amount of money specified, because I want to avoid the serious consequences that may follow if relief should be stopped even temporarily.

QUESTION OF PERSONAL PRIVILEGE

Mr. JONES. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman from Luzerne, Mr. Jones, will state his question of personal privilege.

Mr. JONES. Mr. Speaker and members of the House, I gave my word back home, to a lady back there, with seven children, last week who had come to my house, who were hungry, that I would do everything in my power to see that at the end of three weeks, they would get their relief. That was the question I was trying to bring up before, that these people had to be three weeks on relief before they got their checks, and they are hungry. You fellows over there, I am going to ask you to reconsider that vote, because we have got to give them relief, with their families, and they are going to be hungry next week if you don't give them relief. If we concur in it, it is going to carry us over for three weeks. Good God, gentlemen, don't let us set here and let those people go hungry. I would be ashamed to go back and tell them that my friends on the Democratic side turned down their relief, and to say they will have to go hungry. Men, reconsider before it is too late. Your own floor leaders have told you that it would be too late next week. That is why I am asking you—this little lady who came to my house—all right, laugh, laugh, you Democrats—but they are hungry, and you are the fellows who made them so.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 29

Commonwealth of Pennsylvania,
Governor's Office, May 27, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 29, Printer's No. 80, entitled, "An Act to provide for the expenses of the extraordinary session of the Legislature assembled May fourth Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh Anno Domini one thousand nine hundred thirty-six."

GEORGE H. EARLE.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 14

Commonwealth of Pennsylvania,
Governor's Office, May 27, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 14, Printer's No. 62, entitled, "An Act ratifying confirming and validating the transfer of money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money."

GEORGE H. EARLE.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1

Commonwealth of Pennsylvania,
Governor's Office, May 27, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Resolution No. 1 creating a committee to personally urge upon the President and Congress of the United States the necessity of the immediate adoption of adequate Federal flood control measures designed to eliminate future floods in this Commonwealth and elsewhere, and to make a report to this session of the General Assembly.

GEORGE H. EARLE.

RESOLUTION INTRODUCED AND REFERRED

By Mr. FALKENSTEIN. RESOLUTION No. 18.

In the House of Representatives, May 27, 1936.

Whereas, The Judges of the Common Pleas Courts of Philadelphia have the authority of appointing masters in divorce proceedings; and

Whereas, It has been charged from time to time that

some of the judges of the said Common Pleas Courts of Philadelphia have shown favoritism, political preference and nepotism in the naming of masters in divorce proceedings; and

Whereas, In one instance, it was charged that one of the judges of the said Court of Common Pleas of Philadelphia, during a comparatively brief period, did name his son as master in twenty-seven divorce actions; and

Whereas, In another reported instance, a certain court stenographer receiving a salary of five thousand dollars ($5,000) a year, in addition to thousands of dollars for extra stenographic work done by him, was named as a master in eight-one divorce cases, which, at the minimum fee of one hundred dollars ($100), would amount to a total of eight thousand one hundred dollars ($8,100); and

Whereas, The distress among members of the legal profession has reached such proportions, some method of distributing masterships in divorce cases, as well as the distribution of receiverships and other appointive positions by the judges of the Common Pleas Courts of Philadelphia must be arrived at; therefore, be it

Resolved, That the Speaker appoint a committee of five members of this House whose duty it shall be to gather accurate information as to (1) the method, if any, of the making appointments in divorce cases, receiverships, and other appointments over which the judges of the Common Pleas Courts of Philadelphia have jurisdiction, (2) the number of the various types of appointments and how the appointments have been made, (3) to list all instances in which there are numerous appointments to the same person and to obtain the reason therefor if available, (4) to gather such additional information as is pertinent to the purposes of this resolution.

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Resolved, That said committee shall report to the next session of the House of Representatives.

Referred to the Committee on Rules.

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

Wardeman Park,
Washington, D. C.

Mr. W. P. Gallagher
Chief Clerk
House of Representatives
Harrisburg, Penna.

My dear Mr. Gallagher:

Will you be kind enough to express to the House of Representatives my heartfelt appreciation of the beautiful resolution they passed in reference to the recent death of my beloved husband, A. Mitchell Palmer.

Yours very sincerely

(Signed) Margaret Fallon Palmer.
Mrs. A. Mitchell Palmer
May twenty-first—1936.

MOTION TO ADJOURN

Mr. STEVENS. Mr. Speaker, I move that this House do now adjourn until Monday, June 1, 1936, at 9:00 P. M.

On the question,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker, I ask for a roll call on the motion to adjourn.

Mr. WINNER. I second the call for a roll call.

The SPEAKER. The roll will be called.

REQUEST TO MAKE STATEMENT

Mr. WITKIN. Mr. Speaker, I ask the consent of the House to make a statement.

The SPEAKER. There is nothing in order but the motion to adjourn.

Mr. WITKIN. Mr. Speaker, I ask unanimous consent to make a statement.

The SPEAKER. Will the House give its unanimous consent to the gentleman from Philadelphia, Mr. Witkin, to make a statement? Is there objection? The Chair hears objection and consent is not granted.

MOTION TO SUSPEND RULE

Mr. WITKIN. Mr. Speaker, I move that the rule requiring unanimous consent to permit me to make a statement be suspended.

On the question,

Will the House agree to the motion?

QUESTION OF PARLIAMENTARY PRIVILEGE

Mr. BURKE. Mr. Speaker, I arise to a question of Parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia, Mr. Burke, will state his question of parliamentary inquiry.

Mr. BURKE. Mr. Speaker, is there any motion in order when a motion to adjourn is before the House?

The SPEAKER. The point of order of the gentleman from Philadelphia, Mr. Burke, is well taken. The motion is not in order while a motion to adjourn is pending before the House.

The Chair will read from Jefferson's Manual as follows:

"A motion to adjourn simply takes place of all others; for otherwise the House might be kept sitting against its will, and indefinitely. Yet this motion can not be raised after another question is actually put and while the House is engaged in voting."

APPEAL FROM DECISION OF CHAIR

Mr. WITKIN. Mr. Speaker, I appeal from the decision of the Chair.

Mr. BLUMBERG. Mr. Speaker, I second the appeal.

The SPEAKER. Two members having appealed from the decision of the Chair, the Chair calls to the rostrum the gentleman from Cambria, Mr. Andrews.

MR. ANDREWS IN THE CHAIR

The CHAIRMAN. The question before the House is,

Shall the ruling of the Chair stand as the decision of the House?

Mr. WITKIN. Mr. Chairman and members of the House, in asking you not to sustain the decision of the Chair, I do so because the issue that presents itself to

this House this afternoon is of vital importance to the Commonwealth of Pennsylvania and particularly vital to those who, on the first of June, will require money for relief—

POINT OF ORDER

Mr. COHEN. Mr. Chairman, I arise to a point of order.

The CHAIRMAN. The gentleman from York, Mr. Cohen, will state his point of order.

Mr. COHEN. Mr. Chairman, the question before the House is simply a decision of the Chair: Whether that decision is according to the rules of the House, the Constitution of Pennsylvania, the acts of the Assembly and Jefferson's Manual is in order. The gentleman from Philadelphia is attempting to digress from those channels of debate and injecting his contemplated statement into the record.

The SPEAKER. The gentleman will confine himself to the discussion of the question before the House. The Chair is of the opinion that perhaps a trifle of latitude in debate will hasten the proceedings. The gentleman will confine his remarks to the question.

Mr. WITKIN. Mr. Presiding Officer, may I thank you for your ruling?

As I was saying to the membership of the House, we are assembled here in Special Session because of the importance of the problem that we have to consider, and in taking an appeal from the decision of the Speaker, one ought to have not a mere capricious desire to take an appeal, but there ought to be fundamentally back of that appeal something real, something important to everybody in the Commonwealth of Pennsylvania, and I feel that a word of explanation as to why this appeal was taken ought to be made.

The explanation that I have to make is that there are many thousands of persons in Pennsylvania—

POINT OF ORDER

Mr. COHEN. Mr. Chairman, I arise to a point of order.

The CHAIRMAN. The gentleman from York, Mr. Cohen, will state his point of order.

Mr. COHEN. Mr. Chairman, I do not think the gentleman is discussing the appeal. This House is not concerned with the gentleman's reasons for taking the appeal; we are not concerned with his explanation or his desire to take the appeal. The only question before the House is whether the decision of the Chair is correct.

The CHAIRMAN. The Chair is inclined with the general position that has been taken by the gentleman from York, but on the other hand the gentleman from Philadelphia has a statement which he is very insistent upon making. I would like to give him a reasonable latitude in debate, but I would ask the gentleman from Philadelphia to keep within the confines of the question.

Mr. COHEN. Mr. Chairman, may I call the attention of the Chair to the fact that we have before us only the appeal from the Speaker's ruling, and I insist that the debate be restricted to that particular question.

The CHAIRMAN. The Chair would request the gentleman from Philadelphia, Mr. Witkin, to assist the Chair, and conserve the time of the members from Philadelphia who want to get back home.

Mr. WITKIN. Mr. Chairman, the gentleman from Philadelphia is very much inclined to assist the gentleman who now presides over this House.

The gentleman from York—may I ask the gentleman from York to please remain seated while I have the floor.

The CHAIRMAN. For what purpose does the gentleman from York arise?

Mr. COHEN. Mr. Chairman, to explain to the Chair and the membership of this House the reason why I am on my toes—

POINT OF ORDER

Mr. WITKIN. Mr. Chairman, I arise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WITKIN. Mr. Chairman, I am not interested in his reason, all I want him to do is to sit down.

The CHAIRMAN. The House will be in order, and I hope the gentleman, the minority floor leader and the majority floor leader, can agree as to which wants the floor at a particular time.

QUESTION OF INFORMATION

Mr. COHEN. Mr. Chairman, I arise to a question of information.

The CHAIRMAN. Will the gentleman from Philadelphia yield to the gentleman from York?

Mr. WITKIN. Yes Mr. Chairman, I will and sit down.

The CHAIRMAN. The gentleman from York will state his question of information.

Mr. COHEN. Mr. Chairman, when the gentleman from Philadelphia yields the floor, does he expect to reclaim the floor after I am finished?

The CHAIRMAN. He simply yields to your parliamentary inquiry.

Mr. COHEN. Mr. Chairman, the Chair is misinformed. I arose to a question of information.

The CHAIRMAN. The gentleman will state his question of information.

Mr. COHEN. Mr. Chairman, I desire to know if when the gentleman from Philadelphia yields the floor, he does so definitely or expects later to retrieve it?

The CHAIRMAN. The Chair, not being a mind reader, cannot possibly anticipate what is on the mind of the gentleman from Philadelphia.

Mr. COHEN. Mr. Chairman, I might say that is the reason why I am standing near this michrophone.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOMER S. BROWN. Mr. Chairman, I arise to a question of parliamentary inquiry.

The CHAIRMAN. The gentleman from Allegheny, Mr. Brown, will state his question of parliamentary inquiry.

Mr. HOMER S. BROWN. Mr. Chairman, is a motion to move the previous question in order at this time?

The CHAIRMAN. A motion to move the previous question is in order at any time.

Mr. HOMER S. BROWN. Mr. Chairman, I move the previous question.

POINT OF ORDER

Mr. WITKIN. Mr. Chairman, I arise to a point of order.

The CHAIRMAN. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Chairman, I yield the floor to the gentleman from York, Mr. Cohen.

The CHAIRMAN. The Chair cannot be rushed either by the gentleman from Philadelphia or the majority leader. We desire to consult the parliamentarian of the House. The Chair desires to read rule 64 as follows:

"No member when speaking shall be interrupted, except by a call to order by the Speaker, or by a member to explain, or by a motion for the previous question; nor shall any member be referred to by name in debate, unless for transgression of the rules of the House and then by the Speaker only."

Then from Jefferson's Manual:

"When any question is before the House, any Member may move a previous question: 'Whether that question (called the main question) shall now be considered?' If it is in the affirmative, then the main question is to be put immediately, and no man may speak anything further to it, either to add or alter."

We are now in the procedure of seconding the motion of the previous question.

POINT OF ORDER

Mr. WITKIN. Mr. Chairman, I arise to a point of order.

The CHAIRMAN. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Chairman, I believe that I am correct in stating that when the Chair asked me whether I would yield to the gentleman from York and so did, I did not yield to the gentleman from Allegheny, Mr. Brown, and that I am entitled at least to have the floor back. I am frank to say that after I get the floor back, if I open my mouth or if I say two words, I believe that under the rules the presiding officer of this House would be in the unfortunate position of having to decide the previous question was in order, and I regret that the presiding officer is being placed in such an embarrasing position by the majority of this House, but I am entitled to have the floor back before the gentleman from Allegheny, Mr. Brown, can be recognized. Then, if they want to stop me, they have the votes and they can stop and gag me if they so desire.

The CHAIRMAN. The Chair desires to make a statement. The gentleman from Philadelphia had the floor. The Chair asked the gentleman from Philadelphia to yield to the gentleman from York. The gentleman from Philadelphia has not lost the floor by yielding temporarily to the gentleman from York. The gentleman from Philadelphia has the floor, but can be interrupted by a motion for the previous question at the pleasure of the members of the House. I hope the members will assist the Chair in working out this particular situation and restoring the Speaker to his function in the House.

The Chair recognizes the gentleman from Philadelphia, Mr. Witkin.

Mr. WITKIN. Mr. Chairman, if the members of this House let the people of Pennsylvania go hungry, it will be the responsibility of the Democrats.

The motion for the previous question was seconded by Messrs. Welliver, Falkenstein, McDermott, Powers, Siegel, Hindman, Yourishin, Barber, Hirsch, Fitch, Ferko, Coolahan, Piole, Stank, George E. Downey, Cliff Patterson, Panton, Melchiorre, Pfaff, Nagle, Shaw, Shugarts, Frank P. Hamilton, Decker and others.

On the question,

Shall the main question be now put?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WITKIN. Mr. Chairman, I arise to a question of parliamentary inquiry.

The CHAIRMAN. The gentleman will state his question of parliamentary inquiry.

Mr. WITKIN. Mr. Chairman, is it in order for me or any other member at this time to move to suspend Rule 88 for the purpose of enabling the minority floor leader of eighty-eight members of the Republican House to speak in this House of Assembly, where free speech predominates?

The CHAIRMAN. The gentleman from Philadelphia is himself such an excellent parliamentarian that he knows that at this time no such motion would have parliamentary status.

On the question recurring,

Shall the main question be now put?

The yeas and nays were required by Mr. WITKIN and Mr. WINNER and were as follows:

YEAS—105

Achterman,	Downey, G. E.,	Klingler,	Pfaff,
Allen,	Downey, J. J.,	Kobelak,	Piole,
Andrews,	Eberharter,	LaRue,	Powers,
Anthony,	Eroe,	Long,	Reising,
Arnold,	Falkenstein,	Lovett,	Robinson,
Baine,	Ferko,	Lynch,	Scanlon,
Baker, J. J.,	Finnerty,	Male,	Schaeffer,
Barber,	Fitch,	McDermott,	Schrope,
Bradley,	Flanagan,	McElroy,	Schwab,
Brancato,	Flinchbaugh,	McHenry,	Shaw,
Brown, H. S.,	Gerard,	Melchiorre,	Shepard,
Brownfield,	Haberlen,	Mentzer,	Shugarts,
Brumbaugh,	Hagerty,	Moomaw,	Siegel,
Burke,	Haluska,	Mooney,	Simon,
Cannon,	Hamilton, F. P.,	Moran,	Sinwell,
Caputo,	Harkins,	Moul,	Smith, J. A.,
Carson,	Harmuth,	Munley,	Smith, W. G.,
Chervenak,	Hartman,	Murrin,	Stank,
Coakley,	Hetrick,	Nagel,	Stevens,
Cochran,	Hindman,	O'Keefe,	Sumney,
Cohen,	Hirsch,	Ominsky,	Van Sickle,
Coleman,	Holland,	O'Neill,	Weiss,
Coolahan,	Holstrom,	Panton,	Welliver,
Decker,	Kelso,	Patterson, C.,	Welsh,
Dent,	Kilroy,	Patterson, J. W.,	Westrick,
Diehl,	Kinney,	Pearson,	Yourishin,
Dilley,			

NAYS—55

Altenburg,	Forrest,	Merrell,	Stockham,
Atkins,	Gates,	Moore,	Surface,
Baker, F. T.,	Gillette,	Muir,	Sweeney,
Baldi,	Hermansen,	Nothnagle,	Terry,
Barnhardt,	Hoffner,	Reynolds,	Trout,
Bernhard,	Jackson,	Roan,	Van Allsburg,
Blumberg,	Jones,	Royer,	Weidemann,
Boose,	Kline,	Schrock,	Wickersham,
Boyd, R.,	Kohler,	Serrill,	Winner,
Boyer,	Kenney,	Shortz,	Witkin,
Brennan,	Longaker,	Simpson,	Wood,
Castor,	Mason,	Sloan,	Woodside,
Cordier,	McCreary,	Snyder, F. E.,	Yeakel,
Davies,	McDevitt,	Stewart,	

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the ruling of the Chair stand as the decision of the House?

The yeas and nays were required by Mr. BLUMBERG and Mr. WITKIN and were follows:

YEAS—106

Achterman,	Downey, J. J.,	Lovett,	Robinson,
Altenburg,	Eberharter,	Lynch,	Ruffennach,
Andrews,	Eroe,	Male,	Sarraf,
Anthony,	Falkenstein,	McCreary,	Scanlon,
Arnold,	Ferko,	McDermott,	Schaeffer,
Baker, J. J.,	Finnerty,	McElroy,	Schrope,
Barber,	Fitch,	Melchiorre,	Schwab,
Bradley,	Flanagan,	Mentzer,	Shaw,
Brancato,	Flinchbaugh,	Moomaw,	Shepard,
Brown, H. S.,	Gerard,	Mooney,	Shugarts,
Brownfield,	Haberlen,	Moran,	Siegel,
Brumbaugh,	Hagerty,	Moul,	Simon,
Burke,	Haluska,	Munley,	Sinwell,
Cannon,	Hamilton, F. P.,	Murrin,	Smith, J. A.,
Caputo,	Harkins,	Nagel,	Smith, W. G.,
Carson,	Harmuth,	O'Keefe,	Stank,
Chervenak,	Hartman,	Ominsky,	Stevens,
Coakley,	Hetrick,	O'Neill,	Stone,
Cochran,	Hirsch,	Patterson C.,	Sumney,
Cohen,	Holland,	Patterson, J. W.,	Tronzo,
Coleman,	Holstrom,	Pearson,	VanSickle,
Coolahan,	Kelso,	Pfaff,	Weiss,
Decker,	Kinney,	Piole,	Welliver,
Dent,	Klingler,	Powers,	Welsh,
Diehl,	Kobelak,	Reising,	Westrick,
Dilley,	LaRue,	Rinn,	Yourishin,
Downey, G. E.,	Long,		

NAYS—58

Allen,	Duffort,	Nothnagle,	Stott,
Atkins,	Forrest,	Reynolds,	Surface,
Baker, F. T.,	Gates,	Roan,	Sweeney,
Baldi,	Hamilton, R. S.,	Schrock,	Terry,
Barnhardt,	Hermansen,	Serrill,	Trout,
Beadman,	Hoffner,	Shortz,	VanAllsburg,
Bernhard,	Jackson,	Shreiner,	Wasserman,
Blumberg,	Kane,	Simpson,	Weidemann,
Boose,	Kelder,	Sloan,	Wickersham,
Boyd, R.,	Kenney,	Snyder, F. E.,	Winner,
Boyer,	Longaker,	Snyder, J. L.,	Witkin,
Brennan,	Mason,	Sowers,	Wood,
Castor,	McDevitt,	Stewart,	Woodside,
Cordier,	Merrell,	Stockham,	Yeakel,
Davies,	Moore,		

So the question was determined in the affirmative and the ruling of the Chair was sustained.

The SPEAKER (Roy E. Furman) in the Chair).

The SPEAKER. The Chair wishes for the second time to thank the minority leader of the House for the consideration shown the Speaker in allowing him a short period of rest during these strenuous times.

Mr. WITKIN. Mr. Speaker, may I reply to the Speaker by saying, with all due and proper respect to the Speaker, that that was not my purpose in taking the appeal—it was merely to help the hungry and the needy in Pennsylvania.

On the question recurring,

Will the House agree to the motion to adjourn?

The yeas and nays were required by Mr. BLUMBERG and Mr. WITKIN.

Mr. JAMES W. PATTERSON. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—18

Achterman,	Brownfield,	Hirsch,	Shaw,
Andrews,	Cohen,	Mentzer,	Simon,
Anthony,	Diehl,	Moomaw,	Stevens,
Arnold,	Downey, G. E.,	O'Keefe,	Furman,
Brown, H. S.,	Hetrick,		

NAYS—139

Allen,	Eberharter,	McCreary,	Shepard,
Atkins,	Falkenstein,	McDermott,	Shortz,
Baime,	Ferko,	McDevitt,	Shreiner,
Baker, F. T.,	Finnerty,	McElroy,	Shugarts,
Baker, J. J.,	Fitch,	McKinney,	Simpson,
Baldi,	Flanagan,	Melchiorre,	Sinwell,
Barber,	Forrest,	Merrell,	Sloan,
Barnhardt,	Gates,	Mooney,	Smith, J. A.,
Beadman,	Gerard,	Moore,	Snyder, F. E.,
Bernhard,	Haberlen,	Moran,	Snyder, J. L.,
Blumberg,	Hagerty,	Moul,	Sowers,
Boose,	Haluska,	Muir,	Stank,
Boyer,	Hamilton, F. P.,	Munley,	Stewart,
Bradley,	Hamilton, R. S.,	Murrin,	Stockham,
Brancato,	Harkins,	Nagel,	Sumney,
Brennan,	Hartman,	Nothnagle,	Surface,
Brumbaugh,	Hermansen,	Ominsky,	Sweeney,
Burke,	Hoffner,	O'Neill,	Terry,
Cannon,	Holland,	Patterson, Cliff,	Tronzo,
Caputo,	Holstrom,	Patterson, J. W.,	Trout,
Carson,	Horst,	Pearson,	VanAllsburg,
Castor,	Jackson,	Pfaff,	VanSickle,
Chervenak,	Jones,	Piole,	Wasserman,
Coakley,	Kelder,	Powers,	Weidemann,
Cochran,	Kelso,	Reynolds,	Weiss,
Coleman,	Kenney,	Roan,	Welliver,
Coolahan,	Kilroy,	Robinson,	Welsh,
Cooper,	Kinney,	Sarraf,	Westrick,
Cordier,	Klingler,	Scanlon,	Winner,
Davies,	Kobelak,	Schaeffer,	Witkin,
Decker,	LaRue,	Schrock,	Wood,
Dent,	Long,	Schrope,	Woodside,
Dilley,	Longaker,	Schwab,	Yeakel,
Downey, J. J.,	Lovett,	Serrill,	Yourishin,
Duffort,	Mason,		

So the question was determined in the negative and the motion was not agreed to.

REASONS FOR VOTE

Mr. MOOMAW filed the following reason for his vote:

I voted "Aye" on the motion to adjourn inasmuch as no further progress can be made on the resolution providing relief due to the Senate having adjourned, and also due to the fact I have made an appointment at my home for treatment of an infection with which I have been suffering this week.

Mr. WEISS filed the following reason for his vote:

I desire to be recorded as voting "Aye"—as I have a case scheduled for trial in Common Pleas Court of Allegheny County. Otherwise I would stay here until the Senate passes the Resolution for $6,000,000.

LEAVE OF ABSENCE

Mr. MOOMAW asked and obtained leave of absence for the remainder of the week, to return to his home for medical treatment.

RECESS

Mr. HALUSKA. Mr. Speaker, I move that this House do now recess for thirty minutes.

On the question,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker and members of the House, I would ask you to vote down this motion for the reason that there is very important business that ought to be considered by this House, which permits of no delay whatever, and in order than you may intelligently vote upon the motion for a recess, you ought to know that which is most important, and I shall now state what I consider important, and to be considered at once.

The Republican membership of this House intends to offer a motion to suspend Rule 81, in order that they may immediately reconsider the vote by which House Resolution No. 14 was not concurred in by this House. When that is done and you vote to reconsider it, then it will mean that you will again have an opportunity of correcting your improper vote, improper manner of voting upon the question of concurrence or non-concurrence in the amendments of the Senate, and if in your judgments, you

should change you minds and pass this resolution, then on the first of June, 1936, the people of this Commonwealth will know that they need not go hungry—

POINT OF ORDER

Mr. HALUSKA. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Cambria, Mr. Haluska, will state his point of order.

Mr. HALUSKA. The gentleman is not speaking on the motion, Mr. Speaker.

The SPEAKER. The point of order is not well taken. The gentleman is giving his reasons why we should not recess, and, therefore, he is discussing the motion before the House.

Mr. WITKIN. Mr. Speaker and members of this House, if we are given the opportunity promptly to suspend Rule 81, in order that two members of the Republican party, who voted "aye" upon the motion of the gentleman from York, Mr. Cohen—

Mr. HALUSKA. Mr. Speaker, I move the previous question.

The SPEAKER. The Chair does not hear any second to the gentleman's motion, so the gentleman from Philadelphia will proceed.

Mr. WITKIN. Mr. Speaker and members of the House, my thought is this: This Resolution No. 14 is at the present moment the most vital and important piece of legislation that has come before this House. If we reconsider our vote and correct our mistake, it will mean what? It will mean by prompt action, we can supply to the State Emergency Relief Board four million nine hundred and some odd thousand dollars, more or less, for relief needs in Pennsylvania. What does that mean? That means that the relief problem at least for several weeks shall have been settled. The Emergency Relief Board, to use the language expressed by the gentleman from York, Mr. Cohen yesterday, can use this money on the first of June, and if that doesn't last, and if they use the proper discretion in the distribution of that money, it will certainly last for a portion of June.

What right have we to take a recess, what right have we to adjourn permanently until that problem has been disposed of? On Monday you reach the deadline. By the time you come here on Monday, the deadline will have been reached and passed. Have we, the representatives of the people, the right to say because we can't get six million and nine hundred and some odd thousand dollars, we won't take four million nine hundred and some odd thousand dollars for immediate use? I say that we have no right to do so, and I say that the Democratic majority ought to vote down this motion for a recess, in order that the responsibility that attaches itself to both the Republican Party and the Democratic Party to provide relief as soon as we possibly can may be met and that legislation ought to be enacted as promptly as possible and without delay, and it is for that reason that this House was opposed to the motion to adjourn and I thank you for your vote not to adjourn.

We are now on similar ground and I ask you not to recess, but to stay here and reconsider this resolution. and pass it, and maybe you will be forgiven for your vote in not concurring in the amendments of the Senate.

Mr. COHEN. Mr. Speaker and members of the House, apparently the hour of retribution has come for the Republican minority. Apparently the Republican Party is attempting by a display of forensics to make up for the last of intelligent action on the part of the Senate.

When this resolution went over to the Senate, it went over there in a manner that was acceptable to this House, it went over there in a manner that was acceptable to action on the part of the Senate, not political action but honest action. But what have they done? Rather than accede to the resolution as presented in this House and voted for by the majority of the House, the Republican Senators attempted, as I have indicated before, in an arbitrary manner, without any sound basis of intelligent thought, to indicate to this House how much should be appropriated for relief for the month of June. If that conclusion had the least semblance of intelligence or constructive thought, I would say that this House was incorrect in the stand that they took. But no, the action of the Senate was entirely arbitrary. The action of the Senate is akin to maliciousness. The action of the Senate was an attempt to indict the State Emergency Relief Board, when the contrary is the truth. The action of the Senate would indicate that whereas the State Emergency Relief Board had made proportionate savings during the months of April and May, that they are not to be considered honest any further and that they should be struck down in their attempt to administer relief to the needy. The vote of the Senate majority, the vote of the Senate Republicans is responsible for the dilemma in which this House finds itself now, irrespective of what the gentleman from Philadelphia, Mr. Sowers, has to say. We are now confronted with a very simple problem, a problem that does not require any great amount of intelligence, to reach the proper solution.

Are we going to stay in session until the Senate returns. If we are, then, every last man here is willing to stay, but are we willing to stay in session when the Senate has folded up its tents, at the very moment when this House was arguing that resolution? Are we going to stay in session when the Senate beat a hasty retreat themselves and adjourned at the very moment that this House was non-concurring in the amendments of the Senate? Are we going to stay here and dilly dally and accede to the wishes of the Senate whereby they want us to say that there is only required for relief for the month of June four million dollars plus? This House will not do that, They will not tie us down to any restricted measure. Only this morning we spoke to the gentlemen of the Senate. They said that the action of their appropriations committee was to the effect that four million dollars plus was all that was required. They said that as individuals they might think that more was required, but that the action of the committee, the action of their Appropriations Committee indicated that all that was required was four million dollars plus. Are we to say in non-concurring in this resolution that the Senate appropriations Committee is correct or are we to say, no; that the responsibility rests upon Republican shoulders.

If the Republicans had given the subject the proper intelligent aspect, if they had indulged in accumulating the proper figures affecting the unemployed for the whole month of May, if they had applied themselves to research rather than politics this House would not be here. And I say to the gentleman from Philadelphia and I say to the

entire Republican minority, the responsibility is upon your shoulders, upon the shoulders of the Republican Senate, and until the gentlemen on the other side of the hall can arrive at proper fair, honest, non-political figures, until that time arrives and up until that time the responsibility rests upon you, the Republican minority in the House and the Republican majority in the Senate.

Mr. WITKIN. Mr. Speaker and members of the House, the gentleman from York, in my judgment, cannot possibly back his vote upon the resolution which was in the affirmative, in accordance with the Republican minority, and his speech and digest them both without getting indigestion.

I want to call his attention to two facts. First of all, he is entirely incorrect, and I think when I call his attention to them, he will admit it. He argued very much at length yesterday that the sum of six million eight hundred sixty-one thousand two hundred and eleven dollars was for unemployment relief purposes, and he spent a great deal of time in telling this House and in pointing out to this House that that did not mean it was for the month of June, that it simply meant it was for the State Emergency Relief Board, and I say that was a very proper argument. When he made that statement I didn't dispute it because I knew he was right, because although the whereas clause on page 8 said something about it being necessary for the month of June, Mr. Cohen told us that we could not possibly construe that to mean that the moneys were for the month of June, and if there was any left over it could be added thereto.

Now, by the same argument the Senate did not change that paragraph, the Senate left it as it was, and they agreed with the gentleman from York, Mr. Cohen, and his resolution and all they did was to appropriate a certain sum of money for unemployment relief purposes, not necessarily for the month of June.

Now the gentleman can't blow hot and cold. He can't argue upon a certain verbage one day and change that argument to suit his convenience. As a matter of fact, he argued it yesterday and argued it today. He also lays great stress upon the Republican Senate, and for reasons of his own used language which in my judgment, referring to another body of this Legislature is improper, but he forgets to say that it was not the Republican Senate that passed this resolution. He forgets to tell you that this resolution, as has been told you, was voted on in the affirmative, the change of six million and some odd dollars put through in the Senate by a thirty to nothing vote. Every Democrat voted—every Democratic senator voted in favor of cutting this figure down. So, holler all you want, use all kinds of language you want, the facts speak for themselves. Thirty to nothing. There are not thirty Republican senators in the Senate who voted upon this measure. Why didn't the Democrats in the Senate oppose this resolution? Why didn't the Democrats in the Senate put up one dissenting vote? Not a one, it is all a hotch potch about the Senate walking out, and calling it a Republican Senate if the facts mean nothing, but that is not important. The important thing is this, that the Democrats and the Republicans in the Senate passed this resolution and they have gone home. They have adjourned until next Monday night, now you have to make up your minds about one or two things. If you want to play politics, if you want to be stubborn, if you want to be asinine, if you want to play upon the misery of the poor and have no relief checks on June first, then you simply put your backs up against the wall any say, "Well, if we can't give them six million dollars, we will give them nothing." I do not subscribe to the theory. I subscribe to the theory that at this moment there rests in our hands—the Senate has gone—that at this moment there rests in our hands the question: Shall the people be fed on June first? I am for feeding them whether the Democratic Senators were right or whether the Democratic Senators were wrong, whether the Republican Senators were right or whether the Republican Senators were wrong. I don't think that I have a right to sit in judgment upon the members of the upper House. What is our problem? Our problem is—if I wanted to paint a picture, I would say there is a great multitude in Pennsylvania that don't care whether the Senate was right or whether the Senate was wrong. They know one thing and they are going to know it tomorrow morning—they know this, that we must act today or before Monday and give this four million dollars to the State Emergency Relief Board. For what? Not for the month of June, because the argument of the gentleman from York, Mr. Cohen is right, it is simply for unemployment relief purposes. Now, what do we do? We give them four million dollars and some odd dollars. You gentlemen on the other side have the right to say it is not enough. I grant you that that is your privilege. You may say we look after the interests of the taxpayers and do not want to overburden them with more taxes. That is ridiculous. That is your argument. You may be right, you may be wrong. If you are right you will come back here on Monday and you will immediately use common verbiage, stick in another resolution. You stick in on Monday that resolution and you provide in the resolution for the difference. If you want to put people on the spot, use your intelligence in putting them on the spot, but that is not the problem today. You cried from the house tops when we appropriated money for May. You said the time to do it was now. I am a politician, I am for the Republican Party, I am against the Democrats, and reason dictates that you are interested in your Democratic Party, and I say to you, seriously, if you are interested in your record, you should reconsider this resolution and immediately pass four million dollars for such time as it lasts, to use the interpretation of the sponsor of that resolution, and then we can go home, and come back and then if you want to put the resolution in, you can do so and we can act upon the resolution.

I say to every member of this House that that is the logical and sensible thing to do. You say you are not playing politics. I say that a stubborn and ridiculous attitude is the attitude that you have taken on your other vote and I ask you to defeat that motion for a recess in order that we can promptly move to reconsider, and I will be glad to have the gentlemen of the Democratic Party go along, reconsider it, and pass it, and the people will be fed on June first, and we will come back here on Monday and fight it out some more.

Mr. DENT. Mr. Speaker and members of the House I still feel the same as I did when I said a little while back that Monday is June first. There is no argument about that, and to my mind June first is June first until midnight of Monday. If the question of relief is so vital, on Monday the Republican Senate returns here at nine o'clock and reconvenes for the week. There is nothing

to stop them in the three hours elapsing between nine and twelve o'clock to take up and pass the necessary legislation, if they so desire. I don't believe that the gentleman from Philadelphia has read any of the papers today. For this information I would like to read a few lines from the Philadelphia Inquirer—I believe it is a newspaper published in Philadelphia.

"Senate Cuts Earle Relief by $2,000,000. The Senate tonight lopped $2,000,000 from Governor Earle's $6,931,211 relief request for June." That settles the argument.

Also, for the information of the members and Mr. Witkin, it say this:

"Republican Senators, in reducing the relief appropriation sought by the Governor to the tune of $2,000,000 took a different view from that of the Republican minority of the House, which futiley attempted to the appropriation to $5,500,000."

It gives credit for the relief situation, as it is in the paper, to the Republican Senate. I, as a Democrat and a member of the Democratic Party do not feel that we should be fooled the same as they are trying to fool the people of Philadelphia. They did not cut two million dollars from the relief appropriation, for in truth, you have said, "We are willing to grant you more money if it is needed." They don't say that the four million is sufficient. They say, "We will grant you more if it is needed." I am of the frank opinion that this thing should be settled here today or tomorrow or the next day or Monday. I have nothing to stop me from staying here, other than a desire to go home and take a look at the children, but I do believe if your sincerity is as loud as your voices, you will certainly not regard a thirty minute recess as serious as the long delay incurred by the Senate.

Mr. COHEN. Mr. Speaker and members of the House, the gentleman from Philadelphia has attempted to inject some paradoxes in the argument that I made on this bill yesterday.

Yesterday, when I spoke to this House, I indicated that this House could well go along with the appropriation as contained in the resolution, because if the money was not spent during the month of June, that money would be available for further emergency relief purposes. However, the converse is not through. The argument that I made today is that in this resolution you are attempting to restrict it to that much money for the month of June, not sufficient, and not adequate, and not based upon an intelligent analysis. While it is true that any excess moneys appropriated can be expended during the month of July, nevertheless if there is any surplus existing in the month of June, then that money must be spent in the month and we are bound by the restriction of this resolution. The gentleman from Philadelphia will well remember that when I presented this resolution that I said that if he found any objection to the restriction to the month of June of 1936, he could remove that from the resolution. However, I am relying entirely upon the statement made to us by the Chairman of the Republican Senate Appropriations Committee—the gentleman within the Hall of this House. He told me, he told Mr. Eberharter, and he told Mr. Burke that the Appropriations Committee would not put itself on record, that there would be additional moneys appropriated for the month of June, that the Appropriations Committee was definitely of the opinion that this money was restricted for purposes of the SERB during the month of June. However, he stated that as individuals there was certain members of the Appropriations Committee of the Senate who felt otherwise, but that he could only express the thought of the Senate Appropriations Committee, namely, that these moneys were moneys for the month of June.

Mr. HERMANSEN. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. HERMANSEN. Mr. Speaker, granting that the Senate is Republican, that everything that you have accused them of is correct, would the gentleman now, insomuch as they have reduced this amount two million dollars, state to the House what in his opinion is the next best thing to do at the present time.

Mr. COHEN. Mr. Speaker, apparenly the House has decided on its own initiative what they desire to have done. The House has refused to concur in the amendments inserted by the Senate, and that means that this resolution will be presented to the Senate with an indication to the Senate that the House has non-concurred in their amendments. The Senate will then have an opportunity either of insisting on their amendments or receding from their amendments. If they insist on their amendments, then we can have a conference committee.

Mr. HERMANSEN. Mr. Speaker, is it not reasonable to think, insomuch as this thing will have to be settled in about three hours on Monday, that the Senate will insist on their amendments?

Mr. COHEN. Mr. Speaker, I have not been able to ascertain just what the Senate will do under any circumstances.

Mr. HERMANSEN. Mr. Speaker, what would the gentleman do under similar circumstances?

Mr. COHEN. Mr. Speaker, does the gentleman mean if I were in the Senate?

Mr. HERMANSEN. Yes, Mr. Speaker.

Mr. COHEN. Mr. Speaker, If I were in the Senate I would ask the Senate to do what I did very early this morning. I asked the Senate very early this morning to strike from this resolution "in the month of June, 1936." I asked the Senate in that resolution exactly what they said they would do as individual members—I asked the Senate to do exactly, mark you, exactly, what they indicated as individual members they would do.

Mr. HERMANSEN. Mr. Speaker, the gentleman has taken the position that he he has taken, and the Senate has taken this position in all good faith, that the six million dollars could be reduced. Does not the gentleman think, Mr. Speaker, if he were a member of the Senate, that he would insist that it at least be given a trial?

Mr. COHEN. Mr. Speaker, the gentleman has requested me to give to the Senate an element that the Senate did not have in coming to its conclusion. He asked me whether I, as a Senator, would arrive at this figure in good faith. The Senate did not arrive at the figure in good faith. I maintain that the figure is merely and purely an arbitrary one. They have no figure whatever to indicate that their figure of four million plus was arrived at in good faith.

Mr. HERMANSEN. Mr. Speaker and members of the House, my purpose in making this interrogation was to try and impress upon the House that it is futile for us to

remain here two or three days debating on a matter that we can in no way improve or help. There is only one thing left for us to do at the present time, and to do that one thing we will be benefiting those whom we are here to legislate in the interests of. How badly the unemployed may need that amount that we first decided upon is still a question in the minds of both of us, and in so much as the Senate has seen fit to disagree with us, and it seems to me, therefore, that there remains nothing for us to do now but to do the best that we can, and that is to agree, to concur in the action of the Senate, and I hope that the House will get down to business and do that.

Mr. ANDREWS. Mr. Speaker, it is just as well to recognize that we are right back on this deadlock. There is more involved than appropriations allocated to the month of June. The issue that we are facing is seventy million for relief or forty million for relief. We are face to face with a campaign of systematic whittling that has for its purpose the destruction of the Administration's relief budget. If the gentlemen on this side are determined that the Administration's relief budget shall not be destroyed, they must take their stand now and see that it is not destroyed by systematic whittling.

I believe that the gentlemen on this side of the House stand for the Administration's relief budget, and not for the counter proposition of forty million, and it is the difference between seventy million for the unemployed and forty million for the unemployed that we are faced with. This is simply the first battle in that campaign, and there is plenty of opportunity between now and next Monday night for those who have precipitated this battle to reconvene themselves in session and meet this House on a fair and equal basis, as they are equals.

Mr. HERMANSEN. I would like to interrogate the gentleman from Cambria, Mr. Andrews?

The SPEAKER. Will the gentleman from Cambria, Mr. Andrews permit himself to be interrogated?

Mr. ANDREWS. I will, Mr. Speaker.

Mr. HERMANSEN. Mr. Speaker, the gentleman from Cambria will admit—

Mr. ANDREWS. Nothing, Mr. Speaker.

Mr. HERMANSEN. The gentleman will have to admit, Mr. Speaker, that we will have to decide this question, that each party has an equal right to their opinion, and regardless of how much we may desire to appropriate or did desire to appropriate, if the Senate takes a different view, then there is nothing that we can do about it, because the time will expire in three hours after we convene on Monday, and it is futile for us to remain here doing nothing during that time. There is nothing that we can do—the fight is already lost, in other words.

Mr. ANDREWS. Mr. Speaker, the gentleman has answered his own question to his own satisfaction. Why should I disturb his complacency?

On the question recurring,

Will the House agree to the motion?

The motion was agreed to, and the House took a recess for thirty minutes.

AFTER RECESS

The SPEAKER. (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

COMMITTEE TO CONFER WITH SENATE

Mr. COHEN. Mr. Speaker, I offer the following motion.

The motion was read by the Clerk as follows:

In the House of Representatives, May 27, 1936.

Whereas the Senate of the Commonwealth of Pennsylvania has adjourned to reconvene on Monday, June 1st. 1936 at 9:00 o'clock P. M.

Whereas The Senate adjourned while the House was considering the Amendments to House Resolution No. 14, which Resolution provides for Unemployment Relief for the month of June, 1936.

Whereas The House has non-concurred in the amendments of the Senate, which amendments reduced the amount of Unemployment Relief by $2,000,000 for the month of June, 1936.

Whereas It is essential that the differences between the House and Senate be immediately reconciled in the interest of the unemployed of the State, it is therefore,

Moved, That the Speaker appoint a committee of three members of the House for the purpose of communicating with the President Pro Tempore of the Senate for the purpose of requesting him to call upon the membership of the Senate to return to the Senate Chambers immediately for the purpose of reconsidering House Resolution No. 14, which amendments have not been concurred in by the House, and further that the House remain in session and await the report of that committee.

On the question,

Will the House agree to the motion?

Mr. WITKIN. I desire to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, I would like to ask the gentleman if he is aware of the fact that this House by unanimous vote concurred in the resolution that when the Senate adjourned it adjourn until Monday next at 9:00 P. M.

Mr. COHEN. I am, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, will the gentleman state whether or not he is familiar with an opinion to be rendered or given by the Attorney General of the State of Pennsylvania to the Democratic majority of this House, or their floor leaders, with respect to the availability of the $845,000 lapsed funds now in the possession of the State Emergency Relief Board.

Mr. COHEN. Mr. Speaker, if the question is whether or not I am familiar with that opinion, I will say I am not familiar with that opinion.

Mr. WITKIN. Mr. Speaker, will the gentleman state whether he knows anything about it?

Mr. COHEN. Mr. Speaker, I only know as far as I have been informed, that the utilization of the funds would be a subterfuge on the part of the State Emergency Relief Board, was not in contemplation at the time the appropriation was made and would be only utilized to avert the emergencies that are now occurring, and, as I have indicated it will be a subterfuge upon their part to use those funds, an illegal subterfuge.

Mr. WITKIN. Mr. Speaker, I would appreciate a reply from the gentleman from York as to whether or not he has any conference with the Attorney General or deputy Attorney General, with respect to the availability of the $845,000 of lapsed funds by the State Emergency Relief Board.

Mr. COHEN. I have not, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, is the gentleman aware of the fact that any member of the majority party, either the majority whip, or the second or third in command, has had any conference or conversation with the Attorney General or with any deputy Attorney General with respects to the availability of the $845,000.

Mr. COHEN. Mr. Speaker, I have not been informed that any member, number eighteen, or one hundred and eighteen, of the membership of this House, has been in conference with the Attorney General or any Deputy Attorney General or Special Attorney General, relative to the availability of those funds.

Mr. WITKIN. Mr. Speaker, may I ask the gentleman, if he wishes to disclose the fact, is it not true that a representative of the Attorney General's office met in caucus with the Democratic membership of this House?

Mr. COHEN. Mr. Speaker, I do not know whether there was or not. I know that I personally did not confer with any representative of the Attorney General's office relative to the availability of the funds.

Mr. WITKIN. Does the gentleman know that there was a representative of the Attorney General's office at the Democratic caucus, Mr. Speaker?

Mr. COHEN. Mr. Speaker, I think that there was a representative of the Attorney General's office present

Mr. WITKIN. So, Mr. Speaker, the gentleman does know?

Mr. COHEN. I think there was, Mr. Speaker, but I am not certain.

Mr. WITKIN. Mr. Speaker, may I ask the gentleman from York if he was present at the caucus?

Mr. COHEN. I was, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, may I ask the gentleman if he say a Deputy Attorney General there?

Mr. COHEN. Mr. Speaker I think I did, but I say he was not there in any official capacity, didn't confer with the membership of this House with respect to the availability of these funds for immediate, or for June payment for unemployment relief. No statement was made to the members of the Democratic caucus. He was not called upon.

I might say in the future I might request from the gentleman from Philadelphia information relative to his caucus and I would be glad to receive it.

Mr. WITKIN. Mr. Speaker, the gentleman from Philadelphia will be very glad to answer and tell him the truth or refuse to answer, when he asks the question.

Mr. COHEN. Mr. Speaker, may I ask if the gentleman from Philadelphia seeks to imply by his remarks that I was not telling the truth.

Mr. WITKIN. Mr. Speaker, I was merely answering the gentleman's question, I said that when you did I will tell you the truth or refuse to answer.

Will the gentleman from York tell me whether in his opinion the $845,000 that has lapsed,—I will withdraw that and change the question,—the gentleman agrees that there is $845,000 in the funds of the State Emergency Relief Board, that has been appropriated to it for unemployment relief purposes, does he not?

Mr. COHEN. No, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, does not the present resolution so state.

Mr. COHEN. Mr. Speaker, I will agree that there is $845,000 available for State Emergency Relief Board purposes, that has been appropriated to the State Emergency Relief Board up until and including May 31, 1936.

Mr. WITKIN. So that, Mr. Speaker, the gentleman agrees that up until the thirty-first of May, 1936, $845,000 of lapsed funds is available for the State Emergency Relief Board, up until and including midnight of May 31, 1936.

Mr. COHEN. Mr. Speaker, that is correct, for May allocations.

Mr. WITKIN. Mr. Speaker, does not the gentleman from York agree with me that if the State Emergency Relief Board so desires, they can, prior to the thirty-first day of May, 1936, send out the checks for the relief recipients, due on the first of June 1936, by simply depositing those checks in the mail on the thirty-first of May, 1936, prior to midnight?

Mr. COHEN. Mr. Speaker, does the gentleman from Philadelphia recall the answer that I gave before, it is possible to utilize that money, but I repeat that the utilization of that money would be subterfuge, not contemplated within the enactment of this resolution, not contemplated within the allocations of the State Emergency Relief Board.

Mr. WITKIN. Mr. Speaker, will the gentleman from York go with myself, representing the Republican party, to call upon the Attorney General of the State of Pennsylvania primarily to ascertain whether this $845,000 can legally be used by the State Emergency Relief Board to tide the State Emergency Relief Board over for the week commencing Monday, June 1, 1936?

Mr. COHEN. Mr. Speaker, I will be glad to cooperate and go along with the gentleman, if he will also agree to consult with me with the State Treasurer of the Commonwealth of Pennsylvania and the Auditor General of the Commonwealth of Pennsylvania as to the utilization of these funds.

Mr. WITKIN. Mr. Speaker, the gentleman from Philadelphia in reply to that says rather definitely that he is of the opinion that he can procure the consent of both of those fiscal officers, if the Attorney General says it is legal to utilize those funds of $845,000 in order to tide over the present situation, he will be glad to cooperate promptly. I now ask the gentleman from York, with that matter settled, to agree to cooperate with me. Will you agree that the motion now on the table lay there, until I can consult immediately with the Attorney General and the two fiscal officers?

Mr. COHEN. Mr. Speaker, I understand that the two fiscal officers are not available, at least that one of them is not available, and in view of the fact that the State Treasurer is not available, I cannot see that we should have any further delay.

Mr. WITKIN. Mr. Speaker, the gentleman from Philadelphia agrees that he will at his own expense telephone the State Treasurer of Pennsylvania and receive his answer. and the gentleman from Philadelphia takes upon himself the burden of securing from both of these fiscal officers, one or both of them, an opinion as to the $845,000. All the gentleman from York has to do is to get the opinion of the Attorney General.

Mr. COHEN. Mr. Speaker, if the Attorney General is asked to give an opinion, I most assuredly cannot indicate what that opinion would be. It depends upon his

interpretation of the statutes and enactments of this very House.

Mr. WITKIN. Mr. Speaker, the gentleman has misconstrued my question. I did not ask him to give an opinion, I merely asked him whether he would agree to go with me or with a committee from this side of the House to ask the Attorney General whether in his opinion it is legal to use this $845,000. If the Attorney General says it is not legal then we pass that over.

Mr. COHEN. Mr. Speaker, I will be glad to go with the gentleman from Philadelphia to consult with the Attorney General as to the legality of utilizing those funds.

Mr. WITKIN. Mr. Speaker, the gentleman from York agrees with me, does he not? If the Attorney General says it is legal to use this $845,000, and if the two fiscal officers agree to abide by that opinion, that then the immediate emergency with regard to the relief checks to be sent out on the first of June or for the week of the first of June, 1936, will be averted until the Senate and the House can meet on Monday night? Does the gentleman agree with that proposition?

Mr. COHEN. Mr. Speaker, there is that possibility, but it is possible also that the question will arise again. It would only mean a recurrence of the same position that the members of the House find themselves in now.

Mr. WITKIN. Mr. Speaker, will the gentleman, instead of saying "it is possible," give me his answer categorically? By the way, I see the Attorney General coming down the corridor now, and I think we should have no trouble asking him about it. I notice by the genial smile on his face that he will probably be very glad to answer. Will the gentleman agree with me that if we get this opinion, and all parties agree, that monies will be available for the unemployed on Monday, June 1, 1936?

Mr. COHEN. Mr. Speaker, I agree that there will be $845,000 available on June 1, 1936 for unemployment relief purposes. How long that will last, I don't know.

Mr. WITKIN. Mr. Speaker, the gentleman agrees, does he not, that it will certainly last up until Tuesday morning, June 2nd?

Mr. COHEN. I most assuredly do.

Mr. WITKIN. Mr. Speaker, is the gentleman familiar with the fact that the Senate, by and with the consent of the House, has agreed that the Senate will reconvene on Monday, June 1st, at 9:00 P. M.?

Mr. COHEN. Mr. Speaker, I understand that to be so.

Mr. WITKIN. Mr. Speaker, ample time will be given between June 1, 1936 at 9:00 P. M. until Tuesday, and during that time the $845,000 will undoubtedly last.

Mr. COHEN. Mr. Speaker, that is correct, it will, but as I have indicated, it still does no solve the problem, we will again be confronted with the same problem that confronts us at the present time.

Mr. WITKIN. Mr. Speaker, is it not the contention of the gentleman from York that the problem that confronts us at the present time is the necessity of feeding the unemployed during the week of June 1, 1936?

Mr. COHEN. Mr. Speaker, I think the problem will be bigger than that. The problem was well explained by the gentleman from Cambria, Mr. Andrews. Not only do we have the problem of the first three or four or five or six days of the month of June, but we have the problem for the entire month, and we have the problem of unemployment relief for the entire biennium or what remains thereof.

STATEMENT BY MR. WITKIN

Mr. WITKIN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I desire to make a statement which I will follow up with a point of order with respect to this resolution.

Of all the capricious resolutions that have ever come before this House, I think this one ranks the highest. It is a plain, futile and ridiculous attempt to play politics with the important question of relief. The gentleman from York, Mr. Cohen, has frankly admitted, perhaps a little reluctantly, that if the $845,000 were available, and he admits it is available up until the thirty-first of May, 1936, the immediate, pressing problem of taking care of the unemployment relief recipients as of the week of June 1 is solved. But they do not want that. They give the Senate consent to adjourn and unanimously pass a resolution that they reconvene Monday next at 9:00 P. M. It looks like a noble gesture to send out telegrams to bring Senators in and ask them to reconvene. Nothing can be more ridiculous than that. It is unnecessary, it is futile, and it has absolutely no basis or foundation in fact except on the basis of the need of the Democrats of this House to endeavor to place upon the doorstep of the Republicans that which is their problem, which they can not see their way clear to meet.

There are two ways of meeting this situation. One way is to use the $845,000. The gentleman from York at first said "no," and then said he thought that a Deputy Attorney General was present at the caucus. Certainly you can ascertain from your Deputy Attorney General or the Attorney General of Pennsylvania whether that is legal. We on this side of the House say if the Attorney General says this is legal that the two fiscal officers will go along with the opinion of the Attorney General. What is the net result? The net result is that the unemployed and the hungry get feed as of the week of June 1st. That is clearly demonstrated and there can not be any possible answer to that statement.

The second proposition is to go back and reconsider your motion to concur, reconsider it in the light that you are not binding yourselves for the month of June; reconsider it in the light of the arguments advanced here by the gentleman from York. He told you that this resolution did not commit the members to this amount for the month of June. You have both means of solving this problem. Your endeavor to place the burden and to shift the burden upon the Republican Senate is simply drawing a red herring across the true facts. It is patent that it is a political move, as was ever made upon the floor of this House. You started out in this session by saying that you wanted to keep politics out of the session. I state that you have succeeded in keeping politics in every day; each hour, each minute, all during the session, and you want to do it now. The problem is easily settled. You can settle it. Do you want to avoid the responsibility of taking care of those recipients of relief on June 1, in getting their checks? It is your responsibility. You can give it to them right here and now. You don't have to waste ten minutes time studying it. You don't want to do that. Using this $845,000 is O. K. You said, "Let us pass this resolution too." What is the sense of passing the resolution too if the other means solves the problem and when we come back here Monday night the matter will be further discussed.

Mr. Speaker, I raise this point of order.

The first is this, that the resolution itself is unconstitutional, that this House has no right after it has given the consent of the House unanimously to the Senate to adjourn, and after every Democratic member of this House voted in favor of that resolution, and after the Senate adjourned, and after the Senate unanimously passed this resolution that you have complained so much about, as to the amendments, that the House has no jurisdiction over the Senate and, under Rule 4, Mr. Speaker, I raise the question that this resolution is unconstitutional, and being unconstitutional, I raise the point of order that it ought not to be considered by this House. I say that the resolution is unconstitutional because the House of Representatives has no jurisdiction, after it passes a resolution, giving the Senate permission to adjourn until a particular time, to then ask the Senate to come back in session. I doubt very much whether the Senate, if they wanted to come back, could legally do so, because there is no possible way under the law whereby the Senate, which has adjourned until Monday night, can come back. They said they would come back on Monday night at 9:00 o'clock. What you are trying to do is to create political capital out of this situation, but I say to you it will be a boomerang. You had better give the people relief on June 1 by doing one of the two things which I suggested.

Mr. Speaker, I ask for a roll call upon the point of order raised and I call upon four of my colleagues to second the request to submit it to the House.

The request was joined in by Messrs. Mason, Blumberg, Weidemann and Jones.

The SPEAKER. The gentleman raises a constitutional question. The question will be submitted to the House as to whether or not this is a proper motion for the House to act upon.

The question is on the point of order raised by the gentleman from Philadelphia and others.

YEAS—104

Achtarman,	Downey, G. E.,	LaRue,	Robinson,
Allen,	Downey, J. J.,	Long,	Sarraf,
Andrews,	Eberharter,	Lovett,	Scanlon,
Anthony,	Eroe,	Male,	Schaeffer,
Arnold,	Falkenstein,	McCreary,	Schropc,
Baine,	Ferko,	McDermott,	Schwab,
Baker, J. J.,	Finnerty,	McElroy,	Shaw,
Barber,	Fitch,	McHenry,	Shepard,
Bradley,	Flanagan,	Melchiorre,	Shugarts,
Brancato,	Flinchbaugh,	Mentzer,	Siegel,
Brown, H. S.,	Gerard,	Mooney,	Simon,
Brownfield,	Haberlen,	Moran,	Sinwell,
Brumbaugh,	Hagerty,	Moul,	Smith, J. A.,
Burke,	Haluska,	Munley,	Smith, W. G.,
Cannon,	Hamilton, F. P.,	Murrin,	Stank,
Caputo,	Harkins,	Nagel,	Stevens,
Carson,	Hetrick,	O'Keefe,	Sumney,
Chervenak,	Hindman,	Ominsky,	Tronzo,
Coakley,	Hirsch,	O'Neill,	VanSickle,
Cochran,	Holland,	Patterson, C.,	Weiss,
Cohen,	Holstrom,	Patterson, J. W.,	Welliver,
Coleman,	Kelso,	Pearson,	Welsh,
Coolahan,	Kilroy,	Pfaff,	Westrick,
Decker,	Kinney,	Piole,	Yourishin,
Diehl,	Klinger,	Powers,	Furman,
Dilley,	Kobelak,	Reising,	

NAYS—56

Altenburg,	Flynn,	Muir,	Stewart,
Atkins,	Forrest,	Nothnagle,	Stockham,
Baker, F. T.,	Gates,	Parks,	Surface,
Baldi,	Hamilton, R. S.,	Reynolds,	Sweeney,
Barnhardt,	Hermansen,	Roan,	Terry,
Beadman,	Jackson,	Royer,	Trout,
Bernhard,	Jones,	Schrock,	Van Allsburg,
Blumberg,	Kelder,	Serrill,	Weidemann,
Boose,	Kenney,	Shortz,	Wickersham,
Boyd, R.,	Longaker,	Simpson,	Winner,
Boyer,	Mason,	Sloan,	Witkin,
Brennan,	McDevitt,	Snyder, F. E.,	Wood,
Cordier,	McKinney,	Snyder, J. L.,	Woodside,
Davies,	Merrell,	Sowers,	Yeakel,

So the question was determined in the affirmative and the point of order was not sustained.

The SPEAKER. The majority having voted in the affirmative and the House has decided that this a proper motion before the House.

On the question recurring,

Will the House agree to the motion?

QUESTION OF INFORMATION

Mr. WITKIN. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, will state his question of information.

Mr. WITKIN. Mr. Speaker, will you please quote the decision or the rule that permits a constitutional question to be decided by less than a majority of the membership of the House?

The SPEAKER. On the question of information raised by the gentleman from Philadelphia, the only constitutional provision requiring a constitutional majority is in the passage of legislation. The Chair knows no rule requiring a constitutional majority to support a point of order.

Mr. WITKIN. May I call the attention of the Speaker to the fact that this point of order is different from the ordinary point of order. It is a point of order raising a constitutional question. We had a particular rule, and I am frank to say, Mr. Speaker, I can not refer to it for the moment, but I inquired from the Speaker whether there is not a rule wherein we raised constitutional questions, that was adopted by this House. I think the Parliamentarian is very familiar with the rule passed by this House with respect to the raising of constitutional questions. This rule, I believe, was adopted by this House, and I should like to have the Speaker advise me as to such rule adopted by this House, with respect to constitutional questions. This is not a point of order; this is a constitutional question.

The SPEAKER. The Chair wishes to inform the gentleman from Philadelphia that Rule 4 of the House governs constitutional questions.

Mr. WITKIN. May I ask the Speaker whether there is any other rule adopted by this House, dealing with constitutional questions, other than Rule 4?

The SPEAKER. The Chair knows of no other rule.

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Cambria will state his point of order.

Mr. ANDREWS. Mr. Speaker, my point of order is that the question of constitutionality can only be raised with reference to certain definite legislative acts, that the question of constitutionality can not be raised with reference to the power of this Legislature, this branch of the Legislature, to appoint a committee. The entire proceedings have been irregular. To question the power of this Legislature to appoint a committee is to rule it out of existence. I urge that point of view as a point of order.

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. Will the gentleman yield for just a moment?

Mr. WITKIN. No, Mr. Speaker, because my point of order deals with the point of order just raised.

The SPEAKER. The Chair can only decide one point of order at a time. If the gentleman is not satisfied with the decision on this point of order, he has the opportunity to appeal from the decision of the Chair.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WITKIN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. Will the gentleman from Philadelphia permit the Chair to rule on the point of order raised by the gentleman from Cambria?

Mr. WITKIN. Only if the Chair refuses to answer my question of parliamentary inquiry or rules that I am out of order.

The SPEAKER. The Chair feels the gentleman is out of order.

Mr. WITKIN. I will abide by the decision of the Chair.

The SPEAKER. In answer to the point of order raised by the gentleman from Cambria, Mr. Andrews, the Chair wishes to state that the House has already decided this question.

Mr. ANDREWS. Mr. Speaker, do I understand that the question is now before the House?

The SPEAKER. The question is now before the House.

Mr. ANDREWS. Mr. Speaker and members of the House, the gentleman from Philadelphia, the minority leader, is entirely too versatile. He and his legions spent the major portion of this day wringing the hearts of the nation because of the afflictions that would be visited upon the heads of the unemployed if this House did not concur in the amendments made to the House resolution by the Senate, and having had time to ponder his decision, he returns and tells us that no one needs to be alarmed at all because the unemployed were never in any danger, as there were sufficient funds to meet every need.

Now, what the gentleman from Philadelphia is doing is asking this House to compound an $850,000 fraud to save the face of the reactionary Senate. I am not a lawyer, thank God, but I am pretty well convinced that the Attorney General has not ruled upon this problem, and I am also convinced that if the majority leader and the minority leader were to call upon the Attorney General, they would find that the course proposed by the gentleman from Philadelphia was without legal authority.

The problem is whether we can proceed in orderly fashion. I agree with the gentleman from Philadelphia that this House can not reconvene the Senate. I also agree that since I have been speaking, or at least since the gentleman from Philadelphia began speaking, the President Pro Tempore shook the dust of Harrisburg from his feet and departed. I may be wrong. I hope he is waiting to receive a delegation sent to him by this body. I hope he is. That would be the courteous thing for him to do. We can not reconvene the Senate but we can importune the authorities of the Senate to use their good offices to call the Senate back into action. If they won't use their good offices to call the Senate back into action, and if the Senators refuse voluntarily to return, then there is nothing that this House can do.

Moreover, Mr. Speaker, we never gave our permission, directly or indirectly, for the Senate to adjourn at any particular time. We gave our permission to the Senate to reconvene next Monday evening, and we took it for granted that as long as business was pending which involved both Houses that it was inconceivable that the Senate would leave this city.

Mr. WITKIN. Mr. Speaker, I desire to interrogate the gentleman from Cambria, Mr. Andrews.

The SPEAKER. Will the gentleman from Cambria, Mr. Andrews, permit himself to be interrogated?

Mr. ANDREWS. Mr. Speaker, I will.

Mr. WITKIN. Mr. Speaker, despite the fact that the gentleman from Cambria is not a lawyer, for which he thanks God, and for which I thank God I am a lawyer, because that is the way I eat, may I ask the gentleman whether or not in his opinion as a layman he believes that the President Pro Tempore of the Senate has any legal right whatsoever to call the Senate into session after it adjourned by resolution, consented to by this House, until Monday evening, June 1?

Mr. ANDREWS. Mr. Speaker, I would reply to the gentleman from Philadelphia that the President Pro Tempore of the Senate is without legal right to reconvene the Senate, but he is under moral obligation to do so.

Mr. WITKIN. Mr. Speaker, does the gentleman believe that our government can be run without following or adhering to law and order?

Mr. ANDREWS. Well, Mr. Speaker, that depends upon the lawyer.

Mr. WITKIN. Mr. Speaker, will the gentleman state this to me: assuming for the sake of argument that he is right, and only for the sake of argument, that a moral obligation exists, will the gentleman point out to me how legally that Senate which has adjourned under a concurrent resolution until next Monday night, can possibly gather itself together and meet before Monday night, even assuming that it wanted so to do?

Mr. ANDREWS. Mr. Speaker, we have proceeded in this General Assembly more than once on the basis of a gentleman's agreement. If we could do nothing more than reconvene the leaders of the Senate in unofficial session, and deal with them on the basis of gentlemen, we will get some where.

Mr. WITKIN. Mr. Speaker, therefore, I take it, that the gentleman from Cambria admits that the only way that we could get the Senate together would be in an unofficial session.

Mr. ANDREWS. Mr. Speaker, I do not agree to that proposition.

Mr. WITKIN. Mr. Speaker, did not the gentleman say so?

Mr. ANDREWS. Mr. Speaker, if I led the gentleman from Philadelphia to that belief, I misstated my position.

Mr. WITKIN. Mr. Speaker, then will the gentleman from Cambria answer my inquiry?

Mr. ANDREWS. Mr. Speaker, I will answer the gentleman if he will permit me. The Senate, if it is so disposed, can convene. It can reconsider its action. This House does not have the power to compel it to reconvene. The power to reconvene is resident within the body of the Senate.

Mr. WITKIN. Mr. Speaker, does the gentleman have any precedent in law, extending from the very beginning of the Commonwealth of Pennsylvania, down to and including the present time, for his statement that the Senate could reconvene after it has adjourned, after a concurrent resolution.

Mr. ANDREWS. Mr. Speaker, may I ask the gentleman from Philadelphia whether he was in the House during the hectic days when Speaker Spangler was removed, when a motion to adjourn was reconsidered?

Mr. WITKIN. Mr. Speaker, I was not.

Mr. ANDREWS. Mr. Speaker, it is a prime consideration of parliamentary law that the power to convene and reconvene while the Legislature is in session is inherent within that body, and the actions of the Senate and the actions of the House are within the hands of the majority of either body, and there is no action that either the House are within the hands of the majority of either body, and there is no action that either the House or the Senate can take which can not be revoked by either body.

Mr. WITKIN. Mr. Speaker, the gentleman prefaces his remarks just made, upon the fact that the Legislature is in session, is that not correct?

Mr. ANDREWS. That is right.

Mr. WITKIN. Mr. Speaker, may I question the gentleman further by asking this? Do you believe that each and every Senator of the State of Pennsylvania is entitled to receive due and proper notice of the reconvening of this Senate, and that the failure to permit any Senator to have that proper notice would nullify and vitiate, even morally, because I am sure it does legally, any action by that Senate?

Mr. ANDREWS. Mr. Speaker, I would reply to the gentleman from Philadelphia that all of the members of the Senate have the ability to read, and know what has actually been happening here to-day, and that it would well behoove them, without any summons from this body, or any other body, to get on a train and come here.

Mr. WITKIN. Mr. Speaker, does the gentleman agree with me that in the event that single Senator from Pennsylvania was beyond the jurisdiction or beyond the knowledge that permitted the illegal reconvening of that Senate, and was not able to receive notice because of the fact that he was not in possession of the newspapers of Pennsylvania, not within the distance required that the reconvening of that body after it had gone on record to reconvene next Monday night would be morally improper as well as legally?

Mr. ANDREWS. Mr. Speaker, I would answer all of the gentleman's inquiry that the Senate itself is the judge of its own power and of its responsibility. I will add that five Senators, ten Senators, or twenty-five Senators, if they were so disposed, could meet here in Harrisburg and convene for business.

Mr. WITKIN. Mr. Speaker and members of the House, first of all, I want to thank the gentleman from Cambria for answering my questions. I am going to my colleagues to vote this question down for the reason that my opponents admit it is illegal. I still believe we live in a day and age when constitutional provisions must govern our Commonwealth. I still believe that we live in a day and age when law and order must prevail. I still believe that we live in a day and age when the judges of our courts must decide matters in accordance with constitutional provisions, that judges must not permit their moral feelings in any particular case to govern their decisions of the law. To do so would be boarding upon anarchy. We are destroying every form of constitutonal government when we lend ourselves to so nefarious a resolution as this one. It is born in iniquity. It revels in iniquity. It is smply to create political capital out of this situation on the part of the Democrats, who now seek to stop the unemployed from getting relief on June 1, and who try to pass that responsibility on to the Republican membership in this House or in the Senate.

I ask my colleagues to vote this down and still preserve a constitutional form of government and a government of law and order, and not a gvernment where we strike at the very foundation of our Constitution.

POINT OF ORDER

Mr. SOWERS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. SOWERS. Mr. Speaker, it seems to me that the proper thing to do would be to reconsider the motion by which this House permitted the Senate to adjourn until next Monday night, and not to consider this resolution.

The SPEAKER. On the point of order raised by the gentleman from Philadelphia, the Chair wishes to state that this House concurred in a resolution of the Senate, and it would be impossible for us to reconsider a vote on that without recalling the resolution from the Senate and with the consent of the Senate.

Mr. SOWERS. Mr. Speaker and members of the House, I do not know why we should have all of this discussion. We had a resolution here, we had a resolution permitting the Senate to adjourn until next Monday night if it saw fit. We considered it. My friends on the other side agreed to it. We agreed to it on this side. The Senate agreed that when we adjourned we might convene next Monday night. We have made our minds up. Our friends on the other side have made up their minds. They agreed to it.

We agreed to it. Everyone agreed to it. After having made up our minds on that point, why should we be so anxious to change our minds after the Senate has accepted our word? After the Senate accepted our word, it then adjourned. But why did my Democratic friends give the Senate permission to go? Why did these Democratic leaders overlook that? Did they overlook it? I think they considered it, I think they agreed that the Senate might go home. Why should they complain about the Senate going home after they gave the Senate permission so to do.

Mr. COHEN. Mr. Speaker and members of the House, I was under the impression that the gentleman from Cambria clearly pointed out to the membership of this House that the resolution that emanates from the Senate is not a resolution which allows the Senate to adjourn. Rather it was a resolution that fixed the time for the convening of the General Assembly after the House had adjourned. With the indulgence of the House. I would like to read for the benefit of the membership the resolution that was passed, upon which we agreed, that when we do convene after adjournment, we reconvene at a specific time:

"Resolved, if the House of Representatives concur, when the Senate adjourns this week, it reconvene on Monday evening, June 1, 1936, at 9 o'clock, Eastern Standard Time,

and that when the House of Representatives adjourns this week, it reconvene the same time."

There was no indication in this resolution, and there was no permission, implied or otherwise, whereby the Senate, when the House was considering a vital legislation should give to this House the slap in the face it has given, at the very time that this House was considering important and vital legislation. I ask for a roll call.

Mr. JONES. I would like to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. JONES. Mr. Speaker, does the gentleman from York, Mr. Cohen, know that the Senate adjourned just a few minutes before he got up and asked us to concur in this resolution, as Senator Reed was here and listened to him asking the members to concur in this resolution?

Mr. COHEN. Mr. Speaker, I do not know when the Senate adjourned, but I do know that it did adjourn during the time in which this House was discussing the resolution and prior to the time the roll call was had upon it.

POINT OF INFORMATION

Mr. JONES. Mr. Speaker, I rise to a point of information.

The SPEAKER. The gentleman will state his point of information.

Mr. JONES. Mr. Speaker, will you kindly inform me why we did not meet this morning at 10 o'clock. We did not meet until about 11:15.

The SPEAKER. The Chair wishes to advise the gentleman from Luzerne that the reason we did not start on time was that we were waiting for a quorum to arrive, giving the late sleepers, both Democrats and Republicans, a chance to be here and be properly recorded on any roll call that might be taken.

Mr. JONES. I would like to interrogate the Democratic floor leader, the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated.

Mr. COHEN. I will, Mr. Speaker.

Mr. JONES. Mr. Speaker, will the gentleman from York please inform this House whether the Democrats had a caucus this morning?

Mr. COHEN. Mr. Speaker, they did not. One of the things that delayed the House in its convening this morning was the fact that a few members of the House, as I have indicated before, were trying to prevail upon the Senate to recede from the particular whereas clause, which restricted the four million dollars plus appropriation.

Mr. JONES. Mr. Speaker, may I ask the gentleman from York if the members of the Senate, both Democrats and Republicans, felt after these members of the House left the Senate, that the House would concur in the amendments?

Mr. COHEN. Mr. Speaker, as I explained to the members of this House before when we left Senator Gelder, Senator Buckman, and Senator Homscher, it was indicated to them in no ambiguous terms by the gentleman from Allegheny, Mr. Eberharter, that this House would not concur in their amendments.

Mr. JONES. Mr. Speaker, may I ask the gentleman to inform the House why he read the letter and made a motion for us to concur in this resolution?

Mr. COHEN. Mr. Speaker, that matter was gone over before.

POINT OF ORDER

Mr. EBERHARTER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. EBERHARTER. Mr. Speaker, I submit that the question is improper at this time.

The SPEAKER. In answer to the point of order raised by the gentleman from Allegheny, the Chair feels that it is up to the gentleman who is being interrogated to decide the propriety of the question put to him.

Mr. COHEN. Mr. Speaker, I answered that this morning, and my answer to that interrogation is on the record of this House. At that time I indicated the reasons, and if the gentleman from Luzerne was in the House at that time, I feel sure he knows the answer.

Mr. JONES. Mr. Speaker, may I ask the gentleman why he changed his opinion afterwards. Now he is against it.

Mr. COHEN. Mr. Speaker, if the gentleman from Luzerne had paid attention to the procedings of the House, he would have understood the answer I made to the interrogation this morning. I am not changing my mind whatsoever.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. WITKIN and Mr. BLUMBERG and were as follows:

YEAS—106

Achterman,	Downey, G. E.,	LaRue,	Reising,
Allen,	Downey, J. J.,	Long,	Robinson,
Andrews,	Eberharter,	Lovett,	Sarraf,
Anthony,	Eroe,	Male,	Scanlon,
Arnold,	Falkenstein,	McCreary,	Schaeffer,
Baine,	Ferko,	McDermott,	Schrope,
Baker, J. J.,	Finnerty,	McElroy,	Schwab,
Barber,	Fitch,	McHenry,	Shaw,
Bradley,	Flanagan,	Melchiorre,	Shepard,
Brancato,	Flinchbaugh,	Mentzer,	Shugarts,
Brown, H. S.,	Gerard,	Moomaw,	Siegel,
Brownfield,	Haberlen,	Mooney,	Simon,
Brumbaugh,	Hagerty,	Moran,	Sinwell,
Burke,	Haluska,	Moul,	Smith, J. A.,
Cannon,	Hamilton, F. P.,	Munley,	Smith, W. G.,
Caputo,	Harkins,	Murrin,	Stank,
Carson,	Hartman,	Nagel,	Stevens,
Chervenak,	Hetrick,	O'Keefe,	Sumney,
Coakley,	Hindman,	Ominsky,	Tronzo,
Cochran,	Hirsch,	O'Neill,	VanSickle,
Cohen,	Holland,	Patterson, C.,	Weiss,
Coleman,	Holstrom,	Patterson, J. W.,	Welliver,
Coolahan,	Kelso,	Pearson,	Welsh,
Decker,	Kilroy,	Pfaff,	Westrick,
Dent,	Kinney,	Piole,	Yourishin,
Diehl,	Klingler,	Powers,	Furman,
Dilley,	Kobelak,		

NAYS—60

Altenburg,	Flynn,	McKinney,	Sowers,
Atkins,	Forrest,	Merrell,	Stewart,
Baker, F. T.,	Gates,	Moore,	Stockham,
Baldi,	Gillette,	Muir,	Surface,
Barnhardt,	Hamilton, R. S.,	Nothnagle,	Sweeney,
Beadman,	Hermansen,	Reynolds,	Terry,
Bernhard,	Hoffner,	Roan,	Trout,
Blumberg,	Horst,	Royer	VanAllsburg,
Boose,	Jackson,	Schrock,	Wasserman,
Boyd, R.,	Jones,	Serrill,	Wickersham,
Boyer,	Kelder,	Shortz,	Winner,
Brennan,	Kenney,	Simpson,	Witkin,
Cordier,	Longaker,	Sloan,	Wood,
Davies,	Mason,	Snyder, F. E.,	Woodside,
Duffort,	McDevitt,	Snyder, J. L.,	Yeakel,

So the question was determined in the affirmative and the motion was agreed to.

APPOINTMENT OF COMMITTEE

The SPEAKER. The Chair appoints as a committee in pursuance with the motion just adopted Messrs. Cohen, Andrews and Ferko.

QUESTION OF PERSONAL PRIVILEGE

Mr. WITKIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WITKIN. Mr. Speaker, I realize quite well that the province of appointing a committee rests with the Speaker. I also realize fully well that we have no right to question those appointments. But I want to make known to this House that it seems to me that the eighty-eight Republican members of this House are entitled to minority representation. We are entitled to an appointee on a committee of importance, wherein we are represented. An appointment that is a mere subterfuge, although I have the highest personal regard in the world for the gentleman from Philadelphia, Mr. Ferko, as he is a close friend of mine, it is well known that he is not now affiliated with the Republican party. I cannot possibly speak of that gentleman in any way except with the highest regard. It is well known and always recognized that where a committee of three is appointed, that the minority of eighty-eight is entitled to one appointee, and we ought to get it. When the resolution of this House was presented, I went to the rostrum and asked either to be appointed on that committe or be given permission, as Chairman of the Republican Steering Committee to designate a Republican who would be appointed on that committee. It seems to be a personal affront to deny minority representation to a Republican member, and I am sorry that we are being so steamrollered that we are not given the opportunity of having a member on that committee, and I want the record so to show.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the record.

Mr. FERKO. Mr. Speaker, I take this opportunity to say that I decline to serve on the committee.

The SPEAKER. The gentleman from Philadelphia declines appointment on this committee, and the Chair appoints in his place the gentleman from Philadelphia, Mr. Witkin.

Mr. WITKIN. Mr. Speaker, the action of the gentleman from Philadelphia, Mr. Ferko, merely bears out that which I said concerning him. I appreciate, Mr. Speaker, your endeavor to appoint me after you refused to appoint me when I made the request in the first place, and with due and proper respect to the Speaker of this House, if in your judgment you saw fit not to appoint a Republican in the first instance, I respectfully decline to serve on this committee and ask all of my Republican colleagues on my side of the House to do likewise, and I will ask Mr. Ferko to continue on the committee.

QUESTION OF PERSONAL PRIVILEGE

Mr. VAN SICKLE. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Northampton will state his question of personal privilege.

Mr. VAN SICKLE. Mr. Speaker and members of the House, we have heard a lot of talk about the sympathy that they have for the downtrodden, a lot of sympathy that they have for those who are waiting for relief. By their own record, in a resolution that was introduced by a Republican, they say that in their estimation the sum of $655,000 more than the Republican Senate has seen fit to agree to is needed for relief purposes. Also in the issue of the Evening News of Harrisburg there appears this item: "Endorsement of the State administration's relief estimates and of the management of relief in Pennsylvania by Karl de Schweinitz was given yesterday afternoon before the Senate Appropriations Committee by members of the Public Charities Association and others."

Here are some of the names of those who appeared before the committee: Eric H. Biddle, former Relief Director; Philip C. Staples, President of the Bell Telephone Company of Pennsylvania, former Relief Director of Philadelphia; Frank A. Robbins, Jr., General Manager of the Bethlehem Steel Company; Robert Dechert, Philadelphia; Charles B. Williams, member of the Schuylkill County Relief Board.

It may be that they are all Democrats, although I have my private opinion that some of those names represent Republicans. We have this assembly on the Democratic side saying that four million dollars is not enough money for relief for the month of June. We have the Republican minority saying that four million dollars is not enough for the month of June. We have that impartial body saying that four million dollars is not enough for the month of June.

We have heard suggestions that there are two ways of settling this matter, receding from our position or by agreeing to a transfer, which is not proper. They do not settle the problem in any way. We have this method which was offered, asking members of the Senate to come back here and work with us. They are paid representatives of the people of the State of Pennsylvania. It is their duty to give full service to the people of Pennsylvania, regradless of personal inconvenience. My friends, when we have a committee appointed to consider this matter, what attitude does the Republican minority take? They take the attitude that they want nothing to do with it. If that is cooperation, if that is relief for the unemployed, then I thank God they are not against them.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the record.

STATEMENT BY MR. WITKIN

Mr. WITKIN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I regret very much that arguments on the floor of this House cannot be in accordance with facts. The gentleman from Northampton so deliberately and so carelessly made misstatements on the floor of the House, that I must say he is negligent with his facts; I must say that he is negligent with the truth. The minority of this House was very much interested in getting on this committee; the minority was very much interested in getting minority representation on this committee, and when the gentleman says the minority was not interested and did not want to have

anything to do with it, that was not so. We asked to have something to do with it. The minority Republican leader asked the Speaker and the Parliamentarian to grant representation to the minority party, but he did not see fit to do so, and I am not taking second hand gifts. If the Speaker in his judgment did not thing that the minority should be represented, I will abide by his decision. I think the Speaker in his refusal to give the minority representation slighted this side of the House, and although personally I do not care a thing about it. I think it was against every sense of propriety in not giving the minority of this House recognition. The Speaker frankly refused so to do. I will stand by that refusal and will not take the place of the gentleman from Philadelphia, Mr. Ferko.

APPOINTMENT ON COMMITTEE

The SPEAKER. The Chair appoints on this committee, instead of the gentlemen from Philadelphia, who has declined, the gentleman from Erie, Mr. McCreary.

RECESS

Mr. ANDREWS. Mr. Speaker, I move that since the Chair has completed the appointment of a committee, that we recess for fifteen minutes to await the report of the committee.

The motion was agreed to and the House took a recess for fifteen minutes.

AFTER RECESS

The SPEAKER. (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

LEAVE OF ABSENCE

Mr. SNYDER asked and obtained leave of absence for himself for the balance of the week on account of illness in his home.

REPORT OF COMMITTEE

Mr. COHEN. Mr. Speaker, pursuant to a motion passed by the House, the committee proceeded to the office of the President Pro Tempore of the Senate, was there met by the President Pro Tempore of the Senate, the Honorable gentleman from Lancaster, Senator Homsher. I read to the gentleman from Lancaster the motion passed by this House, read the whereas clauses and the motion, explained to him their necessity, and he replied, "In my judgment no such emergency exists as would warrant me in making the call requested."

The SPEAKER. The committee is discharged with the thanks of the House.

QUESTION OF PERSONAL PRIVILEGE

Mr. WICKERSHAM. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Dauphin, Mr. Wickersham will state his question of personal privilege.

Mr. WICKERSHAM. Mr. Speaker and members of the House, I wish to be very brief. I have remained silent all during the very spirited debate that has taken place. I have heard a great deal of criticism of the Senate as to why it adjourned before this House acted on the resolution.

I would like to state that the Chairman of the Senate Appropriations Committee informed me that one of the associate Democratic floor leaders came to him this morning, and in the presence of the Senate Democratic floor leader, Senator Roberts, pledged this House to concur in the Senate amendments.

I, therefore, submit that no criticism could possibly be reflected upon the Senate for the action they have taken. I realize that this is a statement that may be denied by the Democratic members of this House. However, I want to point to two pieces of evidence, which I think will clearly show any fair-minded person that the Senate acted in good faith. First, I call your attention to the fact that every Democratic member of the Senate who was recorded voted in favor of reducing the appropriation from six million dollars to four million dollars. Secondly, I call attention to the fact that the Democratic leader in this House himself introduced the motion to concur in the amendments of the Senate.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

Mr. COHEN. Mr. Speaker, I should like to interrogate the gentleman from Dauphin, Mr. Wickersham.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WICKERSHAM. I will, Mr. Speaker.

Mr. COHEN. Mr. Speaker, for the benefit of the House, will the gentleman indicate which member of the House made the remarks that the gentleman has intimated have been made?

Mr. WICKERSHAM. Mr. Speaker, the gentleman of the House who Senator Gelder informed me made the statement, is the gentleman from Allegheny, Mr. Eberharter.

QUESTION OF PERSONAL PRIVILEGE

Mr. EBERHARTER. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. EBERHARTER. Mr. Speaker and members of the House, the statement just made by the gentleman from Dauphin, Mr. Wickersham, is absolutely untrue. I never at any time made any pledge to Senator Gelder or to the senator who is chairman of the Appropriations Committee. The chairman of the Senate Appropriations Committee is, I think, Senator Coyne. However, I will say this: that I was over in the Senate shortly after the Committee had conferred with Senator Homsher, Senator Gelder, Senator Buckman and Senator Coyne. Senator Gelder asked me what the members of the House were going to do and I said to Senator Gelder, "It looks as though the House will concur in the resolution," but I made no pledge. Senator Gelder very well knows that I made no pledge whatsoever nor could I pledge the action of the House insofar as concurring or non-concurring in this resolution was concerned.

I think I made my position clear when I got on the floor of this House this morning and asked the Democratic membership and the Republican membership to vote to concur in the resolution and I gave my reasons for it. I told Senator Gelder this morning that I though the House would concur in it, but I certainly made no pledge. I would request, very respectfully, of the gentle-

man from Dauphin, Mr. Wickersham, that he further inquire of Senator Gelder whether or not I made any pledge and I further request that he report back to this House the answer of Senator Gelder, as to whether I made a pledge as to what this House would do.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the record.

Mr. WICKERSHAM. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Eberharter.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. EBERHARTER. Mr. Speaker, I will.

Mr. WICKERSHAM. Mr. Speaker, I desire to inquire of the gentleman from Allegheny when he stated before this House that my remarks were untrue, that I said not that he made certain statements, but that Senator Gelder had informed me that he had made those statements, and I ask him wheher he means, when he says my remarks are untrue, that he did not make the statement or whether he means to say that Senator Gelder did not tell me that he made the statements.

Mr. EBERHARTER. Mr. Speaker, in answer to the gentleman from Dauphin, Mr. Wickersham, as I gathered it, the gentleman made the statement on the floor of the House that a member of this House had made a pledge to Senator Gelder, and I say that that statement is untrue. I made no reflection whatever upon Senator Gelder, and no reflection whatever upon the gentleman from Dauphin, Mr. Wickersham, but if the statement gave the impression that I made a pledge, that is untrue and I repeat my request previously made.

Mr. WICKERSHAM. Mr. Speaker, do I understand now that the gentleman says that he informed Senator Gelder that he thought that the House would concur in the resolution?

Mr. EBERHARTER. That is correct, Mr. Speaker.

Mr. WICKERSHAM. Mr. Speaker, I desire to ask the gentleman from Allegheny whether or not Mr. Cohen stated on the floor of this House this morning that you informed Senator Gelder that the House would not concur in these amendments.

Mr. EBERHARTER. Mr. Speaker, I am very glad that the gentleman from Dauphin asked that question. As very specifically stated on the floor of the House this morning by the gentleman from York,, Mr. Cohen, in an anteroom of the Senate—Senator Homsher was present, Senator Gelder and Senator Buckman, the gentleman from York, Mr. Cohen, the gentleman from Philadelphia, Mr. Burke, and myself—and I am informed also—yes; I am certain that Senator Huffman was there and Senator Roberts, and we discussed this matter for perhaps half an hour, and we were not able to agree. Then the Senator from Allegheny, Senator Coyne, came in and one or two questions were asked of Senator Coyne. At that time, immediately upon Senator Coyne's answering the questions that were put to him, I said—I believe in these words —"I do not see how it is possible for us to concur in this resolution." And I left immediately and there was no further word spoken. Later in the day I was over in the Senate on some other matter, and Senator Gelder stopped me and he asked what the House was going to do, and I said that I thought the House would concur in the resolution.

Mr. WICKERSHAM. Mr. Speaker, may I ask whether or not Senator Roberts was present at that time?

Mr. EBERHARTER. Mr. Speaker, he was present at that time; that is correct.

Mr. WICKERSHAM. Mr. Speaker and members of the House, so that there can be no question about my position in this matter, and to clear up any doubt that there is in in the mind of the gentleman from Allegheny, Mr. Eberharter. I have not attempted to say whether or not the remarks alleged to have been made by Mr. Eberharter were true. All I said was that Senator Gelder informed me, in the presence of Senator Roberts, that the gentleman from Allegheny said that the House would concur in these amendments, and that remark I do not withdraw.

MOTION TO ADJOURN

Mr. BRADLEY. Mr. Speaker, I move that this House do now adjourn until Monday night, June 1st, 1936, at 9.00 o'clock Eastern standard time.

On the question,

Will the House agree to the motion?

Mr. WITKIN Mr. Speaker, may I ask the gentleman to withdraw his motion in order that I may have the opportunity of asking the majority floor leader one question?

The SPEAKER. Will the gentleman from Northampton, Mr. Bradley, consent to withdraw his motion?

Mr. BRADLEY. Yes, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER Will the gentleman from York permit himself to be interrogated?

Mr. COHEN. Mr. Speaker, I will.

Mr. WITKIN. Mr. Speaker, will the gentleman from York, Mr. Cohen, as the majority floor leader, agree that if a motion is made for the reconsideration of the vote by which the amendments to the House resolution were non-concurred in today, that the Democratic membership of this House will go along with such a motion to reconsider, in order that the moneys that you allege must be available before the 1st of June, 1936, may be made available to the extent of the amendments of the Senate?

Mr. COHEN. Mr. Speaker, I ask for a division of that question, and that the question should be deleted of its ambiguities.

Mr. WITKIN. Mr. Speaker, with the gentleman's permission I will divide it into three questions, although I have previously said that I would ask the gentleman but one question, and I was trying to keep my word. Is the gentleman from York, Mr. Cohen, still of the opinion that relief money will lapse as of Monday, June 1, 1936, unless this House takes action?

Mr. COHEN. Mr. Speaker, if the gentleman from Philadelphia desires to know the sentiment of the Democratic members of the House, as to their desire to reconsider the vote of non-concurrence—

Mr. WITKIN. Mr. Speaker, I didn't ask that.

Mr. COHEN. Mr. Speaker, I might say that the Democratic membership of this House, as I gather it, is opposed to reconsidering that motion.

Mr. WITKIN. Mr. Speaker, may I ask that the gentleman answer my question, which was the same question. You are making me ask it twice.

Mr. COHEN. The gentleman from Philadelphia, Mr.

Speaker, has already asked me four questions, and I don't know what he is really asking.

Mr. WITKIN. Mr. Speaker, apparently the gentleman does not, judging from the answers that he is giving.

Mr. COHEN. Mr. Speaker, would the gentleman like to put it in writing?

Mr. WITKIN. No, Mr. Speaker, I would not, because I hope that the gentleman understands plain ordinary English. Is the gentleman from York, Mr. Cohen, still of the opinion that unless this House acts, there will be a lapse of money, and that the unemployed will not receive their money on June 1st, 1936 for that week?

Mr. COHEN. Mr. Speaker, I am of the opinion that the Republican Senate, by their attempt to restrict relief payments for the month of June to the sum of four million dollars plus, has placed the relief recipients in the position that by the first of June there is a great possibility that the relief appropriation will be diminished to the extent that they will be unable to take care of their requests for relief.

Mr. WITKIN. Mr. Speaker, and despite that fact, does the gentleman from York feel that this House ought now to adjourn?

Mr. COHEN. Mr. Speaker, I have already reported to this House in the words of the President Pro Tempore of the Senate as follows: "In my judgment no such emergency exists that would warrant me in making the call requested.

ADJOURNMENT

Mr. WEISS. Mr. Speaker, I move that this House do now adjourn until Monday, June 1, 1936, at 9:00 P. M.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. WITKIN and Mr. BLUMBERG.

Mr. WITKIN. Mr. Speaker, I ask for a verification of the roll.

The SPEAKER. Does the gentleman insist upon his request for a verification of the roll?

Mr. WITKIN. Mr. Speaker, I do.

The roll was verified and was as follows:

YEAS—90

Allen,	Eberharter,	Kobelak,	Robinson,
Andrews,	Falkenstein,	LaRue,	Rooney,
Anthony,	Ferko,	McDermott,	Sarraf,
Arnold,	Finnerty,	McElroy,	Schaeffer,
Baine,	Fitch,	Melchiorre,	Schwab,
Baker, J. J.,	Flanagan,	Mentzer,	Shaw,
Bradley,	Flinchbaugh,	Moomaw,	Shepard,
Brancato,	Gerard,	Mooney,	Shugarts,
Brownfield,	Haberlen,	Moran,	Siegel,
Brumbaugh,	Hagerty,	Moul,	Simon,
Burke,	Haluska,	Munley,	Sinwell
Cannon,	Hamilton, F. P.,	Murrin,	Smith, J. A.,
Carson,	Harkins,	Nagel,	Smith, W. G.,
Coakley,	Hartman,	O'Keefe,	Stank,
Cochran,	Hetrick,	Ominsky,	Stevens,
Cohen,	Hindman,	O'Neill,	Sumney,
Coleman,	Hirsch,	Patterson, C.,	Tronzo,
Coolahan,	Holland,	Pearson,	VanSickle,
Decker,	Holstrom,	Pfaff,	Weiss,
Dent,	Kelso,	Piole,	Welliver,
Diehl,	Kilroy,	Powers,	Welsh,
Downey, G. E.,	Kinney,	Reising,	Westrick,
Downey, J. J.,	Klingler,	Rinn,	Furman,

NAYS—76

Atkins,	Dilley,	McCreary,	Snyder, F. E.,
Baker, F. T.,	Duffort,	McDevitt,	Sowers,
Baldi,	Eroe,	McHenry,	Sproul,
Barber,	Forrest,	McKinney,	Stewart,
Barnhardt,	Gates,	Merrell,	Stockham,
Beadman,	Gillette,	Moore,	Surface,
Bernhard,	Hamilton, R. S.,	Muir,	Sweeney,
Blumberg,	Hermansen,	Nothnagle,	Terry,
Boose,	Hoffner,	Patterson, J. W.,	Trout,
Boyd, R.,	Horst,	Reynolds,	Van Allsburg,
Boyer,	Jackson,	Roan,	Wasserman,
Brennan,	Jones,	Royer,	Weidemann,
Brown, H. S.,	Kane,	Scanlon,	Wickersham,
Caputo,	Kelder,	Schrock,	Winner,
Castor,	Kenney,	Schrope,	Witkin,
Chervenak,	Long,	Serrill	Wood,
Cooper,	Longaker,	Shortz,	Woodside,
Cordier,	Lovett,	Simpson,	Yeakel,
Davies,	Male,	Sloan,	Yourishin,

So the question was determined in the affirmative and the motion was agreed to.

REASONS FOR VOTE

Mr. OMINSKY filed the following reason for his vote:

In view of the fact that the Senate has refused to accept the Relief responsibility until Monday evening, June 1, 1936, I am voting "Aye" on the question of adjournment at this time.

Mr. WESTRICK filed the following reason for his vote:

I am voting "Aye" for I see no work at hand and since the Senate has flatly refused to do their duty by the unemployed, in that they have adjourned. I feel there is nothing we can gain by staying in session.

Mr. WITKIN filed the following reason for his vote:

I vote "No" because we, the Republicans, feel we have no right to adjourn before taking care of the unemployed for the period commencing June 1st.

At 7.33 P. M. the House adjourned until Monday, June 1, 1936, at 9.00 P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., MONDAY, JUNE 1, 1936. No. 14.

SENATE

MONDAY, JUNE 1, 1936.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

One of the ancient prophets, O God, declared that a day would come when young men would dream dreams and old men would see visions. In this day we need men who are lifted above that which is sordid and selfish by dreams of an Utopian day yet to dawn. We need, also, men with sufficient vision to discern the fact that dreams come true, not simply by dreaming them but by seeing, as did Saul of Tarsus, when a mighty vision of God overcame him, "Lord, what wilt Thou have me do?" May we, like this apostle of long ago, hearken not to the voice of the multitudes, but unto the voice of God. Like him may we walk the path of duty even though it may lead to unpopularity and persecution. On behalf of this Senate, and of us all, and in Thy name we offer this petition. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HUFFMAN, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. ROBERTS asked and obtained leave of absence for the Senator from Centre, Mr. Thompson.

HOUSE MESSAGE

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE RESOLUTION NO. 14.

The Clerk of the House of Representatives being introduced informed the Senate that that House of Representatives has non-concurred in amendments made by the Senate to House Resolution No. 14, as follows:

TRANSFERS OF MONEYS FROM SPECIAL FUNDS TO THE GENERAL FUND FOR UNEMPLOYMENT RELIEF FOR THE MONTH OF JUNE

In the House of Representatives, May 25, 1936.

Whereas, It is estimated that approximately eight hundred forty-five thousand dollars ($845,000.00) of moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes will be lapsed into the General Fund on May thirty-first one thousand nine hundred thirty-six, and

Whereas, The sum of [six] four million eighty-six thousand and two hundred eleven dollars ($4,086,211.00) in addition to the aforesaid egiht hundred forty-five thousand dollars ($845,000.00) will be necessary for unemployment relief purposes for the month of June, one thousand nine hundred thirty-six, and

Whereas, There is an immediate need for the raising of this amount for the use of the General Fund by transfers of moneys from the Motor License Fund and The State Stores Fund; therefore be it

Resolved, (If the Senate concur), That the General Assembly hereby authorizes the Governor and the Fiscal Officers of the Commonwealth to transfer to the General Fund the sum of two million five hundred thousand dollars ($2,500,000.00) from the State Stores Fund and the sum of one million five hundred eighty-six thousand two hundred eleven dollars ($1,586,211.00) from the Motor License Fund and hereby makes available to the State Emergency Relief Board the aggregate sum of [six] four million eighty-six thousand two hundred eleven dollars ($4,086,211.00) for unemployment relief purposes and

Resolved, That any moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes that remain unobligated and unexpended on May thirty-first, one thousand nine hundred thirty-six are hereby made available to the State Emergency Relief Board for unemployment relief purposes on and after May thirty-first, one thousand nine hundred thirty-six, and

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers authorized by this resolution, (2) appropriating or re-appropriating, as the case may be, to the State Emergency Relief Board for unemployment relief purposes the sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211.00) and any moneys heretofore appropriated for unemployment relief that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Motor License Fund and the State Stores Fund.

MOTION TO RECEDE FROM AMENDMENTS

Mr. CAVALCANTE. Mr. President, I move that the Senate recede from its amendments to the foregoing Resolution.

Mr. McCREESH. Mr. President. I second the motion.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—19

Baumer,	Lanius,	Pytko,	Roberts,
Cavalcante,	Law,	Rankin,	Rodgers,
Frey,	McCreesh,	Reed,	Rupp,
Huffman,	McGinnis,	(Washington)	Shapiro,
Kahle,	Miller,	Rice,	Sones,

NAYS—27

Aron,	Gelder,	Owlett,	Sordoni,
Batchelor,	Graff,	Pierson,	Staudenmeier,
Bean,	Harris,	Prince,	Thompson,
Bennett,	Harvey,	Reed,	(Westmoreland)
Buckman,	Homsher,	(Dauphin)	Trainer,
Chapman,	Howell,	Salus,	Woodward,
Coyne,	McClure,	Scott,	Ziesenheim,
Ealy,			

A majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS INTRODUCED

Mr. WOODWARD read in his place and presented to the Chair, Senate Bill No. 60, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Also read in his place and presented to the Chair, Senate Bill No. 61, entitled:

A Joint Resolution proposing an amendment to article twelve of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 18 (House Bill No. 3), entitled:

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class providing for the collection of such taxes by the county treasurers and deputies and the payment of compensation and expenses therefor; transferring employes from the office of the delinquent tax collector to the county treasurer's office; and making said employes eligible to join and granting them certain credits upon joining, the county retirement system.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harris,	Owlett,	Rupp,
Batchelor,	Harvey,	Pierson,	Salus,
Baumer,	Homsher,	Prince,	Scott,
Bean,	Howell,	Pytko,	Shapiro,
Bennett,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Sordoni,
Cavalcante,	Lanius,	(Dauphin)	Staudenmeier,
Chapman,	Law,	Reed,	Thompson,
Coyne,	McClure,	(Washington)	(Westmoreland)
Ealy,	McCreesh,	Rice,	Trainer,
Frey,	McGinnis,	Roberts,	Woodward,
Gelder,	Miller,	Rodgers,	Ziesenheim,
Graff,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 23 (House Bill No. 17), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying, confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Aron,	Harris,	Owlett,	Rupp,
Batchelor,	Harvey,	Pierson,	Salus,
Baumer,	Homsher,	Prince,	Scott,
Bean,	Howell,	Pytko,	Shapiro,
Bennett,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Sordoni,
Cavalcante,	Lanius,	(Dauphin)	Staudenmeier,
Chapman,	Law,	Reed,	Thompson,
Coyne,	Mallery,	(Washington)	(Westmoreland)
Ealy,	McClure,	Rice,	Trainer,
Frey,	McCreesh,	Roberts,	Woodward,
Gelder,	McGinnis,	Rodgers,	Ziesenheim,
Graff,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 47 (House Bill No. 1), as follows:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes for the tax year one thousand nine hundred and thirty-

four and all previous years assessed and levied against any parcel or parcels of real estate are hereby abated without the necessity of further action by the authority levying the tax if said delinquent taxes are paid as hereinafter provided.

In order to receive the benefits of this act the taxes for the year one thousand nine hundrd and thirty-five and all penalties and accrued interest and twenty per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid on or before the first day of November one thousand nine hundred and thirty-six twenty per centum on or before the first day of November one thousand nine hundred and thirty-seven twenty per centum on or before the first day of November one thousand nine hundred and thirty-eight twenty per centum on or before the first day of November one thousand nine hundred and thirty-nine and the final twenty per centum on or before the first day of November one thousand nine hundred and forty And provided That the respective current taxes on such parcel or parcels of real estate for the years subsequent to the year one thousand nine hundred and thirty-six during such installment periods assessed and levied by such taxing authority shall be paid before they become delinquent during the then current year If and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provided then and in that event there shall become due and payable for such year a sum equal to one-fifth of the total amount of the abated penalties and interest in addition to the other payments required to be paid under this Act during that year which said additional sum shall be payable and must be paid at the time the next succeeding installment payment becomes due under this Act If such additional sum is not so paid then the total amount of the abated penalties and interest less the aggregate of any such additional sums therefore paid shall be revived and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the taxpayer shall not thereafter be entitled to any further benefits or privileges under this Act.

Section 2 Any taxpayer may anticipate the payment of such delinquent taxes for the tax year one thousand nine hundred and thirty-four and previous years at any time on or before November first one thousand nine hundred and thirty-six by paying the entire amount of such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes assessed and levied for the year one thousand nine hundred and thirty-six shall not be required at the time of such payment.

Section 3 This act shall be construed to apply to all such taxes whether or not liens for such taxes have been returned for nonpayment or have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court in said county or where real property has been sold to a county city borough town township school district or poor district at a tax sale or on a tax lien and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a county city borough town township school district or poor district at a tax sale or on a tax lien and where the period of redemption has not expired and the taxpayer shall be liable for the payment of all costs incurred in such proceedings except the solicitors fees.

Section 4 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at Sheriff's or other judicial sale grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above-mentioned taxes have been assessed and levied.

For the purposes of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax.

Section 5 Any taxpayer shall have the right to pay the delinquent taxes assessed and levied against any parcel or parcels of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision.

Upon application either in person or in writing by any taxpayer the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayer a statement of the delinquent taxes owed by him to such municipal subdivisions showing the face amount the penalty if any the interest if any and any costs or other charges in detail against such real property as shown by the records in his custody.

Section 7 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for non-payment of taxes before November first one thousand nine hundred and thirty-six and any tax sale shall be adjourned or readjourned as often as may be necessary for this purpose If any tax sale is adjourned or readjourned after advertisement no additional advertisement or notice shall be necessary for the adjourned or readjourned sale No such adjournment or readjournment failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid but the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this Act provided however that in every case where a taxpayer avails himself of the privileges or benefits of this Act the period during which payment of the said delinquent taxes are postponed or continued under this Act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes.

Section 9 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein.

Section 10 All acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect.

Section 11 This act shall become effective immediately upon final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. EALY. Mr. President, I move that Senate Bill No. 47 (House Bill No. 1), the bill just read, be recommitted to the Committee on County Government.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. EALY. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the the Senate will be in order.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read

as follows, and referred to the Committee on Executive Nominations.

RECALLING THE NOMINATION OF C. A. SCHOCH AS MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA INDUSTRIAL SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the authority and power vested in me as Governor of the Commonwealth, I do hereby recall my nomination made to your Honorable Body under date of May 4, 1936, for the appointment of C. A. Schoch, of Huntingdon, Huntingdon County, as a member of the Board of Trustees of the Pennsylvania Industrial School.

GEORGE H. EARLE.

RECALLING NOMINATION OF COLONEL WILLIAM B. REILLY AS MEMBER OF THE ARMORY BOARD OF THE STATE OF PENNSYLVANIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the authority and power vested in me as Governer of the Commonwealth, I do hereby recall my nomination made to pour Honorable Body under date of May 11, 1936, for the appointment of Colonel William B. Reilly, 206 South 13th Street, Philadelphia, Philadelphia County, as a member of the Armory Board of the State of Pennsylvania, vice Major General William G. Price, Jr., of Chester, resigned.

I respectfully request the return to me of the official message of nomination in the premises.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

ALDERMAN

Charles D. Trautman, of Lebanon, Lebanon County, as Alderman in the First Ward of the City of Lebanon, Lebanon County, until the first Monday in January, 1938.

JUSTICES OF THE PEACE

Frank Babnis, of Mercer, Mercer County, as Justice of the Peace in the Township of Jefferson, Mercer County, until the first Monday in January, 1938.

Voss D. Theakston, of North Bellevernon, Westmoreland County, as Justice of the Peace in the Borough of North Bellevernon, Westmoreland County, vice Samuel M. McKean, deceased, until the first Monday in January, 1938.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Mrs. Louise Hague, of Fox Chapel, Allegheny County, as Justice of the Peace in the Borough of Fox Chapel, Allegheny County, until the first Monday in January, 1938.

H. B. Hege, of Mercersburg, Franklin County, as Justice of the Peace in the Borough of Mercersburg, Franklin County, vice Miss Gertrude E. Myers, resigned, until the first Monday in January, 1938.

GEORGE H. EARLE.

MEMBERS OF THE BOARD OF TRUSTEES OF THE SHIPPENSBURG STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Caleb S. Brinton, of Carlisle, Cumberland County, for appointment as a member of the Board of Trustees of the Shippensburg State Teachers College, vice Mrs. Sylvia A. Moomy, of Carlisle, whose term expired, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

H. B. Hege, of Mercersburg, Franklin County, for appointment as a member of the Board of Trustees of the Shippensburg State Teachers College, vice Dr. I. G. Stewart, of Dry Run, deceased, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Catherene J. Monahan, 904 Phineas St., Pittsburgh.

BUTLER COUNTY

Leo S. Duffy, Butler.

CAMBRIA COUNTY

Miss Margaret E. Oldham, Johnstown.

CLARION COUNTY

Miss Laura E. Byers, Clarion.

CLEARFIELD COUNTY

L. N. Rougeux, Clearfield.

COLUMBIA COUNTY

Mrs. Jeannette Feldman, Bloomsburg.

LANCASTER COUNTY

Miss Gertrude Pothke, Mount Joy.

LUZERNE COUNTY

J. Albert Spare, Hazleton.

PHILADELPHIA COUNTY

James J. Gallagher, 5938 Roosevelt Blvd., Philadelphia.
Mrs. Florence Haldeman, 4644 N. Broad St., Philadelphia.
Lehighton G.Lindes, 619 N Broad St., Philadelphia.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

R. G. DeFilippo, 6324 Hamilton Av., Pittsburgh.
Frank X. Weis, 503 Peoples East End Bldg., Pittsburgh.

MIFFLIN COUNTY

Cloyd E. Harman, Belleville.

PHILADELPHIA COUNTY

Wm. J. Erwin, Jr., 5200 Market St., Philadelphia.

SCHUYLKILL COUNTY

Miss Mary L. Young, Port Carbon.

GEORGE H. EARLE.

QUESTION OF PERSONAL PRIVILEGE

Mr. BENNETT. Mr. President, I rise to the question of personal privilege.

The PRESIDENT. The Senator from Indiana, Mr. Bennett, will state his question of personal privilege.

Mr. BENNETT. Mr. President and members of the Senate, I presume you all know that during the past week the new Board of Trustees of the State Teachers College of Indiana dismissed our President, Dr. Foster. Before this meeting Dr. Foster accused me of playing politics. After the meeting Dr. Foster insinuated, in an address, that I attempted to inject politics into the State Teachers College. I desire at this time for your information to read a letter that I sent to Dr. Foster:

June 1, 1936

Dr. Charles R. Foster,
President
State Teachers College
Indiana, Pennsylvania

Dear Doctor Foster:

Recently I noticed in the public press, a statement attributed to you that a Republican Senator three years ago attempted to play politics with the State Teachers College.

Ordinarily it has been my policy not to answer charges falsely made for obvious personal or political gain. Such charges are to be expected during campaigns but coming as this does at this time in connection with the administration of the office to which the people entrusted me, I feel that I must state the facts so that the public may be fully informed and thus determine whether or not I, at any time, endeavored to play politics with the Indiana State Teachers College.

You will recall that my visits to the college, or contacts with you, have been comparatively few during the term of my incumbency as State Senator. These visits and contacts concerned primarily the interest of the institution and the taxpayer, and in them I sought the removal from office in the school of only one non-instructional employee.

The reason for this activity by me is no doubt just as fresh in your memory as in mine. This man, as afficial investigation subsequently developed and caused his removal as steward, was found not to be administering his office properly.

C. Gilbert Wolfenden, the present Republican nominee for State Senator, representing the Buchanan Wholesale Grocery House, the Armour Packing Co., other tradesmen and numerous farmers had complained to me that they did not have equal opportunity in bidding on the supplying of food and other commodities for the school.

Accordingly I visited you at the school and placed these facts before you. After an investigation which showed the allegations to have foundation in fact, and the man in question was discharged, I then called upon you again and asked that you appoint as his successor a person who would see to it that local farmers and merchants have the same equal opportunity in bidding. I mentioned no person for this appointment and told you that my purpose only was to see that a fair break was given to everyone. I wanted the farmer who drives into town with his warees as the polished salesman in his working clothes to receive the same consideration.

Developments since that time have found this equal opportunity for all in operation as it should be. Surely this action by me could not be considered politics in any way.

At no time have I asked or even hinted to you that anyone be appointed at the college. My only recommendation as to personnel was a general one that Pennsylvanians be given equal consideration with those from out of the State, especially in view of your remark to me that one-third of the teaching staff had been imported from the Middle West and were registered as Socialists.

My only other visit—and if I am wrong I want you to correct me—was prior to the recent Primary when I like any other candidate, called upon you and asked for your personal support. I felt fully justified in seeking such support by reason of having kept faith with the teachers organization in fighting for adequate appropriations for our educational institutions. You are familiar with my position in endeavoring to keep expenses down to a minimum without lowering scholastic standards.

I feel that this letter generally covers all contacts between the State Teachers College and myself. I regretted that you apparently were moved to take a pot shot at me, injecting my name indirectly into an issue with which I have no connection.

As I said before, I cite these facts so that my friends and neighbors, with whom I shall continue to live as a private citizen, after my term as Senator expires, shall know that I have not played politics with the college or its personnel in any way. If the facts set forth above are termed politics by you, then I am proud that I played such politics.

Yours very truly

EDWARD B. BENNETT.

EBB/M

Mr. CAVALCANTE. Mr. President, I rise to a point of personal privilege.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, in volume 19, page 171 of the Journal of this Senate, there appears a resolution entitled "A Resolution relative to the appointment of a committee to investigate the functioning of the Works Progress Administration in Pennsylvania." When that resolution was on the floor of this Senate, a point of order was raised in the following words: "The resolution is out of order for the reason, first, that it authorizes the appointment of a committee to make a search and investigation into the organization and functions of an agency over which this Senate has no jurisdiction.

"Second, the resolution violates the Executive Proclamation convoking the Special Session.

"And, third, the resolution violates Article 3, Section 25, of the Constitution of this Commonwealth."

Upon that point of order the Chair sustained the first two points. Now it is said that it is wonderful to have the power of a giant, but it is brutal and tyrannical to use that power as a giant. There was an appeal taken from the decision of the Chair by the majority of the Senate, and, having the power that belongs to them, because of numerical strength, they proceeded to overrule

the decision of the Chair, which apparently was sustained by the rules of this Senate and the rules of parliamentary procedure. The President of this Senate was absolutely right in his decision.

The committee appointed under that resolution assumed its duties and started its functioning. It started to subpoena employes of the Works Progress Administration in this Commonwealth. A number of those subpoenaed took issue with the subpoenas served upon them, and took the stand that the President of this Senate had taken, that this Senate had no right to investigate the Works Progress Administration.

The Committee appointed under that resolution, in the discharge of its functions, went into the Courts of Philadelphia and asked for a rule citing the witnesses subpoeonaed to show cause why they should not be held in contempt for refusing to answer their subpoenas. That rule came before the Courts of this Commonwealth, and today I am informed that the Courts of Philadelphia, speaking through Judge McDevitt, have rendered a decision on that rule; and in his decision, or, in the hearing upon that rule, Judge McDevitt stated, "I don't believe you have any right to investigate. You might just as well go down to the Navy Yard and investigate the money for a battleship." And just as this Chair upheld the point of order raised on the floor of this Senate, the Court dismissed the rule and held that the Committee had no right to investigate the Works Progress Administration.

And so, Mr. President, it is a great pleasure for me tonight to place that statement on the Journal of this Senate, so as to apprize the President that he is now vindicated in his decision on that point of order.

REPORT FROM COMMITTEE

Mr. HOWELL. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on County Government re-reported as amended, Senate Bill No. 47 (House Bill No. 1) entitled:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE RESOLUTION No. 14, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists upon its non-concurrence in the amendments made by the Senate to House Resolution No. 14.

And has appointed Messrs. Andrews, Burke and Horst as a Committee of Conference to confer with a similiar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two Houses in relation to said resolution.

MOTION TO APPOINT COMMITTEE OF CONFERENCE

Mr. HARRIS. Mr. President, I move that the Senate insist upon its amendments to House Resolution No. 14, and that a Committee of Conference be appointed to confer with a similar committee of the House (already appointed) to consider the differences, existing between the two Houses in relation to said bill.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Bean, Buckman, and Reed (Washington) be said committee on the part of the Senate and that the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 3

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 3, entitled:

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class; providing for the collection of such taxes by the county treasurers; and providing for their compensation.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 17

He also precented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 17, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. SHAPIRO. Mr. President, will the Senator from Delaware, Mr. McClure, state whether or not there is now in the possession of the Committee on Finance, for action, a proposed increase in the capital net income tax, a proposed increase in the liquor tax, and a proposed increase on the personal property tax?

Mr. McCLURE. Mr. President, I believe the Senator from Philadelphia, Mr. Shapiro, is correct.

Mr. SHAPIRO. Mr. President, will the Senator from Delaware, Mr. McClure, state whether he knows the total amounts of money that would probably be raised by virtue of the passage of those bills?

Mr. McCLURE. Mr. President. I believe I remember the three taxes mentioned. The Liquor Tax was estimated at $7,500,000.00; the Corporate Net Income Tax was estimated at $10,150,000.00; and there are three tax bills, introduced by Representative Harkins, included in the personal property increase, estimated to provide $40,000,000.00.

Mr. SHAPIRO. Mr. President, will the Senator from Delaware, Mr. McClure, as Chairman of the Committee on Finance, state if it is not a fact that even if all three bills were passed the only funds available for relief during the next six months are $7,500,000.00, which would come from the Liquor Tax in monthly payments or as the sales are made?

Mr. McCLURE. Mr. President, the Senator from Philadelphia is correct.

Mr. SHAPIRO. Mr. President, will the Senator from Delaware, Mr. McClure, further state, as Chairman of the Committee on Finance, whether he is prepared to state whether his Committee has made any provision, even if the sum necessary for relief is agreed upon, how these sums will be raised—whether $40,000,000.00 or otherwise?

Mr. McCLURE. Mr. President, permit me to read, from The Philadelphia Inquirer of this morning, a statement given by Governor Earle.—I quote: "Since we will require immediate taxes to carry out the relief program, it will be necessary, therefore, for the Commonwealth to resort to the sale of Tax Anticipation Notes, as was done during the past year."

Mr. SHAPIRO. Mr. President, the Senator from Delaware, Mr. McClure, I suppose, is familiar with the case of Kelly vs. Kalodner, which is reported in 319 Pa., and which raised the question of the validity of the Tax Anticipation Notes.

Mr. McCLURE. Mr. President, I am not familiar with the case in court.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, it is obvious now to those of us who are interested in the question of relief that there are no tax bills other than the tax on liquor which will raise $7,500,000, and the possible, suggested, gasoline tax, which will raise $12,000,000, from which funds are available for immediate use for relief. It is true that this money can be raised by Tax Anticipation Notes.

I am making these statements because there has just been appointed a Conference Committee to deal with the subject of relief, which, up until now, has been a piecemeal proposition; and I want to call particular attention, of these gentlemen, to the fact, particularly to those facts which are brought out by the decision to which I have referred. Anyone who examines that decision will find that the Court stated specifically that in order to take advantage of the law which permits the anticipation of taxes, provision must be made to repay those taxes within the biennium.

There is now approximately eleven months left in this biennium, or, probably ten. There will be necessary either forty-five million or fifty-five million or seventy millions of dollars. There will not be available any cash other than the seven and a half million dollars and the twelve million, if such a gasoline tax should be passed. Obviously there will be some thirty-five to forty-five millions of dollars necessary to be raised.

The experience of the government in raising Tax Anticipation Notes last year was that not only would the lenders not put up all of the money necessary but they required additional security, other than the taxes which were passed by this legislative body last year.

Obviously some method will have to be adopted, and adopted quickly, to pass these bills, so that they can be paid within the biennium; and I have heard, and listened, to a great deal of discussion about relief, and investigations before relief is granted, but I should like to ask the question: What Price Investigation?

I am not interested in personalities, and I am not interested in persons in this Senate, but I am interested in the many persons who are awaiting some help from relief; and I want to point out to this Senate, and particularly to this Committee who are going to confer, that the investigation has cost, so far, at least $600,000 to the State of Pennsylvania, and has taken $600,000 -to be exact, $625,000- from the relief funds available this year, because the 10% tax on liquor, which I understand is almost a unanimous agreement upon, is paid as the liquor is sold.

The month of May has already passed. If this tax had been passed, and if the estimates are correct, there would have been available for distribution amongst those who need, $625,000 from the Liquor Tax; and every week and every day that we continue to investigate, and fiddle away the time of the Commonwealth, costs us $625,000 per month.

It is well that these people who are going to confer should make up their minds that, irrespective of what the decision of this Conference Committee shall be, the piecemeal method, and the investigation of matters which are not germane to the question, should be abandoned and we should get down to business,—because we are chargeable with this loss.

If there had been a gasoline tax,—and I am not speaking in favor of it or against it—but if gasoline and liquor taxes had been passed, these cash tax receipts would have meant so many dollars each day, and would have meant the ability to avoid the necessity of transferring funds.

I want to point out that in the last Session we passed taxes to take care of $30,843,000 of borrowed, transferred funds. Those were funds that were borrowed in 1933 and 1935 for relief. In 1935 we transferred $10,000,000 more, while we fiddled away the time of the Commonwealth in trying to get a position, political or otherwise, on the relief question; and when we began, in 1935, to pay out moneys, we were obliged to repay $25,000,000 to these special funds. These special funds have not yet been repaid,—$16,000,000 only has been paid, and there still remains $7,000,000 for further payment.

In addition to that, this Session we have already appropriated some $3,650,000, transferred from special funds; and last week the difference of $2,000,000 between the amount in the original bill—resolution, rather—and that which was granted by this Senate, arose only from the fact that it would be necessary to take $2,000,000 from the Liquid Fuels Tax, and there was great objection, and great consternation, when it was discovered that the taking of the $2,000,000 from the Liquid Fuels Tax would prevent the various counties from acquiring the money to carry on their business.

Now, it is obvious to any sane-thinking and honest member of this Senate to realize that these investigations

get us nowhere, and that they are costly, exceedingly costly. This Session will cost some three hundred and sixty-five some odd thousand dollars, and there must be added to that the six hundred thousand dollars which has been wasted by the dilly-dallying and foolishness of this Senate in not getting down to business; and I, as a member of this Senate, want to protest against this, and to urge my friends in the Senate—and I hope they are all my friends; and I say I have a respect and admiration for them as individuals, but in a caucus they take on a different atmosphere, they lose that personal feeling which everyone should have in dealing with a subject of this kind, and they no longer act as human beings but act as members of an organization,—I mean, not as people but as members of a Party; and I say there is no Party interest in the question of relief, at a time as important as this, and the time is coming when anyone who has any feeling of responsibility, and for the position they hold here, should set aside politics and get down to business, and stop bothering about whether we should raise $4,000,000 or $6,000,000 for June, and set forth a program —I don't care what it is.

The only figures about which we can take issue are the figures of the total amount which has been estimated, $70,000,000. Now, with the possible drop in unemployment and the increase in employment, it may be possible to reduce the total to $65,000,000. Let these members of the Senate who say that it too high produce facts and figures, and I assure you, that I, for one, will go along immediately on any facts and figures that are justified by reason and supported by a program, sensible and fair, that will bring about relief, and the money necessary for it.

Mr. McCLURE. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, certainly.

Mr. McCLURE. Mr. President, will the Senator from Philadelphia, Mr. Shapiro, tell me the date that the Liquor Tax was reported on the floor of the Senate?

Mr. SHAPIRO. Mr. President, I imagine that is within the records. That is Senate Bill No. 29,—I am looking through the History of Senate Bills,—I find that it was referred to the Committee on Finance, May 19th.

Mr. McCLURE. Mr. President, that was two weeks ago.

Mr. SHAPIRO. Mr. President, to be exact, it was thirteen days ago.

Mr. McCLURE. Mr. President, the Senator stated that the State of Pennsylvania has lost $625,000 by our failure to pass this tax.

Mr. SHAPIRO. Mr. President, well, I am assuming, going on at the rate we are now, it will be a month before you get it through. But suppose it is $450,000.

Mr. McCLURE. Mr. President, we will not assume it is $450,000, because it is not $450,000.

Mr. SHAPIRO. Mr. President, figures do not lie; twenty-three days at $20,000 a day, is $460,000.

Mr. McCLURE. Mr. President, the Senator from Philadelphia, Mr. Shapiro, stated that the income for month is $645,000.

Mr. SHAPIRO. Mr. President, that is correct.

Mr. McCLURE. Mr. President, that is approximately correct?

Mr. SHAPIRO. Mr. President, yes sir, that is exactly correct; and $625,000 times twelve is $7,500,000. That is the amount supposed to be realized from the Liquor Tax.

Mr. McCLURE. Mr. President, no such amount as $625,000 has yet been lost to the State of Pennsylvania by the failure to pass this tax. Is that correct?

Mr. SHAPIRO. Mr. President, that is correct,—the amount is $460,000; but that does not make any difference.

Mr. McCLURE. Mr. President, is the Senator from Philadelphia informed that since three o'clock this afternoon the Committee on Finance—not all the Committee but a group of members sufficient to report the bill from Committee—decided to report that bill this week?

Mr. SHAPIRO. Mr. President, not being in the confidence of the Republican organization, I have not been so informed.

Mr. McCLURE. Mr. President, the Senator from Philadelphia, Mr. Shapiro, also made some mention of a gasoline tax. Does the Senator realize that that tax is not before the Senate?

Mr. SHAPIRO. Mr. President, I so stated in my discussion; but I compared it with some other tax which would produce immediate cash.

I should also like to further answer the Senator from Delaware, Mr. McClure, by saying I have no confidence in the action, and no reliance—and nobody else has the right to have reliance in the action of a group of members of a committee because we have had that very situation before us when another committee had before it the relief resolution and a group of members of that committee said here, on the Senate floor, that $4,000,000 was only intended as far as it would go in June, but the general committee has not yet given its sanction to that, although the House last week seriously tried to get them to give their approval of that statement of the group. I should like to see the bill reported out, because then I know we would be saving $20,000 every day that we are losing now.

Mr. HARRIS. Mr. President, a few moments ago I made a motion that a Conference Committee be appointed to take up the much discussed differences between this body and the members of the House on the resolution that came out of Comimttee last Tuesday morning. In examining the record I find only thirty members present, a constitutional quorum. I believe it is highly important that the other members who were absent during this important discussion be given the information as to what happened. I know the Legislative Journal has just been printed and it is impossible during these busy times for all the members to read it. I speak on this subject because both the Republican and Democratic parties have been accused of causing the delay in relief, I contend that the members of the Senate, both of the Republican and Democratic parties, are blameless. The resolution came from the House asking for $6,800,000.00. In the Committee on Appropriations, which is now meeting with a great deal of frequency, there was a reduction made of $2,000,000.00, sending the resolution to the floor for $4,800,000.00; and, after considerable discussion, the records will show that every member of this body who was present, both Republicans and Democrats, voted for this resolution; one member refusing to vote—voted "present."

Let us read just what happened, or perhaps I can explain more briefly the discussion that took place. It was said here very definitely and plainly that the $4,800,000.00 to provide for relief for the month of June could be used for immediate relief. And as this resolution had passed the Senate, and had it been concurred in by the House, this breakdown in relief would not have happened. I will read briefly from the Journal what I said: in the conclusion of my remarks: "Mr. President, I just want to state, so that no one will have any excuse for voting against this resolution, I want to repeat what I have said before, that we are not fixing the amount definitely for relief in June." We are providing $4,800,000 for relief as long in June as Dr. DeSchwentz decides.

The point is this, that if this $4,800,000.00 were appropriated, it was definitely understood, at least I made myself clear on this subject, in saying that when this money was exhausted in June, that Dr. deSchweinitz could then make another request for an amount, in the event that he needed it; but the point I want to make clear is that every member of this body who was present agreed, both Democrats and Republicans. and in fairness to both sides, if the House had concurred there would have been no breakdown and you would have $4,800,000.00 for use this very day, and there would not have been a breakdown. I say this in justice to the Democratic members of the Senate and to the Republican members of the Senate.

Mr. CAVALCANTE. Mr. President, I rise to the point of personal privilege.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his point of personal privilege.

Mr. CAVALCANTE. Mr. President, lest there be any misunderstanding on the resolution concerning which the gentleman from Allegheny spoke, if he will turn to volume 19 of the Journal of this Senate, of Tuesday, May 26th, on page 311, he will readily see that the Chairman of the Appropriation Committee does not entertain the same idea that the Senator from Allegheny, Mr. Harris, does. The Chairman of the Committee on Appropriations that presented the bill was asked the question by the Senator from Philadelphia, Mr. Shapiro, as to whether this $4,800,000.00 was on account of the June relief, the Chairman of the Committee on Appropriations replied:

"Mr. President, the Senator from Philadelphia, Mr. Shapiro, has a right to assume anything he pleases. Having heard and participated in the argument, his judgment would be just as good as mine as to what was the idea of the members of the Committee. Some of the members of the Committee felt that perhaps $4,500,000.00 was enough, some other members on the Committee perhaps felt that much less would tide the Administrator of Relief over for the present. The Senator from Philadelphia certainly knows as much about it as any other member of the Committee. He knows what was in his own mind."

Mr. President and that same record shows that the resolution was read twice for the purpose of ascertaining whether or not that resolution, in its wording, complied with the statement made by the Senator from Allegheny, Mr. Harris, and when the resolution was re-read, the wording of the resolution was not consistent with the statement made by the Senator from Allegheny, but the resolution definitely fixed the amount of $4,800,000.00 as the total for the month of June, 1936.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the Houose of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 36 (Senate Bill No. 62, entitled:

An Act imposing a State emergency tax, payable by those herein defined as distributors, on fuel oil used or sold and delivered within the Commonwealth; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to give security, to file reports, and to retain certain records, imposing duties on retail dealers common carriers, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposihg duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation.

Which was committed to the Committee on Finance.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported as committed, the following nominations, presented to the Senate by His Excellency, the Governor of the Commonwealth on May 4, 1936 and May 11, 1936, with the recommendation that the Chief Clerk be directed to return them to the Governor in conformity with his communication of June 1, 1936.

C. A. Schoch, Huntingdon, as a member of the Board of Trustees of the Pennsylvania Industrial School, whose nomination was sent to the Senate on May 4, 1936.

Colonel William B. REILLY, 206 South 13th Street, Philadelphia, as a member of the Armory Board of the State of Pennsylvania, vice Maj. Gen. William G. Price, Jr., of Chester, resigned, whose nomination was sent to the Senate on May 11, 1936.

Mr. COYNE. Mr. President, I move that the nominations just reported from committee be returned to His Excellency, the Governor of the Commonwealth, as requested.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The President. Is there objections? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

R. G. DeFilippo, 6324 Hamilton Ave., Pittsburgh.
Frank X. Weis, 503 Peoples East End Bldg., Pittsburgh.

MIFFLIN COUNTY

Cloyd E. Harman, Belleville.

PHILADELPHIA COUNTY

Wm. J. Erwin, Jr., 5200 Market St., Philadelphia.

SCHUYLKILL COUNTY

Miss Mary L. Young, Port Carbon.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Helene A. Soergel, Perrysville.

BEAVER COUNTY

Joseph C. Sela, Midland.

GREENE COUNTY

Miss Dorina A. Brichetti, Clarksville.

LAWRENCE COUNTY

Walter P. Simpson, Ellwood City.

LYCOMING COUNTY

Ernest J. Cruse, Picture Rocks.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Thomas M. Constantin, 5847 Forbes St., Pittsburgh.

BERKS COUNTY

J. K. Brintzenhoff, Reading.
Miss Kathryn M. Rhoda, Reading.

BLAIR COUNTY

Miss M. Elizabeth Keagy, Altoona.

MERCER COUNTY

Alvin R. Isenberg, Sharon.
Mrs. Susan N. Scheu, Greenville.

SCHUYLKILL COUNTY

Levi F. McDonough, Pine Grove.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Ella M. Ryan, Wilkinsburg.

CLEARFIELD COUNTY

William C. Nelson, Clearfield.

LAWRENCE COUNTY

Miss H. M. McCracken, New Castle.

PHILADELPHIA COUNTY

Charles G. Shubin, 2954 N. 22nd Street, Philadelphia.

WASHINGTON COUNTY

Mrs. Margie Rossini, Charleroi.
Mrs. Ruthe I. Vickers, Finleyville.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Rose M. Baker, 133 S. 19th St., S. S., Pittsburgh.
Anthony J. DeChesaro, 522 Larimer Ave., Pittsburgh.
Miss Lillian B. King, 1706 Law and Finance Bldg., Pittsburgh.
Miss Rachel E. Pannabaker, Crafton.

BERKS COUNTY

J. Walter Miller, Laureldale.

DAUPHIN COUNTY

Miss Kathryn M. Quickel, Middletown.

MONROE COUNTY

Mrs. Hazel B. Lauffer, Stroudsburg.

NORTHAMPTON COUNTY

Miss Miriam I. Brown, Easton.
Alfred A. McCabe, Easton.

PHILADELPHIA COUNTY

Dean Willis Liscom, 5200 Grays Ave., Philadelphia.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 26, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

James Crouse, Perrysville.

CHESTER COUNTY

Miss M. Lillian Donovan, West Chester.

ERIE COUNTY

Mrs. Pearle C. Kepner, North East.

LUZERNE COUNTY

Edmund P. Grimes, Wilkes-Barre.

PHILADELPHIA COUNTY

Allen M. Rosenblum, 1211 Chestnut St., Philadelphia.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38 which requires nominations made by the Governor to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken gareeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Aron,	Harris,	Owlett,	Ruth,
Batchelor,	Harvey,	Pierson,	Salus,
Baumer,	Homsher,	Prince,	Scott,
Bean,	Howell,	Pytko,	Shapiro,
Bennett,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Sordoni,
Cavalcante,	Lanius,	(Dauphin)	Staudenmeier,
Chapman,	Law,	Reed,	Thompson,
Coyne,	Mallery,	(Washington)	(Westmoreland)
Ealy,	McClure,	Rice,	Trainer,
Frey,	McCreesh,	Roberts,	Woodward,
Gelder,	McGinnis,	Rodgers,	Ziesenheim,
Graff,	Miller,	Rupp,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed according.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair is informed that the Committee of Conference representing the Senate and House are now deliberating, and their report, if agreed upon before the night is over, will be available for the session in the morning.

ERRATUM

Page 307, column 2, strike out line 59, 60 and 61, inclusive,

Page 308, column 1, strike out lines 1 to 73, inclusive, and insert in lieu thereof the following:

In the House of Representatives, May 25, 1936.

Whereas It is estimated that approximately eight hundred forty-five thousand dollars ($845,000.00) of moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes will be lapsed into the General Fund on May thirty-first one thousand nine hundred thirty-six and

Whereas The sum of six million eighty-six thousand two hundred eleven dollars $6,086,211.00) in addition to the aforesaid eight hundred forty-five thousand dollars (845,000.00) will be necessary for unemployment relief purposes for the month of June one thousand nine hundred thirty-six and

Whereas There is an immediate need for the raising of this amount for the use of the General Fund by transfers of moneys from the Motor License Fund and The State Stores Fund therefore be it

Resolved (if the Senate concur) That the General Assembly hereby authorizes the Governor and the Fiscal Officers of the Commonwealth to transfer to the General Fund the sum of two million five hundred thousand dollars ($2,500,000.00) from the State Stores Fund and the sum of one million five hundred eighty-six thousand two hundred eleven dollars ($1,586,211.00) from the Motor License Fund and the sum of two million dollars ($2,000,000.00) from the Liquid Fuels Tax Fund and hereby makes available to the State Emergency Relief Board the aggregate sum of six million eighty-six thousand two hundred eleven dollars ($6,086,211.00) for unemployment relief purposes and

Resolved That any moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes that remain unobligated and enexpended on May thirty-first one thousand nine hundred thirty-six are hereby made available to the State Emergency Relief Board for unemployment relief purposes on and after May thirty-first one thousand nine hundred thirty-six and

Resolved That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers by this resolution (2) appropriating or reappropriating as the case may be to the State Emergency Relief Board for unemployment relief purposes the sum of six million eighty-six thousand two hundred eleven dollars ($6,086,211.00) and any moneys heretofore appropriated for unemployment relief that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Motor License Fund and the Liquid Fuels Tax Fund

ADJOURNMENT

Mr. HOWELL. Mr. President, I move that the Senate do now adjourn until tomorrow at 12 o'clock noon.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:52 P. M. until tomorrow, June 2nd, at 12 o'clock noon.

HOUSE OF REPRESENTATIVES

MONDAY, June 1, 1936.

The House met at 9.00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend FRANK W. RUTH, a Senator from Berks County offered the following prayer:

Most gracious Father, in whom dwelleth all fullness of life and wisdom, enlighten our minds, we beseech Thee

by Thy Holy Spirit in the true understanding of Thy word and will. Give us grace to follow Thy will with all reverence and humility. May it lead us to put our whole trust in Thee only, and so to serve and honor Thee that in all our lives we may glorify Thy Holy Name and be profitable to our Fellowmen. Inasmuch as it has pleased Thee to remember us as Thy servants and children, grant that we may render unto Thee all love and obedience that we owe Thee as children to their Father and servants to their Lord. We ask all for the sake of Jesus Christ, our only Saviour. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, May 27, 1936.

The Clerk proceeded to read the Journal of Wednesday, May 27, 1936, when, on motion of Mr. BRUMBAUGH the further reading was dispensed with and the Journal approved.

RESOLUTION INTRODUCED AND REFERRED

By Mr. BURKE and Miss BRANCATO. Resolution No. 19.

In the House of Representatives, May 27th, 1936.

Whereas, An investigation is being conducted by a sub-committee of the House of Representatives of the Congress of the United States into the activities of mortgage companies, mortgage guaranty companies and bond holders' committees thereof, said committee being commonly known as the Sabbath Investigating Committee; and

Whereas. Said investigating committee was in the pursuance of its duties in session in Philadelphia during the week of May 18, 1936; and

Whereas, Evidence before the said committee revealed that in the operation of a gigantic receivership of certain mortgage guaranty companies great loss was occasioned to bondholders; and

Whereas, The activities of the said receivership may continue to result in loss to the citizens of the Commonwealth; therefore be it

Resolved, That the House of Representatves of the Commonwealth of Pennsylvania respectfully request the Governor of the Commonwealth, Honorable George H. Earle, to direct the Attorney General of the Commonwealth, Honorable Charles A. Margiotti, to intervene in the investigations of this sub-committee of the House of Representatives of the Congress of the United States for the protection of the property of the citizens of the Commonwealth and for the prevention of further illegal practices by those in charge of said receiverships;

Resolved, That a copy of this resolution be transmitted to the Governor by the Chief Clerk of this House.

Referred to the Committee on Rules.

COMMUNICATIONS AND PETITIONS

DECENTRALIZATION OF RELIEF.

A resolution from the Tioga County Commissioners favoring decentralization of relief.

Referred to the Committee on Appropriations.

TAXES.

A resolution from the Legislative Committee of the Pomona Grange, Jefferson County, protesting increase of motor license fees and additional tax on gasoline (House Bills Nos. 20 and 13).

A communication from Union Grange 609, Jefferson County protesting increase of motor license fees and additional tax on gasoline (House Bills Nos. 20 and 13), and decrease in government expenditures.

LOTTERIES.

A communication from the Eastern Synod of the Evangelical and Reformed Church protesting passage of lottery legislation.

FIREMEN'S RELIEF FUND.

A communication from the Western Pennsylvania Firemen's Association protesting diversion of firemen's relief funds.

BEER LAWS.

A petition from citizens of the Seventh Ward, Philadelphia protesting amendment of Beer Laws.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

REPORTS FROM COMMITTEES

Mr. ROBINSON, from the Committee on Game, reported as amended, House Bill No. 83, entitled:

An Act relating to the keeping of animals wild by nature, in captivity upon any street or highway, or upon land adjoining any street or highway, or in the vicinity of any commercial establishment for the evident purpose of attracting trade; preventing cruel, improper and inhuman treatment of such animals and protecting the public from injuries thereby; providing for the granting of permits for roadside menageries, as herein defined; conferring powers and imposing duties on the Board of Game Commissioners; and prescribing penalties.

Mr. SINWELL, from the Committee on Rules, reported as committed, House Resolution No. 15.

HON. J. H. MYERS INTRODUCED.

Mr. SURFACE. Mr. Speaker, we are honored to-night by the presence in this House of the Honorable J. H. Myers, ex-Speaker of the House of Representatives of the State of Kansas. I move you that Mr. Myers be given the privilege of the House if possible, and be invited to occupy the Chair and to wield the gavel.

The SPEAKER. The Chair will appoint the gentleman from Snyder, Mr. Surface, and the gentleman from Lancaster, Mr. Downey, to escort ex-Speaker Myers of Kansas to the rostrum.

Hon. JOHN H. MYERS escorted to the rostrum.

The SPEAKER. The Chair has the honor and privilege of presenting to this House a former Speaker from another State of this Union, Hon. J. H. Myers, former Speaker of the House of Representatives of the State of Kansas.

ADDRESS BY HON. J. H. MYERS

Mr. MYERS. Members of the House, ladies and gentlemen, it is certainly a pleasure to be here to-night to see how the Representatives of the people of Pennsylvania perform while the House is in session. I do not suppose it will be very much different from the House in Kansas, although you know the State of Kansas does some radical things, and they probably get pretty wild sometimes.

My two years in Pennsylvania have taught me to know that your problems are a good deal the same as those of other States. You are gathered here to gather taxes

without taxing anybody. If you can get that done you are a wonderful House. We had quite a time in our State in getting a Constitutional Amendment passed for an income tax, but we finally got the job done, and for the last four years we have had an income tax.

I think that one of the greatest things today is a uniform system of taxation by all the States. I do not suppose you are so bothered with your taxes, but in our State whenever we want to put a tax on this or that, they say they will leave the State of Kansas, but if we had a uniform system of taxation there wouldn't be any place for them to go. You know that Kansas is a great State. A man who wouldn't talk for his own State wouldn't be a very good citizen. The people can get along there without anything for three or four years, and then they get a good year and they get along pretty good.

They never quit. A few years ago, you know we had hopes to elect a president of the United States, but we had to be satisfied with second place, but you will find in the future that they will still be bobbing up to get that done. Thank you very much.

The SPEAKER. In view of the remarks of former Speaker Myers of the House of Representatives of Kansas I believe it behooves the members tonight to be on their good behaviour.

The Chair wishes to thank former Speaker Myers of Kansas on behalf of the House of Represntatives.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 3.

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class providing for the collection of such taxes by the county treasurers and providing for their compensation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, lines 4 and 5, by striking out the words "providing for their compensation" and inserting in lieu thereof the following: "deputies and the payment of compensation and expenses therefor transferring employes from the office of the delinquent tax collector to the county treasurer's office and making said employes eligible to join and granting them certain credits upon joining the county retirement system"

Amend section 1, page 1, line 13, by inserting after the word "compensation" the following: "and provided further that"; also on page 2, at the beginning of line 1, by striking out the word "None" and inserting "none"; also same line by inserting after the word "the" and before the word "penalties" the words "interest or"; also at the end of line 7, by inserting after the word "county" the following: "unless abated by other legislation heretofore or hereafter enacted."

Amend section 2, page 2, by striking out all of lines 8 to 10 inclusive and inserting in lieu thereof the following new sections:

"Section 2 The county treasurer in counties of the second class shall collect all delinquent county taxes interest and penalties and shall have all powers of delinquent tax collectors in counties of such class under the provisions of existing laws and for such purpose the county treasurers in counties of the second class may appoint deputies assistants and clerks whose positions shall be established and the compensation therefor fixed by the salary board of the county but the county treasurer shall receive no additional compensation for the collection of delinquent taxes

"Section 3 The county commissioners in counties of the second class shall at the cost of the county provide for and pay the compensation of such deputies assistants and clerks appointed by the county treasurer for the collection of delinquent taxes as hereinabove provided and shall also furnish the county treasurer at the cost of the county with office space office furniture equipment supplies books of record stationery postage and pay all other necessary expense in connection with the collection of such delinquent county taxes

"Section 4 All deputies assistants clerks and employes employed in the office of the collector of delinquent county taxes at the time this act becomes effective shall be transferred to and become employes of the county treasurer's office All such deputies assistants clerks and employes shall become eligible to membership in the retirement system established for county employes and shall be entitled to receive credit in the retirement system as county employes for all years of service in the office of the collector of delinquent taxes upon payment into the retirement fund of a sum equal to the amount such persons would have paid into such fund if they had joined the retirement system at the time the same was established if then employed in the office of the delinquent tax collector or if employed first at a later date then a sum equal to the amount such persons would have paid into such fund from the time they were first so employed"

Amend page 2, line 11, by striking out after the word "Section" the numeral "3" and inserting in lieu thereof the numeral "5"; also same page, line 14, by striking out after the word "Section" the numeral "4" and inserting in lieu thereof the numeral "6."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. O'KEEFE. Mr. Speaker, I ask that the House concur in the amendments.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Eberharter,	Mason,	Shaw,
Alexander,	Eroe,	McCreary,	Shepard,
Allen,	Falkenstein,	McDermott,	Shortz,
Altenburg,	Perko,	McDevitt,	Shreiner,
Andrews,	Finnerty,	McElroy,	Shugarts,
Anthony,	Fitch,	McHenry,	Siegel,
Arnold,	Flanagan,	McKinney,	Simon,
Atkins,	Flinchbaugh,	Melchiorre,	Simpson,
Aukerman,	Flynn,	Mentzer,	Sinwell,
Baine,	Forrest,	Merrell,	Sloan,
Baker, F. T.,	Gates,	Moomaw,	Smith, J. A.,
Baker, J. J.,	Gerard,	Mooney,	Smith, W. G.,
Baldi,	Gillette,	Moore,	Snyder, F. E.,
Barber,	Greenstein,	Moran,	Snyder, J. L.,
Barnhardt,	Habbyshaw,	Moul,	Sowers,
Beadman,	Haberlen,	Muir,	Sproul,
Bernhard,	Hagerty,	Munley,	Stank,
Blumberg,	Haluska,	Murrin,	Stevens,
Boose,	Hamilton, F. P.,	Nagel,	Stewart,
Boyd, E.,	Hamilton, R. S.,	Nothnagle,	Stockham,
Boyer,	Harkins,	O'Keefe,	Stone,
Bradley,	Harmuth,	Ominsky,	Stott,
Brancato,	Hartman,	O'Neill,	Sumney,
Brennan,	Hefferon,	Panton,	Surface,
Brown, H. S.,	Hermansen,	Parks,	Sweeney,
Brown, J. E.,	Hetrick,	Patterson, C.,	Tahl,
Brownfield,	Hindman,	Patterson, J. W.,	Terry,
Brumbaugh,	Hirsch,	Pearson,	Tronzo,

Burke,	Hoffner,	Perry,	Trout,
Cannon,	Holland,	Peters,	Tumelty,
Caputo,	Holstrom,	Pfaff,	Turner,
Carr,	Hoopes,	Phillips,	Van Allsburg,
Carson,	Horst,	Piole,	VanSickle,
Castor,	Jackson,	Powers,	Wall,
Chervenak,	Jones,	Reising,	Wasserman,
Coakley,	Kane,	Reynolds,	Weidemann,
Cochran,	Kelder,	Rhys,	Weiss,
Cohen,	Kelso,	Rinn,	Welliver,
Coleman,	Kenney,	Roan,	Welsh,
Condon,	Kilroy,	Robinson,	Westrick,
Coolahan,	Kinney,	Rooney,	White,
Cooper,	Klingler,	Root,	Wickersham,
Cordier,	Kobelak,	Royer,	Winner,
Davies,	LaRue,	Ruffennach,	Witkin,
Decker,	Linderman,	Sarraf,	Wood,
Dent,	Long,	Scanlon,	Woodside,
Diehl,	Longaker,	Schaeffer,	Yeakel,
Dilley,	Lovett,	Schrock,	Yourishin,
Downey, G. E.,	Lynch,	Schrope,	Zappala,
Downey, J. J.,	Male,	Schwab,	Zimmerman,
Duffort,	Mallen,	Serrill,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 17.

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, by inserting after the word "Departments" in line 6, the following: "and ratifying confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act."

Amend section 1, page 1, line 4, by striking out the words and numerals "eleven million dollars ($11,000,000)" and inserting in lieu thereof the words and numerals "three million six hundred and thirty thousand dollars $3,630,000)", also in line 7, by inserting after the word "provided" the words "for the month of May one thousand nine hundred and thirty-six."

Amend page 4, by inserting between lines 2 and 3 the following new section: "Section 6 The action of the Governor Auditor General and State Treasurer in making said sum of three million six hundred and thirty thousand dollars ($3,630,000) available for expenditure for unemployment relief by the State Emergency Relief Board prior to the effective date of this act in accordance with Concurrent Resolution Serial number three approved by the Governor May thirteenth one thousand nine hundred and thirty-six is hereby ratified confirmed and validated"

Amend page 4, line 3, by striking out after the word "Section" the numeral "6" and inserting in lieu thereof the numeral "7."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. EBERHARTER. Mr. Speaker, I ask the House to concur in the amendments.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Eberharter,	Mason,	Shaw,
Alexander,	Eroe,	McCreary,	Shepard,
Allen,	Falkenstein,	McDermott,	Shortz,
Altenburg,	Ferko,	McDevitt,	Shreiner,
Andrews,	Finnerty,	McElroy,	Shugarts,
Anthony,	Fitch,	McHenry,	Siegel,
Arnold,	Flanagan,	McKinney,	Simon,
Atkins,	Flinchbaugh,	Melchiorre,	Simpson,
Aukerman,	Flynn,	Mentzer,	Sinwell,
Baine,	Forrest,	Merrell,	Sloan,
Baker, F. T.,	Gates,	Moomaw,	Smith, J. A.,
Baker, J. J.,	Gerard,	Mooney,	Smith, W. G.,
Baldi,	Gillette,	Moore,	Snyder, F. E.,
Barber,	Greenstein,	Moran,	Snyder, J. L.,
Barnhardt,	Habbyshaw,	Moul,	Sowers,
Beadman,	Haberlen,	Muir,	Sproul,
Bernhard,	Hagerty,	Munley,	Stank,
Blumberg,	Haluska,	Murrin,	Stevens,
Boose,	Hamilton, F. P.,	Nagel,	Stewart,
Boyd, R.,	Hamilton, R. S.,	Nothnagle,	Stockham,
Boyer,	Harkins,	O'Keefe,	Stone,
Bradley,	Harmuth,	Ominsky,	Stott,
Brancato,	Hartman,	O'Neill,	Sumney,
Brennan,	Hefferon,	Panton,	Surface,
Brown, H. S.,	Hermansen,	Parks,	Sweeney,
Brown, J. E.,	Hetrick,	Patterson, C.,	Tahl,
Brownfield,	Hindman,	Patterson, J. W.,	Terry,
Brumbaugh,	Hirsch,	Pearson,	Tronzo,
Burke,	Hoffner,	Perry,	Trout,
Cannon,	Holland,	Peters,	Tumelty,
Caputo,	Holstrom,	Pfaff,	Turner,
Carr,	Hoopes,	Phillips,	VanAllsburg,
Carson,	Horst,	Piole,	VanSickle,
Castor,	Jackson,	Powers,	Wall,
Chervenak,	Jones,	Reising,	Wasserman,
Coakley,	Kane,	Reynolds,	Weidemann,
Cochran,	Kelder,	Rhys,	Weiss,
Cohen,	Kelso,	Rinn,	Welliver,
Coleman,	Kenney,	Roan,	Welsh,
Condon,	Kilroy,	Robinson,	Westrick,
Coolahan,	Kinney,	Rooney,	White,
Cooper,	Klingler,	Root,	Wickersham,
Cordier,	Kobelak,	Royer	Winner,
Davies,	LaRue,	Ruffennach,	Witkin,
Decker,	Linderman,	Sarraf,	Wood,
Dent,	Long,	Scanlon,	Woodside,
Diehl,	Longaker,	Schaeffer,	Yeakel,
Dilley,	Lovett,	Schrock,	Yourishin,
Downey, G. E.,	Lynch,	Schrope,	Zappala,
Downey, J. J.,	Male,	Schwab,	Zimmerman,
Duffort,	Mallen,	Serrill,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SPECIAL ORDER ON HOUSE BILL No. 25

The SPEAKER. The Hour of 10.00 o'clock having arrived the Chair lays before the House the special order fixed for this hour, it being House Bill No. 25.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 25 as follows:

An Act imposing a temporary State excise tax on electric power and current generated manufactured and sold within this Commonwealth providing for the collection of the tax and the disposition of the revenue derived therefrom imposing certain costs on the Commonwealth conferring powers and imposing duties on certain persons associations partnerships corporations and State departments and imposing penalties

Section 1 Short Title Be it enacted by the Senate and

House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Electric Power Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" A corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other State territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Exemptions (a) Every person engaged in the business of manufacturing or generating hydroelectric power and current in this Commonwealth for the purpose of sale shall be subject to the payment of a State excise tax of three-quarter (¾) mill upon each kilowatt hour of hydroelectric power and current so manufactured or generated

(b) Every person engaged in the business of manufacturing or generating electric power and current by the use of steam power in this Commonwealth for the purpose of sale shall be subject to the payment of a State excise tax of three-quarter (¾) mill upon each kilowatt hour of electric power and current so manufactured or generated

(c) Every person engaged in the business of selling electric power and current within this Commonwealth shall be subject to the payment of a State excise tax of three-quarter (¾) mill upon each kilowatt hour of electric power and current sold in this Commonwealth Provided That if such seller procures electric power or current which has been subject to the payment of the excise tax hereinbefore provided a credit on said tax to the amount of the excise tax already required to be paid by the person manufacturing or generating the same within this Commonwealth shall be allowed Provided further That the provisions of this act shall not apply to the electric power or curren manufactured or generated in another state and brought into this Commonwealth until such power or current has lost its interstate character and immunities

(d) The excise taxes imposed by this section shall not be payable upon electric power and current manufactured generated or sold by the Commonwealth or any political subdivision thereof

(e) The excise taxes imposed by this section shall be in addition to all other taxes which now are or may hereafter be imposed by law

Section 4 Report and Payment of Tax For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every person liable to pay tax under this act on or before the fifteenth day of each month to transmit to the department upon a form prescribed and furnished by the department a report under oath or affirmation of electric power and current manufactured generated or sold in this Commonwealth during the preceding month upon which electric power and current tax is imposed by this act Such report shall show the number of kilowatt hours of such electric power and current manufactured generated or sold in the Commonwealth during the period for which it is made and such further information as the department shall prescribe

Every person liable for tax under this act at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on electric power and current manufactured generated or sold by him during the preceding month The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the fifteenth day of the next succeeding month and shall bear interest at the rate of one per centum per month or fractional part of a month from the date they are due and payable until paid

If any person liable to pay tax under this act shall neglect or refuse to make any report or payment as herein required an additional ten per centum of the amount of the tax shall be added by the department and collected as hereinafter provided

Section 5 Determination and Redetermination of Tax Penalties and Interest Due (a) If the department is not satisfied with the report and payment of tax made by any person under the provisions of this act it is hereby authorized and empowered to make a determination of the tax due by such person based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such persons Within thirty (30) days after the date of any such determination such person may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons whcih the petitioner believes entitles him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within ninety (90) days after the date of any determination to dispose of any petitions for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty (30) days after notice by the department of the action taken on any petition for redetermination filed with it the person against whom such determination was made by petition such action Every petition for review filed hereunder shall state specifically the reason upon which the petitioned relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of said board to dispose of any such petition within ninety (90) days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlements

(e) If any person liable to pay tax under this act shall neglect or refuse to make any report or payment of tax required by this act the department shall estimate the tax due by such person and determine the amount due by him for taxes penalties and interest thereon as prscribed herein from which determination there shall be no right of review or appeal

Section 6 Requirements as to Meters Every person engaged in the business of manufacturing generating or selling electric power and current in this Commonwealth shall provide himself with and maintain the necessary meters or other instruments to show the amount of electric power and current manufactured generated or sold expressed in kilowatt hours and shall keep permanent legible records showing the number of kilowatt hours of

electric power and current so manufactured generated or sold in each day

Section 7 Examination of Records and Equipment The department or any agent appointed in writing by it is hereby authorized to enter upon the premises and to examine the books papers records meters instruments and any other equipment and to investigate the character of the business of any person liable to pay tax under this act pertaining to the manufacture generation or sale of electric power and current taxable under this act to verify the accuracy of any report or payment made under the provisions of this act or to ascertain whether or not the tax imposed by this act has been paid but any information gained by the department as the result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1000) and costs of presecution or tc undergo imprisonment of not more than one (1) year or both in the discretion of the court

Every person is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations

Section 8 Retention of Records Penalty Each person liable to pay tax under this act shall maintain and keep for a period of two years such record or records of electric power and current manufactured generated or sold in this Commonwealth by him together with such other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment for not more than one (1) year or both in the discretion of the court

Section 9 Collection of Unpaid Taxes Whenever the taxes penalties or interest imposed by this act are not paid within thirty (30) days fater the date of their determination if no petition for redetermination has been filed or from the date of undetermination if no petition for review has been filed or within ninety (90) days from the date of the decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judical sales assignments or bankruptcies the department shall call upon the Department of Justice to collect the same

On all claims for taxes penalties and interest hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the taxpayer for the use of the Commonwealth an Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dollars ($10,000.00) and three (3) per centum upon the amount of the recovery in excess of ten thousand dollars ($10,000.00) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

Section 10 Enforcement Rules and Regulations The department shall be charged with the enforcement of the provisions of this act and it is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act Such rules and regulations shall have the same force and effect as law and violations thereof shall be punishable as hereinafter provided

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the Commonwealth and not the county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both

Section 11 Disposition of Taxes Interest and Penalties All taxes interest and penalties received and collected under the provisions of this act shall be paid into the State Treasury through the department and shall be used only for unemployment relief purposes and for the payment of costs imposed upon the Commonwealth and for such purposes are hereby appropriated

Section 12 Violations (a) Any person who shall fail neglect or refuse to make the report and pay the tax interest and penalties imposed by this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books records papers meters instruments or other equipment pertaining to the manufacture generation or sale of electric power and current in this Commonwealth or who shall make attempt to do anything whatsoever to avoid a full disclosure of the amount of electric power and current manufactured generated or sold or to avoid the payment of the whole or any part of the tax interest and penalties due shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand ($1,000.00) and costs of prosecution or to undergo imprisonment for not more than one (1) year or both in the discretion of the court

(b) Any person who shall violate any rule or regulation of the department prescribed adopted or promulgated relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) and costs of prosecution or to undergo imprisonment for not more than six months (6) months or both in the discretion of the court

Section 13 Constitutionality If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional section sentence clause or part thereof not been included therein

Section 14 Effective Date This act shall become effective the first day of the month succeeding its final enactment and shall remain in force for a period of twelve months from the effective date thereof.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. EROE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. EROE. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 5, page 5, line 27 by striking out the word "petitioned" and insert in lieu thereof the following: "petitioner"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there objection? The Chair hears none and the amendment will be inserted in accordance with the instrucions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

SENATE MESSAGE

AMENDED HOUSE RESOLUTION No. 14 NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate insists on its amendments non-concurred in by the House of Representatives to Resolution No. 14, as follows:

In the House of Representatives, May 25, 1936.

Whereas, It is estimated that approximately eight hundred forty-five thousand dollars ($845,000.00) of moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes will be lapsed into the General Fund on May thirty-first one thousand nine hundred thirty-six and

Whereas The sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211.00) in addition to the aforesaid eight hundred forty-five thousand dollars ($845,000.00) will be necessary for unemployment relief purposes for the month of June one thousand nine hundred thirty-six and

Whereas There is an immediate need for the raising of this amount for the use of the General Fund by transfers of moneys from the Motor License Fund and The State Stores Fund [and the Liquid Fuels Tax Fund] therefore be it

Resolved (if the Senate concur) That the General Assembly hereby authorizes the Governor and the Fiscal Officers of the Commonwealth to transfer to the General Fund the sum of two million five hundred thousand dollars ($2,500,000.00) from the State Stores Fund and the sum of one million five hundred eighty-six thousand two hundred eleven dollars ($1,586,211.00) from the Motor License Fund [and the sum of two million dollars ($2,000,000.00) from the Liquid Fuels Tax Fund] and hereby makes available to the State Emergency Relief Board the aggregate sum of [six] four million eighty-six thousand two hundred eleven dollars [($6,086,211.00)] $4,086,211.00 for unemployment relief purposes and

Resolved That any moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six are hereby made available to the State Emergency Relief Board for unemployment relief purposes on and after May thirty-first one thousand nine hundred thirty-six and

Resolved That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers authorized by this resolution (2) appropriating or reappropriating as the case may be to the State Emergency Relief Board for unemployment relief purposes the sum of [six] four million eighty-six thousand two hundred eleven dollars [($6,086,211.00)] $4,086,211.00 and any moneys heretofore appropriated for unemployment relief that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Motor License Fund and the Liquid Fuels Tax Fund

Mr. ANDREWS. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate to House Resolution No. 14, and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE RESOLUTION No. 14

The SPEAKER. The Chair appoints as a Committee of Conference Messrs. Andrews, Burke and Horst.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 109, entitled:

An Act to authorize and empower municipalities and townships separately or jointly to erect and construct flood control works and improvements within or without their territorial limits and to expend moneys and incur indebtedness for such purposes."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 44, entitled:

An Act to amend section two hundred and one of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred fifty-three) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" making the real estate of public service companies with certain exceptions subject to taxation for school purposes

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and one of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred fifty-three) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" is hereby amended to read as follows

Section 201 Subjects of Taxation Enumerated The following subjects and property shall as hereinafter provided be valued and assessed and subject to taxation for all county city borough town township school and poor purposes at the annual rate

(a) All real estate to wit Houses lands lots of ground and ground rents mills and manufactories of all kinds furnaces forges bloomeries distilleries sugar houses malt houses breweries tan yards fisheries and ferries wharves and all other real estate not exempt by law from taxation Provided That all real estate owned or possessed by any public service companies except the superstructure of the roads of railroad and street railway companies and the right-of-way upon which same are located and except the lines and pipes of companies used for transmission of water electric power messages oil natural and artificial gas and the rights of way upon which the same are located and except the producing wells and natural gas producing lands and leaseholds of natural gas companies engaged in public service shall notwithstanding any existing exemption be valued and assessed and subject to taxation for school purposes.

(a) All salaries and emoluments of office all offices and posts of profit professions trades and occupations

except the occupation of farmer and all persons over the age of twenty-one years who do not follow any occupation or calling as well of unnaturalized foreign-born persons who shall have resided within this Commonwealth for one whole year as of citizens of this Commonwealth Provided that when ever a person other than a Federal employe not taxable under the provision of this clause is disfranchised from voting because he cannot be lawfully assessed for a county or State tax, it shall be lawful for the county commissioners to assess the occupation of such persons for county taxation purposes in the manner provided by this act for such assessments The provisions of this clause shall not apply to counties of the second and third class or to cities of the second and second A class or to school districts

(c) All other things and persons now taxable by the laws of this Commonwealth for county city and school purposes

On the question.

Will the House agree to the section?

Mr. HOLLAND. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 201, page 3, line 7, by striking out with heavy-faced brackets the letter "(a)" and insert in lieu thereof "(b)."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section two hundred and one of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred fifty-three) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" making the real estate of public service companies with certain exceptions subject to taxation for school purposes

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Mr. VAN SICKLE. Mr. Speaker, I desire to call up at this time House Bill No. 61, Printer's No. 41, on page 2 of today's calendar, bills on second reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. VAN SICKLE and

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House resumed the consideration on second reading of House Bill No. 61, entitled:

An Act imposing an income tax for State purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons partnerships associations, corporations State officers employes and departments and imposing penalties

The first section was read and agreed to as follows:

ARTICLE I

SHORT TITLE AND DEFINITIONS

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Individual Net Income Tax Act"

The second section was read as follows:

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Dividend" Any distribution made by a corporation or association subject or not subject to the payment of a tax on capital stock under the laws of the Commonwealth out of its net earnings or profits accumulated after December thirty-first one thousand nine hundred and thirty-five to its stockholders or members whether in cash or in other property or in stock other than stock dividends as hereafter defined

"Fiduciary" A guardian committee trustee executor administrator receiver conservator or any person whether individual or corporate acting in any fiduciary capacity for any person estate or trust

"Individual" A natural person

"Paid" For the purposes of the deductions under this act means "paid or accrued" or "paid or incurred" and the words "paid or accrued" "paid or incurred" and "incurred" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act

"Person" Every natural person fiduciary association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Received" For the purpose of the computation of the net income under this act means "received or accrued" and the words "received or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act

"Resident" As applied to an individual means any person domiciled in the Commonwealth of Pennsylvania and any person who maintains a permanent place of abode within this Commonwealth

"Stock dividends" New stock for surplus or profits capitalized issued to stockholders in proportion to their previous holdings

"Tax year" The calendar year upon the basis of which the net income of a taxpayer is computed under this act

"Taxpayer" Any individual trust or estate required to pay a tax under the provisions of this act

The singular shall include the plural and the masculine shall include the feminine and neuter

ARTICLE II

IMPOSITION OF TAX

Section 201 Residents and Non-residents A A tax is hereby imposed upon every resident taxpayer of this Commonwealth which tax shall be levied collected and paid annually with respect to his entire net income as here-

in defined computed at the rate of two per centum of the amount of such net income

B A like tax is hereby imposed and shall be levied and collected and paid annually at the rate specified in this section upon and with respect to the entire net income as herein defined from all property owned and from every business trade occupation or profession carried on in this Commonwealth by natural persons not residents of this Commonwealth

Section 202 Estates and Trusts A The tax imposed by this act shall apply to estates and trusts which tax shall be levied collected and paid annually upon and with respect to the income of estates or of any kind of property held in trust including

(1) Income received by estates of deceased persons during the period of administration or settlement of the estate

(2) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests

(3) Income held for future distribution under the terms of the will or trust

(4) Income which is to be distributed to the beneficiaries periodically whether or not at regular intervals and the income collected by a guardian of an infant to be held or distributed as the court may direct and

(5) Income of an estate during the period of administration or settlement permitted by subsection C of this section to be deducted from the net income upon which the tax is to be paid by the fiduciary

B The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts whether such income be taxable to the estate or trust or to the beneficiaries thereof The net income of an estate or trust shall be computed in the same manner and on the same basis as provided for individual taxpayers and in cases under paragraphs (four) and (five) of subsection A of this section the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income whether or not distributed before the close of the tax year for which the return is made

C In cases under paragraphs (one) (two) and (three) of subsection A of this section the tax shall be imposed upon the estate or trust with respect to the net income of the estate or trust and shall be paid by the fiduciary except that in determining the net income of the estate of any deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee heir or other beneficiary In such cases an estate or trust created by a person not a resident and an estate of a person not a resident shall be subject to tax only to the extent to which individuals other than residents are liable by reason of the limitation as to gross income provided in section three hundred and three subsection C

D In cases under paragraphs (four) and (five) of subsection A of this section if the distribution of income is in the discretion of the fiduciary either as to the beneficiaries to whom payable or as to the amounts to which any beneficiary is entitled the tax shall be imposed upon the estate or trust in the manner provided in subsection C of this section but without the deduction of any amounts of income paid or credited to any such beneficiary In all other cases under paragraphs (four) and (five) of subsection A of this section the tax shall not be paid by the fiduciary but there shall be included in computing the net income of each beneficiary his distributive share whether distributed or not of the net income of the estate or trust for the tax year In such cases the net income of a beneficiary not a resident derived through such estate or trust shall be subject to tax only to the extent to which individuals other than residents are liable by reason of the limitations as to gross income provided in section three hundred and three subsection C

E A trust created by an employer as a part of a stock bonus pension or profit-sharing plan for the exclusive benefit of some or all of his employes to which contributions are made by such employer or employes or both for the purpose of distributing to such employes the earnings and principal of the fund accumulated by the trust in accordance with such plan shall not be taxable under this section but any amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds the amounts paid in by him

F Where any part of the income of a trust other than a testamentary trust is or may be applied to the payment of premiums upon policies of insurance on the life of the grantor or to the payment of premiums upon policies of life insurance under which the grantor is the beneficiary such part of the income of the trust shall be included in computing the net income of the grantor

Section 203 Partnerships Individuals carrying on business in partnerships shall be liable for income tax only in their individual capacity There shall be included in computing the net income of each partner his distributive share whether distributed or not of the net income of the partnership for the tax year Taxpayers who are members of partnerships may be required by the department to make a return stating the gross receipts and net gains or profits of the partnership for any tax year The net income of the partnership shall be computed in the same manner and on the same basis as provided in computing the net income of individuals and the deduction provided for in section four hundred and five shall be allowed only to the individual partners

Section 204 Initial Tax Levy The tax imposed by this article shall first be levied collected and paid in the year one thousand nine hundred thirty-seven upon and with respect to taxable net income for the calendar year one thousand nine hundred thirty-six

ARTICLE III

COMPUTATION OF THE TAX

Section 301 Net Income The term "net income" means the gross income of a taxpayer less the deductions allowed by this article

Section 302 Manner of Computing Net Income The net income shall be computed in accordance with the method of accounting regularly employed in keeping the books of the taxpayer but if no such method of accounting has been so employed or if the method employed does not clearly reflect the income the computation shall be made upon such basis and in such manner as in the opinion of the department does clearly reflect the income

Section 303 Gross Income A The term "gross income" includes gains profits and income derived from salaries wages or compensation for personal service or whatever kind and in whatever form paid or from professions vocations trades businesses commerce or sales or dealings in property whether real or personal growing out of the ownership or use of or interest in such property also from interest rent dividends securities or the transaction of any business carried on for gain or profit and all other income derived from any source whatever including income derived through estates or trusts by the beneficiaries thereof whether as distributed or as distributable shares The amount of all such items shall be included in the gross income for the tax year in which received by the taxpayer

B The term "gross income" does not include the following items

(1) Amounts received under a life insurance contract paid by reason of the death of the insured whether in a single sum or in installments but if such amounts are held by the insurer under an agreement to pay interest thereon the interest payments shall be included in gross income

(2) The amount received by the insured as a return of premium or premiums paid by him under life insurance endowment or annuity contract either during the term or at the maturity of the term mentioned in the contract or upon surrender of the contract

(3) The value of property acquired by gift bequest devise or descent but the income from such property shall be included in gross income

(4) Interest upon the obligations of the United States or its possessions or the obligations of the Commonwealth of Pennsylvania or of any municipal corporation or political subdivision thereof

(5) Any amount received through accident or health insurance or under workmen's compensation acts as com-

pensation for personal injuries or sickness plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness or through the war risk insurance act or any law for the benefit or relief of injured or disabled members of the military or naval forces of the United States

(6) Salaries wages and other compensation received from the United States by officials or employes thereof including persons in the military or naval forces of the United States

(7) Income received by any officer of a religious denomination or by any institution or trust for moral or mental improvement religious bible tract charitable benevolent fraternal missionary hospital infirmary educational scientific literary library patriotic historical or cemetery purposes or for the enforcement of laws relating to children or animals or for two or more of such puposes if such income be used exclusively for carrying out one or more of such purposes but nothing herein shall be construed to exempt the fees stipends personal earnings or other private income of such officer or trustees

(8) Stock dividends when received by a shareholder but if before or after the distribution of any such dividend the corporation proceeds to cancel or redeem its stock at such time and in such manner as to make the distribution and cancellation or redemption in whole or in part essentially equivalent to the distribution of a taxable dividend the amount so distributed in redemption or cancellation of the stock shall be treated as a taxable dividend and included in gross income Provided That any stock dividend shall be considered in computing gain profit or income upon the sale exchange or other disposition of the stock upon which a stock dividend has been declared or of the stock included in such stock dividend

(9) The principal and income paid by a building and loan association to a member thereof upon the maturity of his or her shares or upon the withdrawal of such member from the association

(10) Any amount received by any person whatever under any law of this Commonwealth the United States or any other state providing for any pension bonus or compensation whatsoever for or in respect to services in the military or naval forces of the United States in any war in which the United States has been engaged

(C) In the case of taxpayers other than residents gross income includes only the gross income from sources within the State but shall not include annuities interest on bank deposits interest on bonds notes or other interest-bearing obligations or dividends from corporations except to the extent to which the same shall be a part of income from any business trade profession or occupation carried on in this State subject to taxation under this act

(B) In the case of taxpayers who regularly sell or otherwise dispose of personal property on the installment plan gross income includes in any tax year only such portion of the total profit realized or to be realized when the payment is completed as the installment payments received in that year hears to the total of all installments payments

E In the case of a casual sale or other casual disposition of personal property or of a sale or other disposition of real property if in either case the payment in cash or property are not completed during the tax year when the sale or disposition was made the income may be returned on the basis and in the manner above described in subsection D of this section for installment sales Evidences of indebtedness of the purchaser or amounts secured by the property sold or disposed of shall not be construed to be payments but in such cases the income shall be returned on the above basis in the tax year when such indebtedness or the amounts secured or any part thereof is paid to the vendor

Section 304 Ascertainment of Gain and Loss A For the purpose of ascertaining any gain included in gross income as herein defined derived or any deductible loss sustained for the sale or other disposition of property real personal or mixed the basis shall be in the case of property acquired on or after January first one thousand nine hundred thirty-six the cost thereof or the inventory value if the inventory is made in accordance with this article

B In case of property acquired prior to January first one thousand nine hundred thirty-six and disposed of thereafter

(1) No profit shall be deemed to have been derived if either the cost or the fair market price of value on on January first one thousand nine hundred thirty-six exceeds the value realized

(2) No loss shall be deemed to have been sustained if either the cost or the fair market price ofvalue on January first one thousand nine hundred thirty-six is less than the value realized

(3) Where both the cost and the fair market price or value on January first one thousand nine hundred thirty-six are less than the value realized the basis for computing profit shall be the cost or the fair market price or value on January first one thousand nine hundred thirty-six whichever is higher

(4) Where both the cost and the fair market price or value on January first one thousand nine hundred thirty-six are in excess of the value realized the basis for computing loss shall be the cost or the fair market price or value on January first one thousand nine hundred thirty-six whichever is lower

Section 305 Exchange of Property Upon the sale or exchange of property in transactions the gain or profit from which is included in gross income as herein defined the entire amount of the gain or loss determined under section three hundred four of this act shall be recognized except as hereinafter provided in this section

(A) No gain or loss shall be recognized if property held for productive use in trade or business or for investment (not including stock in trade or other property held primarily for sale nor stocks bonds notes choses in action certificates of trust or beneficial interest or other securities or evidences of indebtedness or interest) is exchanged solely for property of a like kind to be held either for productive use in trade or business or for investment or if common stock in a corporation is exchanged solely for common stock in the same corporation or if preferred stock in a corporation is exchanged solely for preferred stock in the same corporation

(B) No gain or loss shall be recognized if stock or securities in a corporation a party to a reorganization are in pursuance of the plan of reorganization exchanged solely for stock or securities in such corporation or in another corporation a party to the reorganization

(C) No gain or loss shall be recognized if property is transferred to a corporation by one or more persons solely in exchange for stock or securties in such corporation and immediately after the exchange such person or persons are in control of the corporations but in the case of an exchange by two or more persons this subsection shall apply only if the amount of the stock and securities received by each is substantially in proportion to his interest in the property prior to the exchange

(D) If property (as a result of its destruction in whole or in part theft or seizure or an exercise of the power of requisition or condemnation or the threat or imminence thereof) is compulsorily or involuntarily converted into property similar or related in service or use to the property so converted or into money which is forthwith in good faith under regulations proscribed by the department expended in the acquisition of other property similar or related in service or use to the property so converted or in the acquisition of control of a corporation owning such other property or in the establishment of a replacement fund no gain or loss shall be recognized If any part of the money is not so expended the gain if any shall be so recognized but in an amount not in excess of the money which is not so expended

(E) If there is distributed in pursuance of a plan of reorganization to a shareholder in a corporation a party to the reorganization stock or securities in such corporation or in another corporation a party to the reorganization without the surrender by such shareholder of stock or securities in such a corporation no gain to the distributee from the receipt of such stock or securities shall be recognized

(F) If an exchange would be within the provisions of

subsections A B or C of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subsection to be received without the recognition of gain but also of other property or money then the gain if any to the recipient shall be recognized but in an amount not in excess of the sum of such money and the fair market value of such other property

(G) If an exchange would be within the provisions of subsections A B or C of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subsection to be received without the recognition of gain or loss but also of other property or money then no loss from the exchange shall be recognized

(H) As used in this section the term "reorganization" means (1) a merger or consolidation (including the acquisition by one corporation of at least a majority of the total number of shares of all other classes of stock of another corporation or substantially all the properties of another corporation) or (2) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its stockholders or both are in control of the corporation to which the assets are transferred or (3) recapitalization or (4) a mere change in identity form or place of organization however effected

The term "a party to a reorganization" includes a corporation resulting from a reorganization and includes both corporations in the case of an acquisition by one corporation of at least a majority of the voting stock and at least a majority of the total number of shares of all other classes of stock of another corporation

As used in this section "control" means the ownership of at least eighty per centum of the voting stock and at least eighty per centum of the total number of shares of all other classes of stock of the corporation

Section 306 Inventory Whenever in the opinion of the department the use of inventories is necessary in order clearly to determine the income of any taxpayer inventories shall be taken by such taxpayer upon such basis as the department may prescribe conforming as nearly as may be to the best accounting practice in trade or business of such taxpayer

Section 307 General Deductions In computing net income there shall be allowed as deductions

A All the ordinary and necessary expenses paid or incurred during the tax year in carrying on any trade or business or in the production of income required to be included in gross income under this article including a reasonable allowance for salaries or other compensation for personal service actually rendered and including rentals or other payments required to be made as a condition to the continued use or possession for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he has no equity

B All interest paid or accrued during the taxable year on indebtedness

C Taxes paid or accrued within the tax year imposed by (1) the authority of the United States or of any of its possessions (2) by the Commonwealth of Pennsylvania (except the net income tax imposed by this act and taxes on liquid fuels) (3) by any city borough town township school district or poor district of this Commonwealth or (4) by the authority of any other state country or territory

D Losses sustained during the tax year and not compensated for by insurance or otherwise if incurred in trade or business

E Losses sustained during the tax year not compensated for by insurance or otherwise if incurred in any transaction entered into for profit through not connected with the trade or business No deduction shall be allowed under this clause for any loss claimed to have been sustained in any sale or other disposition of shares of stock or security where it appears that within thirty days before or after the date of such sale or other disposition the taxpayer has acquired (otherwise than by bequest or inheritance) or has entered into a contract or option to acquire substantially identical property and the property so acquired is held by the taxpayer for any period after such sale or disposition If such acquisition or the contract or option to acquire is to the extent of part only of substantially identical property then only a proportionate part of the loss shall be disallowed

F Losses sustained during the tax year of property not connected with the trade or business (but in case of a taxpayer other than a resident only of real property or tangible personal property having an actual situs within the State) if arising from fires storms shipwrecks or other casualty or from theft and not compensated for by insurance or otherwise

G Debts ascertained to be worthless and charged off within the tax year and when satisfied that a debt is recoverable only in part the department may allow such debt to be charged off in part In the case of a debt existing on January first one thousand nine hundred thirty-six no more than its fair market value on that date shall be deducted A worthless debt arising since January first one thousand nine hundred thirty-six from unpaid wages salary rent or any similar item of taxable income is not an allowable deduction unless the income which such item represents has been included as income by the taxpayer in a return rendered under this act

H A reasonable allowance for the exhaustion wear and tear of property the income from which is required to be included in gross income under this article used in the trade or business including a reasonable allowance for obsolescence In case of property held by one person for life with remainder to another person the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust or in the absence of such provisions on the basis of the trust income allocable to each

I In the case of mines oil and gas wells other natural deposits and timber a reasonable allowance for depletion and for depreciation or improvement according to the peculiar conditions in each case such reasonable allowance in all cases to be made under rules and regulations to be made by the department The department may apportion such deductions equitably between the lessor and lessee

J In the case of a taxpayer other than a resident of the State the deduction allowed in this section shall be allowed only if and to the extent that they are connected with income arising from sources within the State and taxable under this act to a nonresident taxpayer and the proper apportionment and allocation of the deductions with respect to sources of income within and without the State shall be determined under rules and regulations to be prescribed by the department.

Section 308 Items Not Deductible In computing net income no deduction shall in any case be allowed in respect of

A Personal living or family expenses

B Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate

C Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made or

D Premiums paid on any life insurance policy covering the life of any officer or employe or of any person financially interested in any trade or business carried on by the taxpayer when the taxpayer is directly or indirectly a beneficiary under such policy

Section 309 Credit for Taxes in Case of Taxpayers Other than Residents of the Commonwealth Whenever a taxpayer other than a resident of the Commonwealth has become liable to income tax to the state county or city where he resides upon his net income for the tax year derived from sources within this Commonwealth and subject to taxation under this act the department shall credit the amount of income tax payable by him under this act with such proportion of the tax so payable by him to the state county or city where he resides as the income subject to taxation under this act bears to his entire in-

come upon which the tax so payable to such other state county or city was imposed Provided That such credit shall be allowed only if the laws of said state county or city (1) grant a substantially similar credit to residents of this Commonwealth subject to income tax under such laws or (2) impose a tax upon the personal incomes of its residents derived from sources in this Commonwealth and exempt from taxation the personal income of residents of this Commonwealth No credit shall be allowed against the amount of the tax of any income taxable under this act which is exempt from taxation under the laws of such other state county or city.

Section 310 Certain Gifts not Taxable In case any taxpayer in any tax year shall give or contribute and has given or contributed in each of the ten preceding calendar years ninety per centum or more of his net income in each year to any corporation or trust or community trust fund or foundation organized and operated exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation such net income so given or contributed shall not be subject to any tax under the provisions of this act

ARTICLE IV

RETURNS AND PAYMENT

Section 401 Taxpayers' Returns Time and Place of Filing Payment A Every taxpayer regardless of the amount of his net income shall make under oath or affirmation a return as hereinafter provided stating specifically the items of his gross income and the deductions and credits allowed by this act If the taxpayer is unable to make his own return the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer A taxpayer other than a resident shall not be entitled to the deductions authorized by section three hundred and seven unless he shall make under oath or affirmation a complete return of his gross income both within and without the State

B Returns shall be in such form and shall contain such information as the department may from time to time prescribe and shall be filed with the department at its main office or at any branch office which it may establish on or before the fifteenth day of May in the year one thousand nine hundred thirty-seven and in each year thereafter for the preceding calendar year The department is authorized to prepare and furnish such return forms but the failure of any taxpayer to receive or procure a return form shall not excuse him from making a return

C The department may upon application made to it in such form as it may prescribe on or prior to the last day for filing any report and upon proper cause shown grant a reasonable extension of time for the filing of any return within which time such return may be filed without penalty except as herein provided and shall keep a record of every such extension and the reason therefor Except in the case of taxpayers who are abroad no such extension shall be granted for more than six months

D Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making any return or report required by this act for the taking of which oath or affirmation no charge shall be made Any such agent who shall make any charge for administering such oath or affirmation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

E Each taxpayer shall or in cases where an agent guardian committee fiduciary or other person makes the return for the taxpayer then such agent guardian fiduciary committee or person shall at the time of filing the return pay to the department the amount of tax payable under this act as the same shall appear from a calculation made on the face of the return If the time for filing the return shall have been extended by the department the taxpayer shall pay in addition interest thereon at the rate of six per centum per annum from the time when the return was originally required to be filed to the time of payment

Section 402 Returns in Cases of Changed Residence If a taxpayer during the tax year changes his status from that of resident to that of non-resident or from that of non-resident to that of resident he shall file two returns One as a resident covering the fraction of the year during which he was a resident and one as a taxpayer other than a resident covering the fraction of the year during which he was a non-resident In case two returns for one year are filed as aforesaid the taxes due thereon shall not be less than would be payable if the total net income shown by the two returns were included in a single return

Section 403 Partnership Returns Every partnership shall make a return for each tax year stating specifically the items of its gross income and the deductions allowed by this act and shall include in the return the names and addresses of the persons who would be entitled to share in the net income if distributed and the amount of the distributive share of each person The return shall be sworn to or affirmed by any one of the partners

Section 404 Fiduciary Returns Every fiduciary (except receivers appointed by authority of law in possession of part only of the property of a taxpayer) shall make under oath or affirmation a return for the individual estate or trust for whom he acts as follows

A If he acts for an individual whose entire income from whatever source derived is in his charge

B If he acts (a) for an estate of a deceased person during the period of administration or settlement whether or not the income of such estate during such period of administration or settlement is properly paid or credited to any legatee heir or other beneficiary (b) for an estate or trust the income of which is accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests or (c) for an estate or trust the income of which is held for future distribution or is distributable in the discreton of the fiduciary under the terms of the will or trust

C If he acts (a) for an estate or trust the income of which is to be distributed to the beneficiaries periodically or (b) as the guardian of an infant whose income is to be held or distributed as the court may direct The return made by a fiduciary shall state specifically the items of the gross income and the deductions and credits allowed by this act Under such regulations as the department may prescribe a return made by one of two or more joint fiduciaries shall be sufficient compliance with the above requirement

D The fiduciary shall make oath or affirmation that he has sufficient knowledge of the affairs of the individual estate or trust for whom or which he acts to enable him to make the return and that the same is to the best of his knowledge and belief true and correct Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to taxpayers

Section 405 Deduction for Making Return or Statement Keeping Records and Accounts Verification Penalty Every taxpayer shall be allowed an allowance compensation or deduction from the income tax payable on net income under this act of twenty dollars ($20) for his or her work labor and services and the work labor and services of others in and about the making of the accounting computation and figuring necessary to be made and done to comply with this act and the keeping of a record of his or her gross income and allowable deductions as provided in this act during the taxable year and the said allowances or deductions shall not be construed to be and are not meant to be and are not an exemption of the taxpayer from the payment of the tax in whole or in part but is made only and solely for encouraging the taxpayer to keep proper accounts of his gross income and his net income and the proper deductions allowable by law and if after making such accounting and computation no money is actually payable under this act the taxpayer may in lieu of the return file a statement with the department setting forth his name age net income and precise residence certifying that after deducting the amount allowed for making and preparing the computation and return no money is actually due and payable by him or her to the Commonwealth and that he or she verifies the truth of such statement and upon

conviction of making a false statement in any court of quarter sessions shall be subject to the penalties provided by the laws of the Commonwealth for perjury No deduction from the tax shall be allowed unless the statement or report or return is filed according to law and the tax paid when due according to law Should the compensation payable to the taxpayer for performing his or her duties as herein above set forth be more than the amount of money required to be paid by the taxpayer then the taxpayer may for the following year or years deduct from the taxes due under this act the sum or sums not deducted retained held or paid to him or her by deduction from the tax due by him or her in the following year or years and until he or she has been fully or partly compensated as provided by this act for making the accounting and keeping the records herein set forth

ARTICLE V

PROCEDURE

Section 501 Department of Revenue to Administer The Department of Revenue shall administer and enforce the tax herein imposed for which purpose it may divide the State into districts in each of which a branch office of the department may be maintained

Section 502 Examination of Returns Assessment of Tax Refunds A As soon as practicable after the return is filed the department shall examine it and assess the tax

B If the amount of tax as assessed shall be greater than the amount theretofore paid the additional assessment shall be paid by the taxpayer to the department within ten days after a notice of the amount of such additional tax as assessed shall be mailed to the taxpayer by the department In such case if the return is made in good faith and the understatement of the amount in the return is made in good faith there shall be no interest or penalty because of such understatement provided the deficiency be paid or notice of an intention to file a petition for a reassessment or to appear and be heard as herein provided shall be given within ten days after notice of the amount is mailed to the taxpayer If payment is not made within ten days and if no notice of an intention to file a petition for a reassessment or to appear and be heard is given to the department within ten days as herein provided there shall be added to the amount of the deficiency five per centum thereof and in addition interest at the rate of one per centum per month for each month or fraction thereof from the date of such notice to the date of payment If the understatement is false or fraudulent with intent to evade the tax the tax on the additional income discovered to be taxable and assessed by the department shall be double and an additional one per centum shall be added to the amount so due for each month or fraction of a month from the date the tax was originally due to the date of payment

C If the amount of tax as assessed by the department shall be less than the amount paid by the taxpayer the excess shall be refunded upon written application by the department with the approval of the Board of Finance and Revenue Estimates of the amounts to be expended for refunds from time to time by the department shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition of the department for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

Section 503 Estimated Assessments A If any individual or fiduciary believed by the department to be liable for a tax under the provisions of this act shall have failed to file a return in accordance with and within the time prescribed by the provisions of this act or any extension thereof granted by the department if the department should deem it more conducive to the public interest because of the supposed smallness of the tax or for any other reason not to proceed to compel the exhibition of such individual's or fiduciary's accounts it may make an estimated assessment of the probable amount of the tax owing by such individual or fiduciary but in every such case it shall add to every such estimated assessment a penalty of fifty per centum to include any losses which might otherwise accrue to the Commonwealth from such neglect or refusal to file a return or statement and the department shall proceed to recover money so due the Commonwealth as in other cases if not paid when due as hereinafter provided

B The amount thus determined together with penalties and interest at the rate of one per centum per month or fractional part thereof shall be due and payable ten days after notice of such settlement shall be mailed by the department

Section 504 Assessments Made at any Time Within Five Years An additional assessment or estimated assessment as heretofore provided shall be made by the department at any time within five (5) years after any net income of any taxpayer should have been returned by him for taxation any such additional assessment or estimated assessment may be made at any time during said period notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the department shall have made previous additional or estimated assessments against such taxpayer In any such care no credit shall be given for any penalty formerly assessed and paid

Section 505 Petition for Reassessment Appeal A Any taxpayer against whom any estimated or additional assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department prior to the time the amount becomes due and payable to wit within ten (10) days after notice of such estimated or additional assessment is given or sent by the department to the taxpayer as provided in this act The department shall hold such hearings in each county as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the estimated or additional assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

B If such petitioner is dissatisfied with the action of the department on his petition for reassessment he shall have the right to appeal to the court of common pleas of the proper county at any time within thirty (30) days after notice of such action or refusal is given to him by the department If any resident shall fail to give due notice of an intention to petition for a reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein get forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as aforesaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section 506 Enforcement Rules and Regulations Inquisitorial Powers of the Department A The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

B The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any taxpayer or supposed taxpayer in order to verify the accuracy of any return made or if no return

was made to ascertain and assess the tax imposed by this act Every such taxpayer or supposed taxpayer is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized The department is hereby authorized to examine any person under oath concerning any income which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such income The procedure for such hearing or examination shall be the same as that provided by The Fiscal Code relating to inquisitorial powers of fiscal officers

C Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act shall be confidential except for official purposes and except in accordance with proper judicial order or as otherwise provided by law and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars ($500) and costs of prosecution or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

Notwithstanding the provisions of subsection C of this section the department may permit the commissioner in internal revenue of the United States or the proper officer of any state imposing an income tax upon the incomes of individuals or the authorized representative of either such officer to inspect the income tax returns of any individuals or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return or disclosed by the report of any investigation of the income or return of income of any individual but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state as the case may be grant substantially similar privileges to the proper officer of this State charged with the administration of the personal income tax law thereof

Section 507 Information at the Source Every person in whatever capacity acting including lessees or mortgagors of real or personal property fiduciaries employers and all officers and employes of the Commonwealth or of any municipal corporation or political subdivision of the Commonwealth having the control receipt custody disposal or payment of interest (other than interest coupons payable to bearer) rent salaries wages premiums annuities compensations remunerations emoluments or other fixed or determinable annual or periodical gains profits and income shall on or before the fifteenth day of May make a return under oath or affirmation to the department containing complete information concerning the amount of all such interest rent salaries wages premiums annuities compensations remunerations emoluments or other fixed or determinable annual or periodical gains profits and income of any individual partnership or fiduciary under such regulations and in such form and manner and to such extent as may be prescribed by the department The return shall be in such form as the department shall prescribe and shall contain a statement that the individual officer or employe of the Commonwealth political subdivision thereof or corporation or member or partner of the association making the return verifies the information contained in the return Upon conviction of making a false statement in such return the person making the same shall be subject to the penalties provided by the laws of the Commonwealth for perjury

Every person who fails refuses or neglects to file a return in accordance with the provisions of this section shall be liable to a penalty of not more than five hundred dollars to be imposed assessed and collected in the same manner as is provided in this act with regard to taxes

Section 508 Lien of Taxes A All taxes imposed by this act together with all penalties and interest shall be considered a public account after being assessed in the manner prescribed in this act and as such shall be a lien upon the franchise and property both real and personal of the taxpayer against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchise or property are situated

B The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgement and execution in the same manner as such writs are ordinarily employed

Section 509 Collection of Unpaid Taxes Whenever the taxes penalties or interest imposed by this act are not paid and no petition for reassessment thereof has been filed or if such taxes interest and penalties are not paid after all appeals have finally been disposed of the department shall call upon the Department of Justice to collect the same in like manner as is provided by law for the collection of other Commonwealth taxes

ARTICLE VI

VIOLATIONS

Section 601 Violations Penalties Any person who shall fail neglect or refuse to make any report required by this act or any taxpayer who shall refuse to pay the tax penalties and interest imposed by this act or any person who shall refuse to permit the department or any agent appointed by it in writing to examine his or her books records and papers or who shall knowingly make any incomplete false or fraudulent report or who shall attempt to do anything whatever to avoid the full disclosure of the amount of net income to avoid the payment of the whole or any part of the tax shall be guilty of a misdemeanor and shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and costs of prosecution or undergo imprisonment not exceeding three (3) years or both in the discretion of the court

Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

Section 602 Costs Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

ARTICLE VII

DISPOSITION AND USE OF TAX

Section 701 Disposition and Use of Tax All taxes interest and penalties received recovered paid or collected under the provisions of this act shall be paid by the department into the General Fund of the State Treasury Two per centum of such moneys shall be added and credited to the current biennial maintenance appropriation of the department and shall be available and is hereby appropriated for the same purposes for which such current biennial appropriation is available

ARTICLE VIII

MISCELLANEOUS

Section 801 Saving Clause Nothing contained in this act shall be construed to repeal any other law of this Commonwealth imposing any tax for State or local purposes

Section 802 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not effect or impair any of the remaining provisions of this act it is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional sentence section clause or part thereof not been included herein

Section 803 Effective Date This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the section?

Mr. VAN SICKLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, sub-sec. 201, page 4, line 7, by striking out the word "two" and insert: "one"

Amend sub-sec. 701, page 37, line 19, by striking out the word "Two" and insert: "and shall be used only for the payment of appropriations made to the State Emergency Relief Board for unemployment relief purposes, except that two"

Amend Bill, page 38, lines 1 to 10, both inclusive, by striking out all of said lines.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act imposing an income tax for State purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania defining taxable income, and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons partnerships associations corporations State officers employes and departments and imposing penalties.

And said bill having been read at length the second time and agreed to as amended.

Ordered to be transcribed for a third reading.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final pasage of House Bill No. 71, as follows:

An Act to promote the construction of flood control works and improvements by providing for the appropriation of certain water of the Commonwealth to the Commonwealth and incidental thereto to secure the use thereof for the benefit of the people declaring void certain condemnations and appropriations of waters by municipalities corporations copartnerships or persons providing for ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities corporations copartnerships or persons and appeals therefrom conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto providing for future condemnations and appropriations of waters by municipalities corporations copartnerships or persons and compensation therefor and conferring powers and imposing duties upon the Water and Power Resources Board.

Whereas The recent floods in this Commonwealth and elsewhere have awakened the people to the necessity of developing appropriate plans and constructing adequate flood control works and improvements to prevent periodic recurrences of such calamities and

Whereas The construction of adequate flood control works and improvements will aid materially in providing an adequate supply of water which is a matter of primary concern affecting the life health and comfort of the people of this Commonwealth and will also permit the supervision and equitable allocation of water which is an essential part of the police power of the Commonwealth which no Legislature should impair or barter away and

Whereas All of the flowing water of the Commonwealth by right belongs to the Commonwealth in trust for the benefit of all of the people thereof and all uses of such flowing water must be regarded as subject to this sovereign right and the right so vested must be regarded also as vesting in the Commonwealth a duty to control the flow of water so as to prevent loss of life and destruction of property and

Whereas The increase of the population of the Commonwealth makes it obligatory on the Commonwealth to control and regulate the flow of our rivers and streams and thereby to secure also an equitable allocation for the best interests of all concerned.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all of the water of this Commonwealth now unappropriated by any municipality corporation copartnership or person is hereby declared to be appropriated to the Commonwealth, for the benefit of all of the people of this Commonwealth subject only to such existing rights and uses as may now be lawful and no municipality corporation copartnership or person whether heretofore or hereafter created or which may now possess the right to take condemn and appropriate by eminent domain the waters of this Commonwealth shall hereafter take condemn or appropriate any water except as provided in this act

Section 2 Any condemnation or appropriation of waters heretofore made by any municipality corporation copartnership or person heretofore authorized to condemn water which appropriation has not been followed by an actual taking thereof heretofore or within a period of two (2) years after the effective date of this act is hereby declared null and void and of no effect. Where condemnation proceedings are pending in any of the courts of this Commonwealth at the date when this act becomes effective the actual taking of the water shall be within one year following the final determination of such proceeding otherwise the condemnation shall be null and void and of no effect.

Section 3 No condemnation or appropriation of water heretofore made under the power of eminent domain claimed by any municipality corporation copartnership or person authorized to condemn and appropriate water shall be valid or binding unless within six (6) months after the date of approval of this act said municipality corporation copartnershp or person shall produce the record upon which such appropriation or condemnation is founded or prove to the satisfaction of the Water and Power Resources Board that such condemnation was lawfully made in accordance with law at the time said condemnation and appropriation was made and shall thereafter file a transcript or certificate of the resolution or record upon which said condemnation or appropriation is claimed duly acknowledged by the secretary and president of the municipality corporation copartnership or person in the office of the recorder of deeds of the county or the several counties as the case may be in which the water claimed to have been appropriated flows Any party aggrieved by a decision of the Water and Power Resources Board may within sixty (60) days appeal therefrom to the Court of Common Pleas of Dauphin County and the taking of such appeal shall operate as a supersedeas

Section 4 Hereafter no condemnation or appropriation of streams or the waters thereof for water supply shall be made by any municipality corporation copartnership or person possessing the power of eminent domain except as follows

Municipalities corporations copartnerships or persons desiring additional water supply for present and future needs shall first make application to the Water and Power Resources Board for leave to appropriate or acquire the designated waters of the Commonwealth setting forth

1 The present source or sources from which water is now taken listing the streams and the quantity of water appropriated therefrom designating as near as may be the point or points from which water is taken or used and the amounts of water stored

2 The necessity for such new or additional source of supply and the river stream or other body of water from which it is proposed to be taken

3 The location and the population needing the supply
4 The amount of water which it is proposed to take
5 The plans for development of the water resources of the streams to maintain the stream flow and to utilize flood runoff including the locations and capacities of any proposed impounding reservoirs
6 The names and addresses of the owners who may be affected by the proposed developments
7 Such other provisions as the Water and Power Resources Board shall deem necessary

Section 5 The Water and Power Resources Board shall upon such application make such investigation as may be necessary and grant such hearing as may be required

The Water and Power Resources Board is hereby given authority upon such application to allocate such part of the waters of the Commonwealth to any municipality corporatin copartnership or person as said application may show to be reasonably necessary to the purpose of the application

No allocation of the waters of this Commonwealth shall be for a longer term than fifty (50) years and such allocation shall be subject to such terms conditions and stipulations as the board shall deem to be necessary and proper to protect the present and future interests of the Commonwealth in the use and distribution of its water resources

The board shall have the further power to revoke any grant made in case the source of water supply is not developed in the amount or to the extent set forth in the application or required by the order of allocation of the board or if the work is not begun or completed within the time fixed by the board's grant

The Water and Power Resources Board shall further have the power to impose a reasonable charge for the water to be taken at the rate of not less than one dollar ($1.00) nor more than five dollars ($5.00) per million gallons and provide for the collection of the same and shall impose such terms and conditions as may be reasonably necessary bearing in mind the character and navigability of the stream and the need of water for other purposes All moneys collected from such charges shall be paid into the General Fund by and through the Department of Revenue

Section 6 The provisions of this act are severable and if any of the provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 7 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. WEISS. Mr. Speaker. I move that this bill be placed on the postponed calendar.

The motion was agreed to.

SPECIAL ORDER ON HOUSE BILL No. 36

The SPEAKER. The Hour of 10:30 having arrived the Chair lays before the House the special order fixed for this hour, it being House Bill No. 36.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 36, as follows:

An Act imposing a State emergency tax payable by those herein defined as distributors on fuel oil used or sold and delivered within the Commonwealth providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to give security to file reports and to retain certain records imposing duties on retail dealers common carriers and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation

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Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authortiy of the same That this act shall be known and may be cited as "The Fuel Oil Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other State territory or foreign country or dependency

"Dealer" Any person as herein defined engaged in the retail sale of fuel oil

"Department" The Department of Revenue of this Commonwealth

"Distributor" Any person as herein defined who or which

1 Produces refines prepares blends distils manufactures or compounds fuel oil in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein

2 Imports or causes to be imported from any other state or territory of the United States or from a foreign counry fuel oil for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original package receptacle or container

3 Imports or causes to be imported from any other state or territory of the United States fuel oil for his own use in the Commonwealth of Pennsylvania or for sale and delivery therein after the same have come to rest or storage therein whether or not in the original package receptacle or container

4 Purchases or receives fuel oil in the original package receptacle or contained in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

5 Purchases or receives fuel oil in the original package receptacle or container in the Commonwealth of

Pennsylvania for his own use therein or for sale and delivery therein from any person who has imported the same from any other state or territory of the United States in case such fuel oil has not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

6 Receives and in any manner uses or distributes fuel oil in the Commonwealth of Pennsylvania on which the tax provided for in this act has not been previously paid

"Fuel Oil" All liquids derived from crude petroleum which are ordinarily practically and commercially usable as fuel except kerosene and which are otherwise exempt from State taxation and not subject to the tax imposed on liquid fuels by the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled "An act imposing a State tax payable by those heretin defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" and its amendments

"Magistrate" A magistrate alderman justice of the peace or other officer having the powers of a committing magistrate in this Commonwealth

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Secretary" The Secretary of Revenue of this Commonwealth or his duly authorized deputy or representative

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Fuel Oil Permit Bond or Deposit of Securities (a) On and after the effective date of this act it shall be unlawful for any distributor to continue to engage in or thereafter to begin to engage in the use or sale and delivery of fuel oil within this Commonwealth unless a fuel oil permit or permits shall have been issued to him as hereinafter prescribed

Penalty Each day in which any distributor shall engage in the use or sale and delivery of fuel oil within this Commonwealth without a fuel oil permit or permits as required by this act shall constitute a separate offense and for each such offense such distributor shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of two thousand dollars ($2,000) and costs of prosecution or undergo imprisonment for not more than two years or both in the discretion of the court

(b) Every person desiring to operate as a distributor shall file an application for a fuel oil permit or permits with the department The application for a fuel oil permit or permits shall be made upon a form prescribed prepared and furnished by the department and shall set forth the name under which the applicant transacts or intends to transact business the location of his place of business within this Commonwealth and such other information as the department may require If the applicant has or intends to have more than one place of business within the Commonwealth the application shall state the location of each place of business If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for purposes of identification The application shall be signed and verified by oath or affirmation by the owner if a natural person in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority

Upon approval of the application and the bond hereinafter required the department shall grant and issue to each distributor a fuel oil permit for each place of business within the Commonwealth set forth in his application Fuel oil permits shall not be assignable and shall be valid only for the distributors in whose names issued and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the places for which issued All permits shall expire on the thirty-first day of May next succeeding the date upon which they are issued unless sooner suspended surrendered or revoked for cause by the secretary

(c) A fuel oil permit shall not be granted and issued until the person applying therefor has filed with the department a surety bond payable to the Commonwealth of Pennsylvania in such amount as shall be fixed by the department except that the amount shall never be less than one thousand five hundred dollars ($1,500) Every such bond shall have as surety a duly authorized surety company to be approved by the department conditioned that the distributor will faithfully comply with the provisions of this act during the effective period of his permit The department may require any distributor to furnish such additional acceptable corporate surety bond as shall be necessary to secure at all times the payment by him to the Commonwealth of all taxes penalties and interest due under the provisions of this act If any distributor shall fail to file such additional bond within ten days after written notice from the department the department may forthwith suspend or revoke the permit or permits issued to him and collect all taxes penalties and interest due by him For the purpose of determining whether an existing bond or bonds are sufficient the department may at any time by written notice require any distributor to furnish a financial statement in such form as it may prescribe Upon failure of any distributor to furnish a financial statement within thirty (30) days of such written notice the department may forthwith suspend or revoke the permit or permits issued to him and shall collect all taxes penalties and interest due by him

Any surety on a bond furnished by a distributor as provided herein shall be released and discharged from any and all liability to the Commonwealth accruing on such bond after the expiration of sixty (60) days from the date upon which such surety shall have lodged with the department a written request to be released and discharged but this provision shall not operate to relieve release or discharge the surety from any liability already accrued or which shall accrue before the expiration of the sixty (60) day period The department shall promptly upon receiving any such request notify the distributor who furnished the bond and unless the distributor shall on or before the expiration of the sixty (60) day period file with the department a new bond with corporate surety approved by and acceptable to the department the department shall forthwith cancel the distributor's permit or permits Whenever a new bond shall be furnished by a distributor as aforesaid the department shall cancel and surrender the old bond of the distributor as soon as it and the Department of Justice shall be satisfied that all liability under the old bond has been fully discharged

(d) Permits issued under the provisions of this act may be renewed annually before the first day of June upon an application as aforesaid being made to the department but no permit shall be renewed until the applicant shall file with the department a new surety bond in such amount as shall be fixed by the department and conditioned that the distributor will faithfully comply with the provisions of this act

(e) Nothing contained in this act shall require the filing of any application or bond or the possession and display of a fuel oil permit for the use or sale and de-

livery of fuel oil in interstate or foreign commerce not within the taxing power of the Commonwealth or for the use of fuel oil by the United States government

(f) Any person required by the provisions of this section to file a surety bond may in lieu thereof deposit with the State Treasurer bonds of the United States or of the Commonwealth of Pennsylvania the par value thereof to be of the amount of the surety bond required of such person The treasurer shall issue to such person a certificate of such deposit which he shall file with the Department of Revenue Such securities deposited with the State Treasurer shall be held as a guarantee that the holder of the permit shall faithfully comply with the provisions of this act during the effective period of his permit The said securities shall be retained by the State Treasurer for a period of sixty (60) days after the termination of the permit of such person whether by his own act or by action of the department and such securities shall not be released from any liability to the Commonwealth already accrued or which shall accrue before the expiration of the sixty (60) day period At the end of such sixty (60) day period the said securities shall be returned to their owner only if all claims of the Commonwealth guaranteed by such deposit have been fully satisfied

Penalty Any person assigning or attempting to assign a fuel oil permit or who shall fail to display conspicuously his permit at the place for which it is issued shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for not more than ten days

Section 4 Imposition of Tax Exemptions and Deductions An emergency State tax of one-half cent a gallon or fractional part thereof is hereby imposed and assessed upon all fuel oil used or sold and delivered by distributors within this Commonwealth excepting fuel oil delivered to the United States government on presentation of a duly authorized United States government exemption certificate or other evidence satisfactory to the department fuel oil delivered to ships engaged in interstate or foreign commerce for use as fuel for the generation of power and such fuel oil used or sold and delivered as is not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be collected by and paid to the Commonwealth but once in respect to any fuel oil.

Distributors shall be liable to the Commonwealth as taxpayers for the payment of the tax imposed by this act

The tax shall be payable upon fuel oil sold and delivered to or used by the Commonwealth and every political subdivision thereof

Each distributor who shall promptly pay on or before the last day of a particular month the tax due for the preceding month shall be allowed in consideration of leakage spillage shrinkage evaporation and any expense to which he may be put in carrying out the provisions of this act a discount of one per centum on the aggregate amount of tax which is payable by the distributor for such preceding month The discount may be deducted by the distributor from the amount of tax payable for such month

Section 5 By Whom Tax Is Payable Every distributor using or delivering fuel oil upon which a tax is imposed by this act shall pay the tax into the State Treasury through the department in the manner and within the time specified in this act but whenever fuel oil is delivered within the Commonwealth by one distributor to another distributor holding a permit under this act the distributor receiving such fuel oil shall separately show in his monthly reports to the department all such deliveries from each distributor and shall pay the fuel oil tax provided for by this act upon all such fuel oil used or sold and delivered by him within this Commonwealth The distributor making such deliveries shall separately show the same in his monthly reports to the department and shall thereupon be exempt from the payment of the tax which would otherwise be imposed upon the fuel oil so delivered It shall be the duty of each distributor to furnish to the department such information concerning such deliveries as the department may require The department shall furnish to any distributor upon request a list of distributirs holding permits under this act and their addresses

Distributors may add the amount of the tax to the price of fuel oil sold by them and shall state the rate of the tax separately from the price of the fuel oil on all price display signs sales or delivery slips bills and statements which advertise or indicate the price of fuel oil

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for not more than ten days

Section 6 Distributor's Report and Payment of Tax For the purpose of assertaining the amount of tax payable under this act it shall be the duty of every distributor on or before the last tay of each month to transmit to the department upon a form prescribed prepared and furnished by the department a report under oath or affirmation of the fuel oil used or delivered by him within this Commonwealth during the preceding month Such report shall show the number of gallons of fuel oil used or delivered within the Commonwealth during the period for which it is made and such further information as the department shall prescribe A distributor having more than one place of business within this Commonwealth shall combine in each report the use or delivery of fuel oil at all such separate places of business

Every distributor at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on fuel oil used or sold and delivered by him during the preceding month less a one per centum discount if the report is filed and the tax paid on time The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum per month or fractional part of a month from the date they are due and payable until paid

If any distributor shall neglect or refuse to make any report and payment as herein required an additional ten per centum of the amount of the tax shall be added by the department and collected as hereinafter provided and in addition thereto the fuel oil permit of such distributor may be suspended or revoked by the department

Section 7 Determination and Redetermination of Tax Penalties and Interest Due (a) If the department is not satisfied with the report and payment of tax made by any distributor under the provisions of this act it is hereby authorized and empowered to make a determination of the tax due by such distributor based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such distributor Within thirty (30) days after the date of any such determination such distributor may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within ninety (90) days after the date of any determination to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty (30) days after notice by the department of the action taken on any petition for redetermination filed with it the distributor against whom such determination was made may by petition request the Board of Finance and Revenue to review such action

Every petition for review filed hereunder shall state specifically the reason upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of said board to dispose of any such petition within ninety (90) days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) If any distributor shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such distributor and determine the amount due by him for taxes penalties and interest thereon as prescribed herein from which determination there shall be no right of review or appeal Upon any such neglect or refusal the fuel oil permit or permits issued to such distributor may be suspended or revoked by the department and required to be surrendered to the department

Section 8 Examination of Records and Equipment The department or any agent appointed in writing by it is hereby authorized to examine the books papers records storage tanks and any other equipment of any distributor dealer or any other person pertaining to the use or sale and delivery of fuel oil taxable under this act to verify the accuracy of any report or payment made under the provisions of this act or to ascertain whether or not the tax imposed by this act has been paid but any information gained by the department as the result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment of not more than one year or both

Section 9 Retention of Records by Distributors and Dealers Each distributor shall maintain and keep for a period of two years such record or records of fuel oil used or sold and delivered within this Commonwealth by such distributor together with invoices bills of lading and other pertinent papers as may be required by the department

It shall be the duty of every person purchasing fuel oil taxable under this act from a distributor for the purpose of resale to maintain and keep for a period of one year a record of fuel oil received the amount of tax paid to the distributor as part of the purchase price together with delivery tickets invoices and bills of lading and such other records as the department shall require

Penalty Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment for not more than one year or both in the discretion of the court

Section 10 Disposition and Use of Tax The entire amount of the emergency tax collected under the provisions of this act shall be paid into the State Treasury by and through the department and shall be credited to the General Fund

Section 11 Discontinuance or Transfer of Business Whenever a distributor engaged in the use or sale and delivery of fuel oil ceases to be a distributor by reason of the discontinuance sale or transfer of his business it shall be his duty to notify the department in writing within ten days after the discontinuance sale or transfer takes effect His notice shall give the date of discontinuance and in the event of a sale or transfer of his business the name and address of the purchaser or transferee thereof It shall also be the duty of any such distributor within ten days after the discontinuance sale or transfer takes effect to make a report and pay all taxes interest and penalies that may be due by him and to surrender to the department the permit or permits theretofore issued to him by the department

Penalty Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than three hundred dollars ($300.00) and costs of prosecution or to undergo imprisonment for not more than one year or both

Section 12 Suspension or Revocation of Fuel Oil Permits The department may suspend or after hearing revoke a fuel oil permit whenever it finds that the holder thereof has failed to comply with any of the provisions of this act and upon suspending or revoking any fuel oil permit shall request the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him and the holder shall surrender promptly all such permits to the department as requested.

Whenever the department suspends a fuel oil permit it shall notify the holder immediately and afford him a hearing if desired and if a hearing has not already been afforded After such hearing the department shall either rescind its order of suspension or good cause appearing therefor shall continue the suspension or revoke the permit

Penalty Any person refusing to surrender a fuel oil permit or permits suspended or revoked by the department shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty dollars ($50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for not more than ten days

Section 13 Lien of Taxes Penalties and Interest (a) All taxes herein imposed and unpaid penalties and interest due by any person shall be a lien upon the franchises and property both real and personal of such person from the date said taxes are due and payable as provided in this act and shall have priority over any subsequent lien or encumbrance whatsoever except the lien of other State taxes having priority by law and except also that such taxes penalties and interest shall have priority over a mortgage only if the statements hereof were filed of record as provided in clause (b) hereof prior to the recording of the mortgage

(b) Statements of all taxes herein imposed due and unpaid together with penalties and interest thereon certified by the secretary or his representative may at any time be transmitted to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

(c) No sheriff receiver trustee assignee master or other officer shall sell the property or franchises of any person who is a distributor as herein defined without first filing with the department a statement containing the following information

1 Name or names of the plaintiff or party at whose instance or upon whose account the sale is made

2 Name of the person whose property or franchise is to be sold

3 The time and place of sale

4 The nature of the property and the location of the same

(d) It shall be the duty of the department after receiving notice as aforesaid to furnish to the sheriff receiver trustee assignee master or other officer having charge of the sale a certified copy or copies of all fuel oil tax penalties and interest on file in the department as liens against such person and in the case of no such liens a certificate showing that fact which certified copy or copies or certificate shall be publicly read by such officer at and immediately before the sale of the property or franchise of such person

(e) It shall be the duty of the department to furnish to any person applying therefor upon payment of the fee herein prescribed a certificate showing the amount of all liens for fuel oil tax penalties and interest that may be of record in the department against any person under the provisions of this act

Section 14 Collection of Unpaid Taxes Whenever the taxes penalties or interest imposed by this act are not paid within thirty days after the date of their determination if no petition for redetermination has been filed or from the date of redetermination if no petition for review has been filed or within ninety days from the date of the decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales assignments or bankruptcies the department shall call upon the Department of Justice to collect the same

On all claims for taxes penalties and interest hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the distributor for the use of the Commonwealth an Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dollars ($10,000.00) and three (3) per centum upon the amount of the recovery in excess of ten thousand dollars ($10,000.00) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the general fund The amount of the Attorney General's commission shall in all cases be added to the amount of the claim against the distributor and shall be a lien against his property in like manner as the amount of the claim

Section 15 Reports from Common Carriers Every person including railroad companies street suburban and interurban railway companies pipe line companies and water transportation companies transporting fuel oil in any manner either in interstate or intrastate commerce to a point within this Commonwealth from a point within or without the Commonwealth shall report under oath or affirmation to the department on or before the last day of each month for the preceding month all deliveries of fuel oil made to points within this Commonwealth

Such reports shall be on forms prescribed prepared and furnished by the department and shall state the names and addresses of the consignor and consignee the number of gallons of fuel oil transported and any other information which the department may require

Penalty Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not more than one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment for not more than one year or both

Section 16 Reward for Detection of Violations The secretary is authorized to pay out of any moneys appropriated for the purpose to any person other than a State officer or employe who brings to his attention any distributor who has failed to file the reports required and pay the tax imposed by this act such sums as he may deem proper not exceeding ten per centum of the amount of the tax penalty and interest due but a reward shall not be paid hereunder unless and until collection of the delinquent tax shall have been made or the distributor shall have been convicted for violating this act

Section 17 Refunds The Board of Finance and Revenue may refund to distributors taxes penalties and interest paid by them on fuel oil delivered to the United States government or paid as the result of an error of law or of fact or of both law and fact Claims for refunds shall be made under the procedure prescribed by The Fiscal Code

As much of the moneys collected under the provisions of this act as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds as herein authorized Estimates of the amounts to be expended for refunds from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

Section 18 Enforcement The department shall be charged with the enforcement of the provisions of this act Such employes of the Commonwealth as are designated as "State Highway Patrolmen" shall aid the department in the enforcement of this act and for this purpose are hereby declared to be peace officers and are hereby given policy power and authority throughout the Commonwealth to arrest on view without writ rule order or process any person known to have violated any of the provisions of this act

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section 19 Disposition of Fees Fines and Forfeitures Except as otherwise in this act provided and except as otherwise provided by the Constitution fees fines penalties and bail forfeited that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury through the department and shall be credited to the General Fund

Section 20 Certified Copies of Records The fee for a certified copy or certified photostat copy of any department record shall be one dollar ($1.00) but fees shall not be charged for certified copies or certified photostatic copies of any department record furnished to federal state county or municipal authorities

Section 21 Uncollectible Checks Whenever any check issued in payment of tax penalty or interest imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars ($5.00) per hundred dollars or fractional part thereof plus all protest fees to the person presenting such check to the department

Section 22 Violations (a) Any person who shall fail neglect or refuse to make the report and pay the tax penalties and interest imposed by this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books records papers storage tanks or other equipment pertaining to the use or sale and delivery of fuel oil within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the amount of fuel oil used or sold and delivered or to avoid the payment of the whole or any part of the tax penalties and interest due shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) and costs of prosecution or imprisonment for not more than one (1) year or both In the case of an association any partner or member thereof and in the case of a corporation any officer thereof whose duty it was to make the report required by this act shall be subject to imprisonment as aforesaid for failing to make the report required and attend to the payment of the tax imposed by this act Such fine shall be in addition

to any penalty imposed by any other section or subsection of this act Upon any such conviction all of the guilty distributor's permits shall be revoked

(b) It shall be unlawful for any person to commit any of the following acts

1 To display or cause or to permit to be displayed or to have in possession any fuel oil permit knowing the same to be fictitious or to have been suspended cancelled revoked or altered

2 To lend to or knowingly permit the use of by one not entitled thereto any fuel oil permit issued to the person lending it or permitting to be used

3 To display or to represent as one's own any fuel oil permit not issued to the person displaying the same

4 To use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or otherwise commit a fraud in any application record or report

Penalty Except as herein otherwise provided any person violating any of the provisions of this section shall be guilty of a misdemeanor unless such act is by any other law of this Commonwealth declared to be a felony and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00) and costs of prosecution or undergo imprisonment for not more than one (1) year or both in the discretion of the court

Such fine shall be in addition to any penalty imposed by any other section or subsection of this act Upon conviction all of the guilty person's fuel oil permits shall be revoked

Section 23 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 24 This act shall become effective the first day of the month succeeding its final enactment and shall remain in force for a period of twelve months from the effective date thereof

On the question,

Will the House agree to the bill on third reading?

Mr. KANE. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend sec. 2, page 5, line 11, by inserting after the word "amendments" the following: "except fuel oil used within this Commonwealth in the business or process of producing or refining of petroleum or petroleum products."

On the question,

Will the House agree to the amendment?

Mr. KANE. Mr. Speaker and memebrs of the House, I regret the necessity of taking the floor of the House on this amendment at this time, but I find there is a great deal of misunderstanding on the part of a good many people who feel it their duty to vote for this bill, as to the definition of what constitutes fuel oil and what therefore is taxable under this act.

I call the attention of the members of the House to page 4 of the bill, Printer's No. 87, and particularly to the lines immediately following line 20 on page 4. Fuel oil is therein defined for the purposes of this act as "all liquids derived from crude petroleum which are ordinarily, practically and commercially usable." And I call your attention to the fact that the word "usable" is in the act and not the word "used." It reads, "all liquids derived from crude petroleum which are ordinarily, practically and commercially usable as fuel, except kerosene, and which are otherwise exempt from State taxation and are not subject to the tax imposed on liquid fuels." And the rest of the wording there refers to the title of the present Liquid Fuels Act.

The amendment which I propose would go in on page 5 at the end of the first paragraph, line 4, and would take out of the purport of the bill, the coverage of the bill only fuel oil which is used in the business of production or producing oil itself from the ground or of refining that oil into gasoline and other products which are practically all of them now taxed or will be taxed after the present act, the sole exception being kerosene.

Now, gentlemen, this does not refer to fuel oil which is used as fuel. It covers any product of peroleum which could be used as fuel, whether it is a matter of fact used as a fuel or not, and it is particularly with regard to fuel oil which is not used as fuel that I want you to adopt this amendment.

In our county and seven or eight other counties in Western Pennsylvania particularly there are a number of small refineries that would be very detrimentally affected by the imposition of the tax as worded in this act, but which would be practically unharmed if the amendment which I propose is adopted. I want to call the attention of the members of the House to the purpose of this bill. What is the purpose of this bill? I assume that the original bill was designed for a twofold purpose. One of those was to raise revenue and the other quite obviously was to help the coal industry.

Why were we going to help the coal industry? Because I assume in the coal industry it is well known there are large numbers of people unemployed. And to get back to the purpose of raising revenue,—in fact to the purpose of this special session,—the reason we are here in the first place is to relieve unemployment, to raise money and appropriate money for relief.

Now, gentlemen, I am extremely anxious that this bill in itself, while it may have this plausible, this laudable purpose, should not be permitted under its wording to give rise to the very conditions which it seeks to remedy. I assume it still has these same purposes, although, perhaps, the half cent tax will probably result in the consumers assuming the burden and will probably increase the sale of coal not at all.

I note also that the committee which held a public hearing on the matter did see fit to exempt kerosene, but the bill still contains wording which in my opinion would have a disastrous effect upon the numerous small refineries of Western Pennsylvania and defeat the purpose of the bill besides imposing a heavy, unfair, unnecessary burden on a vital industry, that of producing and refining oil in Pennsylvania.

I appeal to the members who feel that they are pledged to vote for the bill because they come from the coal counties actually decrease in the coal mined. It will actually hurt the very people you are desiring to help.

I call attention to the fact that the tax applies not only to fuel oil sold but also to fuel oil used. Don't forget that fact.

In Western Pennsylvania our little oil producers use a little fuel oil to run the engines that bring the oil up out of the ground to the surface where it can be taxed. Don't forget that if that oil were not brought to the surface it could not be taxed. Neither could the gasoline or the lubricating oil made out of it be paying a tax. By

having this tax on the fuel oil that runs the engines, it practically means double taxation.

You tax the fuel oil that is used for power; then tax the oil itself that is brought above the ground, now we are going to tax the fuel oil as well as the gasoline and lubricating oil which is produced from that oil.

Don't you think it is a little steep, gentlemen, to tax him on the oil that is used in the process of producing that oil? But in the refinery it is still worse. There are only a few refineries in Pennsylvania which own the expensive process known as the cracking process.

I am not going to take the time of this House to go into the details of refining, but you ought to know that some of the refineries take the fuel oil from their neighboring small refiners and some take fuel oil brought in from outside this State, and put gasoline out after pulling it through a chemical process of reforming under heat and pressure known as cracking.

Now, the purpose of my amendment is primarily to prevent taxing the fuel oil that goes into the refinery and is made into gasoline, and as that gasoline comes out, that gasoline is taxed very heavily.

I ask you members of the House, Democratic or Republican, whether you come from oil counties or coal counties, if you wouldn't think it was a little steep to tax the coal that was used under the boilers in the mines there to run the hoists that brought the coal to the surface so that you could tax it.

Now, don' you think it is a little steep to tax the oil which is used to produce the gasoline which you tax so heavily after the gasoline comes out?

Now, we come to another question. Can coal by any chance be substituted for this purpose? The answer is it absolutely can not be. This fuel oil goes into a chemical process and it must be a petroleum product to be made into gasoline.

Now gentlemen of the House I am not going to take a great deal of your time. The point I want to drive home is this, that under the bill as it is drawn the small refiner would be taxed when the stuff comes in and taxed when the gasolne goes out.

Let me call the attention of you gentlemen from the coal counties, that these small refineries especially those in McKean, Warren and Bradford Counties, the ones that I have had an opportunity to investigate, and I assure you I have investigated,—this is no hearsay,—burn at the present time large quantities of coal. The Kendall Refinery at Bradford is one that you probably all are familiar with because it is one that has a widely advertised product. They employ about six hundred men, but they burn in their refinery for fuel one hundred percent Pennsylvania produced coal to the tune of about fifty-five carloads a month. Now, if you will not let those fellows operate these refineries as they do now, buying fuel oil from the other refineries in the neighborhood and producing fuel themselves and cracking it into gasolne. You are going to force them to economize, they can make coke, make non-saleable products which they could use instead of coal in their refineries.

The same is true of the United Refinery of Warren, Pennsylvania, the principal industry perhaps of that city. It employs seven hundred men, and it burns from seven to eight hundred carloads of Pennsylvania coal per year. These little refineries have during all the depression expanded their plants and taken on more people. There is one such refinery at Smethport, there is one at Eldred, there is one at Emlenton, there are half a dozen near Oil City, in Pittsburgh and Butler. All I ask you gentlemen to do is to remember the purpose for which you are undertaking to pass this act. You are doing it to help unemployment relief; you are doing it to help the coal industry. In no case I am sure do you conscienciously vote for a tax that you feel will hurt business. All that I am asking is that you do not inflict this double taxation on the small refineries of Pennsylvania. Let me say one parting thing, that in this case you cannot say they can pass the tax along, because they cannot. The price of gasoline is not set by the small refineries of Western Pennsylvania. The price of gasoline is set in the world's markets and set by tremendous oil companies whose price would not fluctuate a fraction of a cent if these small refineries of Western Pennsylvania would double or on the other hand if they went out of business. All I am asking you is to correct the wording of this act so it will not inflict unnecessary hardship on a vital industry of Pennsylvania. I thank you for your attention and I ask you to vote for this amendment.

Mr. HALUSKA. Mr. Speaker and members of the House, I have listened carefully to the remarks made by the gentleman from McKean, Mr. Kane. I do not wish to criticize him too severely for trying to protect interests in his own community or locality. However, if he reads the bill very carefully he will find it is a just tax measure, and the two-fold purpose he speaks of is entirely out. When I first introduced this bill I did have in mind the protection of the coal interests of our State. As you know, this bill first called for a two cent tax on fuel oil, now, the bill has reduced the tax to half a cent. Therefore the two-fold purpose is entirely out. The bill is restricted entirely to being a revenue raiser.

Naturally almost any member in the House would like to offer an amendment to protect certain interests, but since we are legislating for the entire Commonwealth I do not think it is fair to consider any further exemptions. The bill has been very carefully gone over and proper exemptions have been made. I hope the gentleman from McKean will understand that this will not increase the price of gasoline, because the tax is not paid by the refinery, but is paid by the motorists, the consumers, and since we are trying to raise revenue, the refineries should pay their pro rata share of it, so I ask the members on this side of the House and the members on the other side of the House to vote "No" on the amendment.

Mr. YOURISHIN. Mr. Speaker and members of the House coming from the anthracite coal counties and listening to the gentleman from McKean, Mr. Kane,—I might be a little biased, of course, but in so far as I am personally concerned I would love to see the tax on fuel oil not half a cent, but about fifteen cents, and I will give you my reasons why. We members of the House here pride ourselves on being Pennsylvanians, pride ourselves on coming from this great Keystone State of ours, pride ourselves upon the wonderful industries we have in our State.

We have gone along for a number of years for relief purposes and otherwise, taxing everythng that is produced in the State of Pennsylvania, even coal. Coal pays its pro rata share of the taxes of this State, and now we have some members of this great State of ours, objecting to half a cent tax on fuel oil that I do not believe five percent of it that is used in the State of Pennsylvana is pro-

duced in this great State of ours; in fact more than ninety-five percent of it is oil that is shipped in here from foreign countries, and as Pennsylvanians, why shouldn't we tax the fuel oil that is coming into Pennsylvania, competng with one of the greatest industries within this great State of ours? I say to you that while I personally would love to see about fifteen cents tax on fuel oil to help the coal mines of Pennsylvania, yet I believe that this half-cent tax that has been placed on fuel oil is not going to affect the coal situation one way or the other. Neither do I believe that the half-cent that is placed on fuel oil is going to be paid by the consumer, because the producers of fuel oil will, do as we did some years ago in the anthracite fields, when refuse was turned out on the coal banks, so it is with crude oil. Some years ago this oil was dumped into the river, but today it is being used of course for fuel purposes, and I do not believe that the producers are going to pass on this half-cent tax to the consumers, but will absorb that tax themselves. I ask the members of the House to vote down the amendment.

On the question recurring,
Will the House agree to the amendment?
It was not agreed to.
On the question recurring,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. PFAFF. Mr. Speaker and members of the House, I arise to oppose this bill because I claim it is discriminatory, unfair and unsound. I maintain it is discriminatory because Philadelphia will assume or shoulder half of the tax load under this bill. I claim it is unfair because it will cast a burden upon the oil consuming home owners in the City of Philadelphia and that district, and they are already overburdened with real estate taxes and they are finding it hard to carry their homes, and many of them are only half-time employes. It will be a hardship to place this tax upon them.

I claim it is unsound because it will place a burden upon the manufacturers of the city of Philadelphia and in many other large centers. A good many of these manufacturers are now operating on a very narrow margin of profit. If this bill is enacted into law it will put a burden on these manufacturers, who, in turn, will pass it on to labor, and I maintain that when we, members of this House, the law making body, pass legislation, we should always be careful not to pass legislation that will separate capital and labor, but should rather endeavor to bring them closer together.

I know what the proponents of this bill will say, "Well, if they can't shoulder the burden of this taxation, why not go to coal?" They can go back to coal, I agree with you. Those oil burning companies, those large plants which use so much oil, in going back to coal, must go back to soft coal. Now, we all know the burning of soft coal results in a smoke nuisance, while the burning of fuel oil has gone a long way to efface that nuisance. I appeal to the members from the counties that do not use much fuel oil, to play this game fair and vote down this bill.

Mr. SPROUL. Mr. Speaker and members of the House, aside from the question of the direct tax upon the home owner now burdened with real estate taxes for using a particular fuel to which he has become accustomed or made use of for economic reasons, large real estate units are faced with a serious rise in their operating costs through no fault of their own. Sound taxation does not dictate a policy which upsets the economic parity of oil with other fuels built up over a period of years, especially as it purports to be a temporary tax on this important necessity.

Now, as to its effect on our important Pennsylvania industries. This bill would place an unfair temporary tax upon those industries which can use only oil as their suitable method of heating. Those same industries in other states immediately have an advantage over us in their manufacturing costs to which they should not be subject. Take the effect on our enormous steel industries, a great many of the plants of which use oil in their furnaces. Their costs are promptly penalized one to two dollars a ton in making steel, and gentlemen, that is quite a serious penalty for an industry that has lost money for five years and is now struggling along to come out of the red. It's like adding a five per cent tax on their gross income in lots of cases. Right in our own county there is a plant belonging to a company that has a plant in St. Louis, which lost $12,500,000 in five years. They employ about seven hundred men and such a tax could easily cause them to move their work to the other plant in St. Louis, where it was before.

I ask the members to vote against this bill because it is only a tax for twelve months. The economic disturbance created by this temporary tax is not warranted and should not be supported. It will affect hundreds of our industries in Pennsylvania.

Mr. HERMANSEN. Mr. Speaker, being one of the members from thhe hard coal region, I feel that a large number of the members may feel that I am getting up for selfish reasons to defend this bill, but I do not want to leave that impression with the House. While I recognize the fact that fuel oil has become a keen competitor against anthracite and bituminous coal, and that in the anthracite region there are today approximately forty-five thousand men idle as the result of lost markets, I still think by omitting that argument that we can testify this tax on fuel oil.

Oil today is not only a State problem, nor a Federal problem: it is a world problem. The resources that the world has today are undetermined. No one is able to estimate how long they will last, and that alone I think makes it imperative on the part of every state in the United States to make an effort to conserve oil as a lubricant.

We also understand that the Pennsylvania fuel oil has a paraffine base, which makes it a superior lubricating oil. Now, inasmuch as we are coming into the machine age and the world is practically run on wheels and we look forward to the future with the hope of producing our living with machinery, then I think it devolves upon us at this time to make preparations at least to provide the lubrication that will be necessary to continue that machinery in action.

Now, to show what alarming growth oil has made, the inroads that it has made in recent years, I want to quote from "Hot Oil," a book edited by Congressman Pettingell: "Drake's Folly, a well sunk sixty-nine and a half feet in 1859 for illumination has grown to be the second largest industry in the world, and now supplies

power for twenty-six million automotive units, including trucks and tractors but not stationary engines.

In 1934 automobiles drove up to 300,000 filling stations and filled their tanks with 17,234,000,000 gallons of gasoline.

"Surface roads that would reach from here to the moon, 271,845 miles have been built of petroleum asphalt.

"Oil companies furnish fuel oil to about 1,500,000 homes, a gain of 11900 per cent since 1920 when only 12,500 homes were heated with oil.

"Before the World War 96 per cent of the world ocean tonnage burned coal today only 53 per cent."

Now, my friends, I think that it is high time that we were serving notice upon the producers of oil that they should cease to invade the fuel market. I know that it is an unfortunate thing that so many have turned to oil, but that really is not an argument in defense of or against this legislation. They are just unhappy victims, and probably the Legislature is responsible to a large extent for not having served notice upon the oil industry long ago. I for one want to ask my friends to support the measure.

Mr. GATES. Mr. Speaker and members of the House, I think it is about time that the people of the State of Pennsylvania put a stop to the importing of fuel oil into the State of Pennsylvania. I believe that every member, every true Pennsylvanian in this House will vote for this bill, and will be only sorry that the sponsors of this bill decided for some reason to cut it from two cents down to a one-half cent. We have in the State of Pennsylvania some three hundred thousand coal miners who will be greatly affected by this unfair competition of imported fuel oil in competition with one of Pennsylvania's greatest industries.

I also come from a county, Armstrong County, that produces natural gas in great quantities, and I want to tell you that the importation of this oil greatly affects the natural gas industry of Pennsylvania.

I also want to call your attention to the fact that coal is shipped over the railroads of the State of Pennsylvania in quantities in the millions of tons, and pay into the coffers of the railroads of this State many thousands of dollars, and if you cripple the coal industry of the great Keystone State of Pennsylvania you in turn cripple the railroads of our State. I ask every member of this House to vote aye on this bill.

Mr. McKINNEY. Mr. Speaker and members of the House, oil is produced in 18 of the 67 counties of the State, employs 20,000 men with an annual payroll of over $10,000,000. It supplies crude to 30 small refineries which employ some 4,500 men with an annual payroll of over $6,000,000.

Pennsylvania oil comes from some 80,000 stripper wells, the cost of production is the highest in the United States. Exclusive of the Bradford field these wells average about one-tenth of a barrel per day and are owned and operated by individuals or small companies. Government reports show that these producers now operate at a loss. Further increase in taxes would result in abandoning many small wells and would put many producers and employes out of business or on the dole.

In Pennsylvania the tax derived from every barrel of oil produced now stands at $1.48. If this further tax is assessed the tax on each barrel produced will move up to $1.69. This figure is 71 per cent of the value of Bradford crude and 74 per cent of the value of Emlenton crude crude and more than 80 per cent of the value of southwest Pennsylvania crude. When the tax eaters take $1.69 out of every barrel of crude produced in Pennsylvania political agencies will realize more on oil than the producers themselves.

This additional tax burden, coming after a long lean period during which producers wondered how much longer they could hold on, will prove the last straw to hundreds if not thousands of small producers and will certainly shove some small refineries into bankruptcy.

This proposed tax means an increased burden of approximately 30 per cent to the householder in his heating bills and about 50 per cent increase to the manufacturer and it just can not be borne by the consumer, the plant operator, the refiner or the producer.

Mr. ZIMMERMAN. Mr. Speaker and members of the House, I am sure we are all keenly interested in this coal industry in Pennsylvania, but in the last few weeks the mail has contained communications from manufacturers in this State who use fuel oil, and the large number of manufacturers involved who are dependent because of their factory set-ups to use fuel oil find it utterly impossible to put this tax in their cost of doing business, commonly called the overhead. For that reason I believe we should take into consideration at this time the small manufacturer or the large number of small manufacturers in this State who employ perhaps hundreds and thousands of men, dependent for motive power upon fuel oil, the tax on which must come out of their cost of doing business. If we pass this tax, if we impose a further penalty upon them it will mean in a great majority of cases that these industries will be forced to close their doors, and such being the case, there will be more men on relief, and because of that it will be necessary for more funds to be appropriated for relief, and there we have the endless chain, so I believe in voting on this bill, we should take into consideration the manufacturing industry in this State as well as the coal industry in this State, and in doing so try to help the men who are now employed to keep their jobs.

Mr. SIMPSON. Mr. Speaker, I would like to interrogate the gentleman from Cambria, Mr. Haluska.

The SPEAKER. Will the gentleman from Cambria, Mr. Haluska, permit himself to be interrogated?

Mr. HALUSKA. I will, Mr. Speaker.

Mr. SIMPSON. Mr. Speaker, did the gentleman from Cambria state that the purpose of the bill was to raise money and not to aid the coal industry of Pennsylvania?

Mr. HALUSKA. Mr. Speaker, when I spoke on the amendment, I did state that the purpose of the measure was not only to restore the coal market but also to raise revenue, but since the measure has been cut down from two cents to half a cent, it resolves itself purely into a revenue raising bill.

Mr. SIMPSON. Mr. Speaker, does the gentleman have any thought as to the possible increase in the consumption of coal that the passage of this tax might result in, that might result from the passage of this bill?

Mr. HALUSKA. Mr. Speaker, I will say that to my mind quite a number of consumers of fuel oil naturally refer back to coal and by their doing so it will increase the consumption of coal. At least I hope they will all come back to coal.

Mr. SIMPSON. Mr. Speaker, I wish to thank the gentleman.

Mr. Speaker, I choose to view this bill as a bill that will really aid the coal industry of Pennsylvania, and for that reason I wish to ask the support of those persons who are interested in the assistance of the miners of Pennsylvania and ask that all support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—131

Achterman,	Dent,	Linderman,	Ruffennach,
Alexander,	Diehl,	Long,	Sarraf,
Allen,	Downey, G. E.,	Lovett,	Scanlon,
Andrews,	Downey, J. J.,	Lynch,	Schaeffer,
Anthony,	Eberharter,	Male,	Schrock,
Arnold,	Eroe,	Mason,	Schrope,
Atkins,	Falkenstein,	McDermott,	Schwab,
Aukerman,	Ferko,	McElroy,	Shaw,
Baine,	Finnerty,	McHenry,	Shepard,
Baker, J. J.,	Fitch,	Melchiorre,	Shortz,
Barber,	Flanagan,	Mentzer,	Shugarts,
Barnhardt,	Flinchbaugh,	Merrell,	Siegel,
Bernhard,	Gates,	Moomaw,	Simon,
Boose,	Gerard,	Mooney,	Simpson,
Boyer,	Haberlen,	Moran,	Sinwell,
Bradley,	Hagerty,	Munley,	Sloan,
Brancato,	Haluska,	Nagel,	Smith, J. A.,
Brown, H. S.,	Hamilton, F. P.,	O'Keefe,	Smith, W. G.,
Brown, J. E.,	Harkins,	Ominsky,	Stank,
Brownfield,	Harmuth,	O'Neill,	Stevens,
Brumbaugh,	Hartman,	Parks,	Stewart,
Burke,	Hermansen,	Patterson, C.,	Sumney,
Caputo,	Hetrick,	Patterson, J. W.,	Tronzo,
Carson,	Hindman,	Pearson,	Tumelty,
Chervenak,	Hirsch,	Perry,	VanSickle,
Coakley,	Holland,	Phillips,	Wall,
Cochran,	Holstrom,	Piole,	Welliver,
Cohen,	Jones,	Powers,	Welsh,
Coleman,	Kelso,	Reising,	Westrick,
Coolahan,	Kilroy,	Rhys,	Yourishin,
Cordier,	Kinney,	Rinn,	Zappala,
Davies,	Klinger,	Roan,	Furman,
Decker,	Kobelak,	Robinson,	

NAYS—66

Altenburg,	Hoffner,	Panton,	Tahl,
Baker, F. T.,	Hoopes,	Peters,	Terry,
Baldi,	Horst,	Pfaff,	Trout,
Beadman,	Jackson,	Rooney,	Turner,
Blumberg,	Kane,	Root,	Van Allsburg,
Boyd, R.,	Kenney,	Rover,	Wasserman,
Brennan,	LaRue,	Serrill,	Weidemann,
Cannon,	Longaker,	Shreiner,	Weiss,
Condon,	Mallen,	Snyder, F. E.,	White,
Cooper,	McCreary,	Snyder, J. L.,	Wickersham,
Duffort,	McDevitt,	Sowers,	Winner,
Flynn,	McKinney,	Sproul,	Witkin,
Forrest,	Moore,	Stockham,	Wood,
Gillette,	Moul,	Stone,	Woodside,
Greenstein,	Muir,	Stott,	Yeakel,
Habbyshaw,	Murrin,	Surface,	Zimmerman,
Hamilton, R. S.,	Nothnagle,	Sweeney	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE RESOLUTION No. 14

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Resolution No. 14, entitled:

In the House of Representatives, May 25, 1936.

Whereas, It is estimated that approximately eight hundred forty-five thousand dollars ($845,000.00) of moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes will be lapsed into the General Fund on May thirty-first, one thousand nine hundred thirty-six; and

Whereas, The sum of [six] four million eighty-six thousand two hundred eleven dollars [($6,086,211.00)] $4,086,211.00 in addition to the aforesaid eight hundred forty-five thousand dollars ($845,000.00) will be necessary for unemployment relief purposes for the month of June one thousand nine hundred thirty-six; and

Whereas, There is an immediate need for the raising of this amount for the use of the General Fund by transfers of moneys from the Motor License Fund and The State Stores Fund [and the Liquid Fuels Tax Fund] therefore, be it

Resolved (if the Senate concur), That the General Assembly hereby authorizes the Governor and the Fiscal Officers of the Commonwealth to transfer to the General Fund the sum of two million five hundred thousand dollars $2,500,000.00) from the State Stores Fund and the hundred eleven dollars ($1,586,211.00) from the Motor Lisum of one million five hundred eighty-six thousand two cense Fund and the sum of two million dollars ($2,000,-000.00) from the Liquid Fuels Tax Fund and hereby makes available to the State Emergency Relief Board the aggregate sum of [six] four million eighty-six thousand two hundred eleven dollars [($6,086,211.00)] $4,086,211.00 for unemployment relief purposes; and

Resolved, That any moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes that remain unobligated and unexpended on May thirty-first, one thousand nine hundred thirty-six, are hereby made available to the State Emergency Relief Board for unemployment relief purposes on and after May thirty-first, one thousand nine hundred thirty-six; and

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers authorized by this resolution, (2) appropriating or re-appropriating as the case may be to the State Emergency Relief Board for unemployment relief purposes the sum of [six] four million eighty-six thousand two hundred eleven dollars [$6,086,211.00)] $4,086,211.00 and any moneys heretofore appropriated for unemployment relief that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Motor License Fund and the Liquid Fuels Tax Fund.

And has appointed Messrs. Bean, Buckman and J. Albert Reed, a committee of conference to confer with a similar committee of the House of Representatives already appointed on the subject of the differences existing between the two houses in relation to said resolution.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 57, entitled:

An Act providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons providing for the recovery of moneys expended for assistance in

certain cases providing penalties and repealing inconsistent acts

The first second and third sections were separately read and agreed to as follows:

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Short Title This act shall be known and may be cited as the "Old Age Assistance Law"

Section 2 Definitions The following words and phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Assistance" means financial assistance to aged indigent resident citizens qualified to receive assistance under this act or payments toward the funeral expenses of such persons as provided in this act

"Beneficiary" means a person who is receiving financial assistance in accordance with the provisions of this act

"Board" means the Board of Trustees of the Mothers' Assistance Fund established by law and herein invested with powers to administer this act

"Department" means the Department of Welfare of the Commonwealth of Pennsylvania

"Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several states to make more adequate provision for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes

"Social Security Board" means the Social Security board established by the Social Security Act

Section 3 Administration of Act This act shall be administered by the department and the boards in the several counties of this Commonwealth

The fourth section was read as follows:

Section 4 Cooperation with Federal Board The department is empowered and directed to cooperate with the Social Security Board in carrying out the provisions and purposes and the administration of title one of the Social Security Act and is further empowered to supervise the disbursement of all funds provided by the Federal Government for use in this Commonwealth for assistance to make such reports in such form and containing such information as the Social Security Board may from time to time require and to comply with such orders and regulations as such board may from time to time make to assure the correctness and cerification of such reports

On the question,

Will the House agree to the section?

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 4, page 3, line 14, by inserting after the word "reports" the following: "Provided, nevertheless, that should said Federal Social Security Act be held unconstitutional or inoperative or null and void, this Old Age Assistance Law shall continue to be operative as if the said Social Security Act has never existed."

On the question,

Will the House agree to the amendment?

Mr. SOWERS. Mr. Speaker and members of the House: with reference to the amendment of Section 4, page 3, line 14, if you will take this bill, you will find on line 14, the last three words, "of such reports," and the amendment adds these words, for the purpose of clarifying the bill, "Provided, nevertheless, that should said Federal Social Security Act be held unconstitutional or inoperative or null and void, this Old Age Assistance Law shall continue to be operative as if the said Social Security Act has never existed."

If you will take House Bill 57 and turn to Section 24, page 12, you will find that Section 24 repeals all of the existing Old Age Assistance laws in Pennsylvania.

Bill 57 is written around the Social Security Act. Should the Supreme Court of the United States declare that act null and void, then for a possible period of two years Pennsylvania would be without an Old Age Assistance Act, and I ask you to vote "aye" on this amendment, so that the system that has been already established and will continue and will continue without danger of repeal.

Mr. KOBELAK. Mr. Speaker and members of the House, according to the decision handed down by the Welfare Department of the Attorney General's Office, this act will not be repealed, and I will ask the members of the House to vote against the amendment.

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Sowers.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sowers, permit himself to be interrogated?

Mr. SOWERS. I will, Mr. Speaker.

Mr. COHEN. Mr. Speaker, will the gentleman from Philadelphia indicate for the benefit of the membership of this House, wherein this bill will fall upon the unconstitutionality of the Federal Socal Security Act?

Mr. SOWERS. Mr. Speaker, the bill provides in Section 4, "For cooperation with the Federal Board", etc., and the entire bill is written around the Social Security Law. Now, I cannot understand why you or anyone would object to the insertion of the amendment, which makes it absolutely and one hundred percent sure that Old Age Assistance will not and might not be repealed in Pennsylvania.

Mr. COHEN. Mr. Speaker, does the gentleman from Philadelphia know the meaning of the word "superfluous"?

Mr. SOWERS. Mr. Speaker, the same as the gentleman used the word "deleted" the other day.

Mr. COHEN. Mr. Speaker, the gentleman from Philadelphia is not answering my question. I understand the use of that word, but this is for the sake of the aged of Pennsylvania.

Mr. SOWERS. Mr. Speaker, I would rather have it that way and be certain than uncertain.

Mr. COHEN. Mr. Speaker, the gentleman from Philadelphia has referred the membership of this House to Section 4 of the act. Section 4 of the act merely provides that the Commonwealth of Pennsylvania shall cooperate with the Federal Government and to receive the funds necessary from the Federal Government to make its fifty percent contribution.

There is no indication whatsoever in any part of the context of this bill that this bill will fall if the Federal Government Security Act is held unconstitutional. The amendment is purely superfluous and would in no manner help the interpretation or the enforcement of the act.

Mr. SOWERS. Mr. Speaker and members of the House, I will only delay the members a moment or two. Some of you may not have been members of that session when old age pension amendments were offered in this House. On all of those occasions I fought for old age pensions and I shall continue to fight for them. I do not care

whether or not a dozen or more words are added to this bill, but I do care, and I am extremely anxious that technically and legally nothing happens to Old Age Assistance. I ask this House to approve the amendment so that if the Federal Social Security Act should go to court and be declared unconstitutional by the Supreme Court of the United States, nothing shall happen to old age assistance in Pennsylvania.

I ask for a roll call, Mr. Speaker.

Mr. KOBELAK. Mr. Speaker and members of the House, up to the present time the State of Pennsylvania has been able, limited as it has been, to take care of the aged people, and I believe that under the provisions of this bill that in the future, if the Federal Social Security Act should be declared unconstitutional, the State of Pennsylvania will still be able to carry on, and I ask the members of this House to vote against the amendment.

Mr. COHEN. Mr. Speaker, for the benefit of the membership of the House, I desire to read from page 6, Section 8, lines 12, 13 and 14, "but in the event that Federal grants are not available payments may be made entirely from State appropriations." So, I can assure the House that the trouble, the difficulty giving the gentleman from Philadelphia concern will not be a problem in case the Federal Security Act is declared unconstitutional.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. WITKIN and Mr. SOWERS, and were as follows:

YEAS—81

Altenburg,	Habbyshaw,	Pearson,	Stockham,
Atkins,	Hamilton, R. S.,	Perry,	Stott,
Baldi,	Hermansen,	Peters,	Surface,
Barnhardt,	Hoffner,	Phillips,	Sweeney,
Beadman,	Jackson,	Reynolds,	Tahl,
Bernhard,	Jones,	Rhys,	Terry,
Blumberg,	Kane,	Roan,	Trout,
Boose,	Kelder,	Rooney,	Turner,
Boyd, R.,	Kenney,	Root,	VanAllsburg,
Boyer,	Linderman,	Schrock,	Wall,
Brennan,	Longaker,	Serrill,	Wasserman,
Condon,	Mallen,	Shortz,	Weidemann,
Cooper,	Mason,	Shreiner,	White,
Cordier,	McCreary,	Simpson,	Wickersham,
Davies,	McDevitt,	Sloan,	Winner,
Duffort,	McKinney,	Snyder, F. E.,	Witkin,
Flynn,	Merrell,	Snyder, J. L.,	Wood,
Forrest,	Moore,	Sowers,	Woodside,
Gates,	Muir,	Sproul,	Yeakel,
Gillette,	Nothnagle,	Stewart,	Zimmerman,
Greenstein,			

NAYS—107

Achterman,	Eberharter,	LaRue,	Sarraf,
Alexander,	Eroe,	Long,	Scanlon,
Allen,	Falkenstein,	Lovett,	Schaeffer,
Arnold,	Ferko,	Lynch,	Schrope,
Aukerman,	Finnerty,	Male,	Schwab,
Baine,	Fitch,	McDermott,	Shaw,
Baker, J. J.,	Flanagan,	McElroy,	Shepard,
Barber,	Flinchbaugh,	McHenry,	Shugarts,
Bradley,	Gerard,	Melchiorre,	Siegel,
Brancato,	Haberlen,	Moomaw,	Simon,
Brown, H. S.,	Hagerty,	Mooney,	Sinwell,
Brown, J. E.,	Haluska,	Moran,	Smith, J. A.,
Brownfield,	Hamilton, F. P.,	Moul,	Smith, W. G.,
Brumbaugh,	Harkins,	Munley,	Stank,
Caputo,	Harmuth,	Murrin,	Stevens,
Carson,	Hartman,	Nagel,	Stone,
Chervenak,	Hetrick,	O'Keefe,	Tronzo,
Coakley,	Hindman,	Ominsky,	Tumelty,
Cochran,	Hirsch,	O'Neill,	VanSickle,
Cohen,	Holland,	Patterson, C.,	Weiss,
Coleman,	Holstrom,	Patterson, J. W.,	Welliver,
Coolahan,	Hoopes,	Pfaff,	Welsh,
Decker,	Kelso,	Piole,	Westrick,
Dent,	Kilroy,	Powers,	Yourishin,
Diehl,	Kinney,	Reising,	Zappala,
Downey, G. E.,	Klingler,	Robinson,	Furman,
Downey, J. J.,	Kobelak,	Ruffennach,	

So the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The fifth section was read as follows:

Section 5 Qualifications for Assistance Assistance may be granted under this act only to an applicant who

(a) Has attained the age of seventy years or upwards or who after December thirty-first one thousand nine hundred and thirty-nine attains the age of sixty-five years or upwards

(b) Is a citizen of the United States

(c) Resides in this Commonwealth and (1) has so resided therein for five years during the nine years immediately preceding the date of making application for assistance (2) has so resided continuously for one year immediately preceding the date of making application for assistance and (3) has a legal settlement in this Commonwealth Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the Commonwealth if a domicile has not been acquired outside the Commonwealth

(d) Is not at the date of making application an inmate of a public reform or correctional institution or public mental hospital

(e) Has not within two years preceding the date of application for assistance been a professional tramp or beggar

(f) Is indigent and has no relative responsible under the law of this Commonwealth and financially able to support him or her

(g) Shall not have voluntarily relinquished or given up any gainful employment without just cause within six months preceding the date of making application for assistance

(h) Shall not have conveyed or transferred his or her real or personal property of the value of five hundred dollars ($500.00) or upwards without fair consideration within two years preceding the date of making application for assistance

On the question,

Will the House agree to the section?

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 5, page 3, lines 17 to 20, by striking out all of said lines, and insert in lieu thereof: "(a) Has attained the age of seventy years or upwards, or who after December thirty-first, one thousand nine hundred and thirty-seven attains an age of sixty-nine years or upwards, or who after December thirty-first, one thousand nine hundred and thirty-eight, attains an age of sixty-eight years or upwards, or who after December thirty-first, one thousand nine hundred and thirty-nine, attains an age of sixty-five years and upwards."

Amend section 5, page 4, lines 12 to 15, by striking out all of said lines.

Amend section 5, page 4, line 16, by striking out the letter "(h)" and insert in lieu thereof "(g)".

On the question,

Will the House agree to the amendments?

Mr. SOWERS. Mr. Speaker and members of the House, House Bill No. 57, Section 5, paragraph "a", lines 17, 18 and 19, contains these words, "Has attained the age of seventy years or upwards or who after December thirty-first one thousand nine hundred and thirty-nine attains the age of sixty-five years or upwards." The amendment proposed is to strike out those words and substitute in lieu thereof, "(a) Has attained the age of

seventy years or upwards, or who after December thirty-first, one thousand nine hundred and thirty-seven attains an age of sixty-nine years or upwards, or who after December thirty-first, one thousand nine hundred and thirty-eight, attains an age of sixty-eight years or upwards, or who after December thirty-first, one thousand nine hundred and thirty-nine, attains an age of sixty-five years and upwards."

It was my first thought to amend it so as to make it dovetail exactly with the Social Security Act, which provides that if Pennsylvania specifies sixty-five years of age as being the minimum age at which old age assistance could be granted, then the Federal Government would contribute half of the sum paid by Pennsylvania.

I notice in the Governor's proclamation these words, "Social legislation to enable the Commonwealth, its political subdivisions, their agencies or instrumentalities and its citizens to obtain the full benefits of the Federal Social Security Act." I fail to understand why the Administration Bill does not follow the Governor's Proclamation, and why it was not written so as to obtain the full benefits of the Social Security Act.

We also offer an amendment to lines 12 to 15 on page 4 by striking out these words, "Shall not have voluntarily relinquished or given up any gainful employment without just cause within six months preceding the date of making application for assistance."

I submit that if those words are continued in the Old Age Assistance Act, being something not contained in the present law, then almost every working man would never get old age assistance, because employers, as a rule, will never take the odium of discharging an old man; they usually make his duties so heavy that the old fellow quits his employment voluntarily, and with that practical condition, I cannot understand why the Administration would want to insert in this Old Age Assistance bill those words, and I will read them again to you: "Shall not have voluntarily relinquished." In other words, if an old man seventy years of age voluntarily quits his job then the Administration's bill would prevent him from getting assistance. I wonder if the Administration expects a man to work till he is ninety to get assistance. It seems to me that is is very unfair to the aged people of the Commonwealth of Pennsylvania to deny them assistance because when they reach seventy years of age they quit their employment.

Again there is another amendment which strikes out the letter "h" and substitutes "g", but that is unimportant.

The important thing is this: this Administration announces to the people of Pennsylvania that this special session was called for the express purpose of obtaining the full benefits of the Social Security Act, and the section does not do it. Was not this session called so that a man whe he reaches sixty-five might retire on old age assistance, and yet be compelled to work until some one fires him.

I ask you to vote "aye" on this amendment, and I ask for a roll call, Mr. Speaker.

Mr. KOBELAK. Mr. Speaker and members of the House, on page 4, paragraph (g), lines 12 to 15, it says, "Shall not have voluntarily relinquished or given up any gainful employment without just cause within six months preceding the date of making application for assistance."

I do not believe that at the present time there is any industry in Pennsylvania which employes a man at the age of seventy, that is, a man who is able to be gainfully employed, and I think the gentleman from Philadelphia, Mr. Sowers, is just doing a lot of talking at the present time, because a man at the age of seventy the industry asks to require at the age of fifty or sixty-five at this time.

Therefore, I ask the members of this House to vote down this amendment.

Mr. SOWERS. Mr. Speaker, may I interrogate the gentleman from Allegheny, Mr. Kobelak?

The SPEAKER. Will the gentleman from Allegheny, Mr. Kobelak, permit himself to be interrogated?

Mr. KOBELAK. Mr. Speaker, I will.

Mr. SOWERS. Mr. Speaker, may I ask the gentleman from Allegheny if this bill is an Administration bill?

Mr. KOBELAK. Mr. Speaker, some parts of the bill are Administration, but I have worked on the bill for some time past, and that is why I am now presenting the bill.

Mr. SOWERS. Mr. Speaker, does the gentleman know that the present law does not contain that provision, "Shall not have voluntarily relinquished", and so forth?

Mr. KOBELAK. That is right, Mr. Speaker; I do.

Mr. SOWERS. Mr. Speaker, that it does not contain that?

Mr. KOBELAK. That is right, Mr. Speaker.

Mr. SOWERS. Mr. Speaker, did the Administration ask the gentleman to include that in his bill?

Mr. KOBELAK. That was included in this bill, Mr. Speaker—yes.

Mr. SOWERS. By the Administration, Mr. Speaker?

Mr. KOBELAK. Mr. Speaker, it was drawn up with the help of the Attorney General's Office.

Mr. SOWERS. Mr. Speaker, will the gentleman explain to the House how that provision complies with the Governor's Proclamation regarding social legislation, to enable the Commonwealth to obtain the full benefit of the Federal Social Security Act?

Mr. KOBELAK. Mr. Speaker and members of the House, in answer to the gentleman from Philadelphia, we had to include this in order to obtain the benefits of the Federal Security Act.

Mr. SOWERS. Mr. Speaker, doesn't the gentleman know that the Social Security Act has an age requirement of not more than sixty-five years?

Mr. KOBELAK. Mr. Speaker, yes.

Mr. SOWERS. Then, Mr. Speaker, why did the Administration write in seventy years, until January first or December thirty-one, 1939?

Mr. KOBELAK. Mr. Speaker, I believe one reason was because as long as the gentlemen in the minority, the minority of the House, has voted against all tax bills, and as long as the Senate majority have voted against all tax bills, that we have tried to keep within the limits and to furnish the aged people with as much money as we possibly could.

Mr. SOWERS. May I ask the gentleman to try me on some tax bill for an old person.

Mr. KOBELAK. There are no tax bills for old persons.

Mr. SOWERS. Mr. Speaker, is the gentleman willing to amend this bill so that the age limit will be sixty-five?

Mr. KOBELAK. No, Mr. Speaker, not at the present

time. Not being an attorney, and especially a Constitutional attorney, at the present time I am afraid it might interfere wih the rest of the bill.

Mr. SOWERS. Mr. Speaker, does the gentleman know that if the age limit was sixty-five that the Washington Administration promised to pay to Pennsylvania half of the money that might be paid to the old people?

Mr. KOBELAK. Yes, I do, Mr. Speaker.

Mr. SOWERS. Mr. Speaker, and does the gentleman still persist in not reducing it to sixty-five?

Mr. KOBELAK. Yes, Mr. Speaker, the reason is that at the present time it is not advisable, and because in six months from now, the gentleman from Philadelphia, Mr. Sowers, will be able to make these amendments.

Mr. SOWERS. Mr. Speaker, is it the instruction of the Administration not to reduce it to sixty-five?

Mr. KOBELAK. It is not, Mr. Speaker.

Mr. SOWERS. Mr. Speaker, may I ask the gentleman: Just his own instructions?

Mr. KOBELAK. I have no instructions on this matter, Mr. Speaker.

Mr. EBERHARTER. Mr. Speaker, I should like to interrogate the gentleman from Philadelphia, Mr. Sowers.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sowers, permit himself to be interrogated?

Mr. SOWERS. I will, Mr. Speaker.

Mr. EBERHARTER. Mr. Speaker, am I correct in assuming that the amendment proposed by the gentleman from Philadelphia is for the purpose of making all persons within the age of sixty-five years eligible to a pension?

Mr. SOWERS. Mr. Speaker, my amendment does not do that. I wish it did, but I have compromised because I thought I might get a few of you Democrats on a compromise. I am doing it to get some of you, if I can. If you will promise to stand with me for sixty-five, I will withdraw this amendment and substitute another.

Mr. EBERHARTER. Then I take it, Mr. Speaker, that the gentleman from Philadelphia is not desirous of having persons who have reached sixty-five receive a pension under this act during the coming year; is that correct?

Mr. SOWERS. Mr. Speaker, in answering the gentleman from Allegheny, permit me to state that I am desirous, I wish the amendment was sixty-five. I found that I could not do that, and now I am trying this compromise with you gentlemen on the other side of the House, but I find that I am getting nowhere with the compromise for the poor old people that the Governor was so very solicitous about in his proclamation.

Mr. EBERHARTER. Then the gentleman, Mr. Speaker, does not desire to have any person during the year nineteen hundred and thirty-seven, who has reached the age of sixty-five, receive a pension under the Federal Social Security Act in combination with any statute that may be passed by the State of Pennsylvania?

Mr. SOWERS. I do, Mr. Speaker, and I wish the gentlemen on the other side of the House would join with me in passing such an amendment.

Mr. EBERHARTER. Mr. Speaker, has the gentleman prepared such an amendment for submission to this House?

Mr. SOWERS. Mr. Speaker, if the gentleman promises me that he will stand with me and have the Governor stand with me and approve the bill, I will prepare one in two minutes—one minute.

Mr. EBERHARTER. Mr. Speaker, does the amendment that the gentleman from Philadelphia, Mr. Sowers, has introduced and on which he has been debating provide that persons at the age of sixty-five shall receive a pension during the year nineteen hundred and thirty-seven?

Mr. SOWERS. Mr. Speaker, the amendment does not; I wish it did. I will change the amendment if you will but promise to go along with me.

May I interrogate the gentleman from Allegheny, Mr. Eberharter?

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. EBERHARTER. I will, Mr. Speaker.

Mr. SOWERS. Mr. Eberharter, will you promise to go along with me in an amendment to sixty-five years?

Mr. EBERHARTER. Mr. Speaker, I desire to have the opportunity to answer the interrogation of the gentleman from Philadelphia, Mr. Sowers.

The SPEAKER. The gentleman will proceed.

Mr. SOWERS. May I first have my amendment provide for sixty-five years, to accommodate the gentleman from Allegheny, Mr. Speaker?

The SPEAKER. The gentleman from Allegheny has asked permission to answer a question of the gentleman from Philadelphia, Mr. Sowers. The gentleman from Allegheny will proceed.

Mr. EBERHARTER. Mr. Speaker, I believe the question of the gentleman from Philadelphia was whether or not the Democrats in this House would go along with the gentleman from Philadelphia on this act to the end that every person who reaches the age of sixty-five would receive a pension this years?

Mr. SOWERS. Mr. Speaker, that is correct; old age assistance in accordance with the Federal Social Security Law.

Mr. EBERHARTER. Mr. Speaker, I do not believe that the gentleman from Philadelphia has asked me a question, as a member of this side of the House, that is altogether fair, because I am not in a position to answer for the Democratic majority.

Mr. SOWERS. Mr. Speaker, may the House tarry a few minutes till the gentleman ascertains the answer?

MOTION TO LAY ON THE TABLE

Mr. WITKIN. Mr. Speaker and members of the House, the gentleman from Allegheny, Mr. Eberharter, has spent a great deal of time in interrogating the gentleman from Philadelphia, Mr. Sowers, as to whether or not the gentleman from Philadelphia was in favor of reducing the age limit to sixty-five years, and in turn the gentleman from Philadelphia, Mr. Sowers, has asked the gentleman from Allegheny what he first answered and subsequently considered an unfair question, in which he asked him whether the Democrats of this House would go along on the age of sixty-five.

The gentleman from Allegheny in his interrogation of the gentleman from Philadelphia received an affirmative answer, and the gentleman from Philadelphia took the opportunity to change his amendments so that the age limit would be changed to the age of sixty-five.

I, therefore, ask you, Mr. Speaker, and move for the purpose and the sole purpose of permitting the gentleman from Philadelphia to change his amendment, so that the age limit will be reduced to sixty-five years, that the amendment, together with the bill, be temporarily laid on the table, and permit the gentleman from Philadelphia

to prepare the amendments which the gentleman from Allegheny, Mr. Eberharter, indicated he might by questioning ascertain from the Democratic majority of this House whether they would go along with the amendment. We want the Democrats to answer that question and to vote accordingly.

I, therefore, move that the bill, together with the amendments, be laid on the table in order to give the gentleman from Philadelphia an opportunity of preparing the amendments, and he will do it in less than half a minute.

On the question,

Will the House agree to the motion?

Mr. VANSICKLE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Witkin.

The SPEAKER. A motion to lay on the table is not debatable, therefore, the interrogation is not in order at this time.

Mr. WITKIN. Mr. Speaker, I will waive it.

The SPEAKER. It can not be waived without a suspension of the rules.

Mr. MOOMAW. Mr. Speaker, as the question is not debatable, will the gentleman from Philadelphia withdraw his motion temporarily?

Mr. WITKIN. Mr. Speaker, may I ask the gentleman the purpose for which he wishes me to withdraw the motion temporarily?

The SPEAKER. Will the gentleman from Franklin, Mr. Moomaw, state his purpose?

Mr. MOOMAW. Mr. Speaker, the purpose was to interrogate the gentleman from Philadelphia as to whether or not ——

The SPEAKER. This motion is not debatable.

Mr. MOOMAW. —— as to whether or not the other side of the House would agree to such taxation measures as might be necessary to fulfill the amendments which they desire.

Mr. KOBELAK. Mr. Speaker, may I quote the provisions of the Social Security Act relating to Federal grants in aid of the State?

The SPEAKER. The gentleman is out of order. The motion before the House is to lay the bill, together with the amendments, on the table.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. SOWERS and Mr. WITKIN and were as follows:

YEAS—82

Altenburg,	Greenstein,	Perry,	Stockham,
Atkins,	Habbyshaw,	Peters,	Stott,
Baker, F. T.,	Hamilton, R. S.,	Phillips,	Surface,
Baldi,	Hermansen,	Reynolds,	Sweeney,
Barnhardt,	Jackson,	Rhys,	Tahl,
Beadman,	Jones,	Roan,	Terry,
Bernhard,	Kane,	Rooney,	Trout,
Blumberg,	Kelder,	Root,	Turner,
Boose,	Kenney,	Royer,	VanAllsburg,
Boyd, R.,	Linderman,	Schrock,	Wall,
Boyer,	Longaker,	Serrill,	Wasserman,
Brennan,	Lovett,	Shortz,	Weidemann,
Cannon,	Mason,	Shreiner,	White,
Condon,	McCreary,	Simpson,	Wickersham,
Cooper,	McDevitt,	Sloan,	Winner,
Cordier,	McKinney,	Snyder, F. E.,	Witkin,
Davies,	Merrell,	Snyder, J. L.,	Wood,
Flynn,	Moore,	Sowers,	Woodside,
Forrest,	Muir,	Sproul,	Yeakel,
Gates,	Nothnagle,	Stewart,	Zimmerman,
Gillette,	Parks,		

NAYS—104

Achterman,	Eroe,	Long,	Sarraf,
Alexander,	Falkenstein,	Lynch,	Scanlon,
Allen,	Ferko,	Male,	Schaeffer,
Anthony,	Finnerty,	McDermott,	Schwab,
Arnold,	Fitch,	McElroy,	Shaw,
Aukerman,	Flanagan,	McHenry,	Shepard,
Baine,	Flinchbaugh,	Melchiorre,	Shugarts,
Baker, J. J.,	Gerard,	Moomaw,	Siegel,
Brancato,	Haberlen,	Mooney,	Simon,
Brown, H. S.,	Hagerty,	Moran,	Sinwell,
Brown, J. E.,	Haluska,	Moul,	Smith, J. A.,
Brownfield,	Hamilton, F. P.,	Munley,	Smith, W. G.,
Brumbaugh,	Harkins,	Murrin,	Stank,
Caputo,	Hartman,	Nagel,	Stevens,
Carson,	Hetrick,	O'Keefe,	Stone,
Chervenak,	Hindman,	Ominsky,	Sumney,
Coakley,	Hirsch,	O'Neill,	Tronzo,
Cochran,	Holland,	Patterson, Cliff,	Tumelty,
Cohen	Holstrom,	Patterson, J. W.,	VanSickle,
Coleman,	Hoopes,	Pearson,	Weiss,
Coolahan,	Kelso,	Pfaff,	Welliver,
Decker,	Kilroy,	Piole,	Welsh,
Diehl,	Kinney,	Powers,	Westrick,
Downey, G. E.,	Klingler,	Reising,	Yourishin,
Downey, J. J.,	Kobelak,	Robinson,	Zappala,
Eberharter,	LaRue,	Ruffennach,	Furman,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the amendments?

Mr. COHEN. Mr. Speaker and members of the House the bill, which we have before us, and the amendments that have been introduced by the gentleman from Philadelphia, Mr. Sowers, are for the enactment of the Old Age Pension bill or, rather, the Old Age Assistance Act, so that the Pennsylvania laws will conform with the requirements of the Federal Social Security Act and enable the recipients of old age pension and the Commonwealth of Pennsylvania to participate in the benefits of the Federal act.

The Federal act provides that at the age of seventy in the various states and commonwealths, they may participate to the full extent of the benefits of the Federal law, provided that the age is lowered to sixty-five by January 1, 1940.

The amendments that are now before the House are amendments on the part of the gentleman from Philadelphia in which he straddles the provision by making periodic reductions in the ages from sixty-five to seventy until 1940. The act as it is drawn provides for old age pension—from seventy and on January 1, 1940, deductions when those individuals have attained the age of sixty-five.

In the previous session of the Legislature, this House appropriated some nineteen million dollars during the biennium for the payment of old age pensions. That money was found to be sufficient and is sufficient to take care of the aged who have attained the age of seventy years. Already during this session we have passed House Bill No. 54, introduced by Mr. Diehl, which appropriates an additional one million seven hundred thousand dollars for old age assistance. With the additional one million seven hundred thousand dollars, plus the monies which the Commonwealth will receive under the Federal Security Act as their fifty percent grant from the Federal government, we will be able to take care of all the aged who have attained the age of seventy years.

Now, I was a member of this House, as well as the gentleman from Philadelphia, Mr. Sowers, at the time when there were but sixty-five Democratic members in

this House, when it was found necessary to discharge the Commitee on Pensions and Gratuities from consideration of the act which is now in force. I might say that in that motion to discharge, the Democrats were joined by the gentleman from Philadelphia, Mr. Sowers, and in that session an attempt was made to increase old age appropriations from nineteen million to forty million, in order to take care of all the aged who had attained the age of seventy—just as that increase was of no effect, of no force, of no value, because this House did not provide the revenues whereby we could pay those who would come in, for the entire load, the case of case load of seventy years, so an attempt to reduce the age from seventy to sixty-five, or to do it in periodic reductions —an idle and useless attempt, unless this House provides the revenue.

Now, it might be very well and it is a very fine thing for the membership of this House to present resolutions, bills, and amendments for taking care of the aged, but it is a far more important matter to provide the funds whereby those aged can be taken care of. Here we have provided the funds in this bill, and until the other side feels that they have methods of raising the revenue to provide the additional funds which a reduction of sixty-five or a periodic reduction to sixty-five will necessitate, there is only one thing that this House can do: This House can only go along with the bill as it is written, this House can only maintain its present position of not fooling the aged by passing a bill which will provide the necessary funds, and I say to this House that those funds must be provided by legitimate taxation and not by gambling.

Mr. HERMANSEN. Mr. Speaker and members of the House, whatever may be done to this amendment, I contend that if it goes through with the clause in there requiring that the aged must not quit unless he is laid off by his employer, that we are fooling the aged, because that is going to make the bill ineffective so far as the old men are concerned.

As my friend from Philadelphia, Mr. Sowers has stated, a company has a way, or employers have a way of increasing the work of the aged and compelling them to quit their jobs, and in that case they are disqualified for a pension, and I do not think it would do any harm to eliminate that clause in the bill itself.

Mr. COHEN. Mr. Speaker and members of the House, apparently the gentleman from Luzerne, Mr. Hermansen, has been guided in this matter by the remarks of the gentleman from Philadelphia.

They were not entirely clear.

"(g) Shall not have voluntarily relinquished or given up any gainful employment without just cause within six months preceding the date of making application for assistance."

Now, just cause: If anybody is given more work than he can possibly do, that is entirely a justifiable cause for relinquishing that employment. If the individual, due to illness, or to age, then six months prior to his application, feels that he cannot continue, he has then justifiable cause for relinquishing his work.

I might call to the attention of the membership on the other side of the House that if any individual feels that he has been aggrieved by any ruling, then he has the right to appeal. I might point out also to the other side that that right of appeal is one of the prerequisites of the Social Security Act as passed by the Federal Government, and is one of the reasons why we are now changing our Social Security Act. The 1934 Act did not contain a clause for an appeal, a decision. This act provides that any individual who feels aggrieved by any decision of the group which is administering the aged fund, be given the right of appeal. So, I feel sure that the individuals within Clause (g) have a right at law to ascertain whether or not they have been aggrieved by any of the regulations of the Department.

Mr. HERMANSEN. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. COHEN. Mr. Speaker, I will.

Mr. HERMANSEN. Mr. Speaker, how would the gentleman determine whether a man has quit for just cause or not. Is it not true that sometimes and very often a man of sixty-five is not able to do what another man might do at seventy or even seventy-five years of age. Now, if he should quit because he said that he was unable to do the work, then who would the burden of proof lie with? How would it be proved? There are other men older than he that are doing the same work, if he could not prove that he had a cancer or something like that to prevent him from doing it.

Mr. COHEN. Mr. Speaker, I might answer that by asking the gentleman from Luzerne a question: Does the gentleman feel that an individual who quits his employment without justifiable cause, in order to become the recipient of an old age pension, is entitled to receive an old age pension?

Mr. HERMANSEN. Mr. Speaker, after he has reached a certain age, yes; and I know from experience that we have men today at eighty years of age that are working, and if they should receive pensions, if they quit their work, younger men could take their positions, and there are many younger men who are idle and capable of taking their places. I ask you to answer my question.

Mr. COHEN. Mr. Speaker, the gentleman from Luzerne is interrogating me as to my position on how one is to ascertain whether or not an individual has stopped his employment without justifiable cause, I might say to the gentleman from Luzerne that there is no fixed rule; it would be entirely a rule of equity rather than a rule of law, and determined by investigating each and every case, with the benefit undoubtedly in favor of the aged. I might call the attention of the gentleman from Luzerne, to the fact that if the individual is inclined to quit his employment without justifiable cause within six months of his application that would have no effect whatsoever. Upon the expiration of the six months and one day, the provision will only answer so far as the six month period is concerned and then only if he quits his employment on justifiable cause.

Mr. HERMANSEN. Mr. Speaker, what is the purpose of having that clause in there?

Mr. COHEN. I will grant you that the clause in the bill in the case of an individual seventy years of age, in good health, as the gentleman has informed this House that he knows men seventy years of age who are in good health and actively employed—that a case of an individual seventy years of age, gainfully employed, will not stop his employment without justifiable cause in order to take advantage of the assistance act. If he decides

so to do, then that is true, a waiting period of six months, and then in six months and one day thereafter he is able to go on the old age assistance fund.

Mr. HERMANSEN. Mr. Speaker, does the gentleman think it would be profitable to this State if they permitted the man of seventy to cease work in order that a boy of eighteen might get work and get off of WPA?

Mr. COHEN. Mr. Speaker, I think that would be very fine, and if you will vote for more taxation bills, possibly we may be able to accomplish that end.

Mr. HERMANSEN. Mr. Speaker, that will not be necessary. They will be paying the boy more in the form of wages than we will be paying the old man from the pension fund.

Mr. SOWERS. Mr. Speaker, I desire to withdraw the amendment.

The SPEAKER. The gentleman withdraws his amendment.

Mr. SOWERS. Mr. Speaker, I hand up another amendment to harmonize and correspond with the suggestion given by the gentleman from Allegheny, Mr. Eberharter.

The SPEAKER. Does the gentleman from Philadelphia withdraw all his amendments or just the amendment in connection with Section 5?

Mr. SOWERS. Mr. Speaker, I withdraw only that amendment on the typewritten copy, which substitutes words for lines 17 to 20, to insert in lieu thereof the lead pencil memoranda or lead pencil amendments sent up to the desk.

The SPEAKER. The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

Amend section 5, page 3, lines 17 to 20 by striking out all of said lines, and insert in lieu thereof

(a) Has attained the age of sixty-five years and upwards.

On the question,

Will the House agree to the amendment to the amendment?

Mr. VANSICKLE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Sowers.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sowers, permit himself to be interrogated?

Mr. SOWERS. Mr. Speaker, I will.

Mr. VANSICKLE. Mr. Speaker, does the gentleman from Philadelphia realize that the appropriation act covering this special act has already passed the House?

Mr. SOWERS. Mr. Speaker, I am in hopes that my friends on the other side will for the sake of the aged, and not at this time kidding the people, pass the appropriation act.

Mr. VANSICKLE. May I ask, Mr. Speaker, did the gentleman from Philadelphia vote for that appropriation act?

Mr. SOWERS. Mr. Speaker, I will if my Democratic friends say that they will leave it out of the Committee.

Mr. VANSICKLE. Mr. Speaker, I desire the gentleman from Philadelphia to answer the question as propounded.

Mr. SOWERS. Mr. Speaker, I will certainly offer my Democratic friends that appropriation act, I hope they will go along with it.

Mr. VANSICKLE. Mr. Speaker, did the gentleman from Philadelphia vote for the appropriation act which is now in the Senate and which covers this particular act?

Mr. SOWERS. Mr. Speaker, I certainly did, and I am sorry that my friend was not paying attention to me.

Mr. VANSICKLE. Mr. Speaker, does the gentleman from Philadelphia have knowledge of House Bill No. 54, making an appropriation to the Department of Welfare for old age assistance which has been in the Committee on Appropriations of the Senate since May 19, Senate Bill No. 14 introduced by Mr. Frey which has been in the Committee on State Government in the Senate since May 11, and with the knowledge that the Senate has reduced the appropriation to the unemployed by two million dollars, does the gentleman, with those facts at his command, believe that the Republican majority in the Senate would vote for an increase in this particular act?

Mr. SOWERS. Mr. Speaker, the gentleman's question is very elaborate. Will he separate it? Give me a little at a time. I like homeopathic doses.

Mr. VANSICKLE. Mr. Speaker, that is exactly what we were trying to do. Give these things to the Senate in small doses so they would pass them. If the gentleman from Philadelphia likes it the same way, we will try to do it that way.

Does the gentleman from Philadelphia, Mr. Sowers, realize that House Bill No. 54 has been in the Senate Committee on Appropriations since May 19, and that bill is a bill making an appropriation to the Department of Welfare for old age assistance?

Mr. SOWERS. Mr. Speaker, the gentleman should certainly realize that the Republican Senate is delaying passing on that bill, waiting for the Democrats in this House to comply with the Social Security Act of Roosevelt. We want the Democrats to comply with that act and take care of the aged. It is only delayed in the Senate because they have not as yet complied with the Social Security Act.

Mr. VANSICKLE. Mr. Speaker, may I ask, has the opinion of the gentleman from Philadelphia at all times during this special session been that the age limit should be sixty-five years?

Mr. SOWERS. Mr. Speaker, it is my firm opinion that the age limit should be sixty years, and I deeply regret that the Democrats didn't have the courage to do that at Washington, but their trouble is crying about babies.

Mr. VANSICKLE. Mr. Speaker, may I ask if the gentleman realizes that the time the appropriation bill was passed that it was predicated upon certain age limits set forth in the bill.

Mr. SOWERS. Yes, Mr. Speaker, I realized it; that you really slipped one over on me. I had an amendment here increasing the amount, but you want ahead a litttle too fast for me. It shows us what you can do when you put the steam roller on.

Mr. VANSICKLE. Mr. Speaker, may I suggest to the gentleman from Philadelphia that he consult with his Republican friends, pass the bill in its present form and have them make the amendments and have a conference committee appointed, and I am sure that most of the members on this side will be glad to vote for his age reduction, provided the Republican Senate will also vote to increase the amount necessary.

Mr. SOWERS. Mr. Speaker, I certainly decline to help the Democrats out of the hole they have got themselves into. They certainly should support Roosevelt or say that Roosevelt is no good. Mr. Speaker and members

of the House, I regret very much the efforts of my friend from York to place on this side of the House the burden of being the cause of the aged of Pennsylvania not receiving assistance, that is, some receiving and some not. And you will remember that the Governor's appropriation bill provided for twenty millions of dollars. When it came into this House our friend from Berks, Mr. Hoopes, moved to amend that bill and make it forty millions of dollars and then my friends on the other side, with great glee and delight joined in his amendment, as well as we on this side, and that bill was passed from this House and then went to the Republican Senate, who realizing the needs of the aged and the poor and the decrepit, promptly passed that bill and sent it to the Governor, and the Governor overlooking the needs of the aged and the poor, vetoed the bill and only approved nineteen millions of dollars. And this House knows that half the people of Pennsylvania receive assistance, and the other half, equally as well qualified, go in want. Now, Mr. Speaker and members of the House, I have accommodated my friends, and I have accomodated all of them. I have accomodated everyone of them, even those who cry about babies, to give them this opportunity to serve the old, the aged and the decrepit, and I urge you to vote now, and I hope you will approve this amendment, stand by Roosevelt, stand by your Governor. Governor Earle has said in his proclamation to you, and I hope you will believe him,—"Such social legislation",—and I read this particularly to my friend from York, your leader, "social legislation to obtain the full benefits"—I will include "Roosevelt's Social Security Act",—and I hope you will go along with that and I hope you will also go along with the movement here, the amendment that is presented. to take out that trick clause which says you will give old age assistance and then insert a handle to take it back. I hope you will take that trick clause out. New York State, a Democratic State, does not have it, and no Democratic State in the United States has that clause in its old age assistance, and no Republican State ever tried to put it over.

Mr. MOOMAW. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Sowers.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sowers, permit himself to be interrogated?

Mr. SOWERS. I will, Mr. Speaker.

Mr. MOOMAW. Now Mr. Speaker, can the gentleman from Philadelphia tell the membership of this House approximately how much will be required during the last year of this biennium, including both State and Federal funds, to take care of all the old, aged people seventy years and upwards who will be eligible under this act?

Mr. SOWERS. Mr. Speaker, in answer to my friend and for the enlightment of the others, permit me to say that I do not have at my finger tips those figures, but I respectfully submit that Washington will give half the money and that my friends here in the House will furnish half the money, and that if they will stop spending money on nonsense we will feed the old.

Mr. MOOMAW. Mr. Speaker, does the gentleman from Philadelphia have any idea how much more will be needed if the age limit is reduced immediately to sixty-five.

Mr. SOWERS. Mr. Speaker, I would like to ask, has the United States borrowing capacity been exhausted?

Mr. MOOMAW. Mr. Speaker, no, but the state's borrowing capacity is very limited.

Mr. SOWERS. Mr. Speaker, so are the old and hungry. Is the gentleman going to leave them to starve?

Mr. MOOMAW. Mr. Speaker, the gentleman from Philadelphia has not yet answered my question with any degree whatsoever of intelligence, but is attempting to evade the question by asking questions.

Mr. SOWERS. Mr. Speaker, will the gentleman repeat his question.

Mr. MOOMAW. Mr. Speaker, does the gentleman from Philadelphia have at those delicate finger ends—

Mr. SOWERS. Mr. Speaker, will the gentleman start over again, and I hope that they will laugh after he has finished.

Mr. MOOMAW. Mr. Speaker, is everybody listening? May I ask, has the gentleman from Philadelphia at the end of those delicate finger tips the slightest conception of how much more will be required if the age limit is reduced to sixty-five at the present time. Did he hear that?

Mr. SOWERS. Mr. Speaker, I heard that. We figured in the last session, when the Governor reduced it from forty millions to nineteen millions, that it would deprive half of the people of the old age pensions; that forty millions would have taken care of everybody.

We could not when we got back home understand why the Governor reduced the amount. We have also figured in a general way that it will take about fifteen millions more from Pennsylvania and fifteen millions from Roosevelt to cover the age limit of 65.

Mr. MOOMAW. Mr. Speaker, may I ask, is the gentleman from Philadelphia prepared to vote for, and can he safely say that the minority side of the House and the majority side of the Senate will vote for additional taxation measures in the State of Pennsylvania to provide that additional fifteen millions other than from gambling?

Mr. SOWERS. Mr. Speaker, I don't know why the gentleman should bring in gambling. That is very prevalent in certain parts of the State. I am prepared to vote for measures that will reduce the terrific expenses on the Commonwealth of Pennsylvania such as have been incurred by this administration, the high salaries, unnecessary expenses, waste, useless ventures. Were these done away with the old would live in clover.

Mr. MOOMAW. May I ask the gentleman from Philadelphia, Mr. Speaker, wether or not he has introduced at this session any measures to bring about the result which he has just proclaimed is possible?

Mr. SOWERS. Mr. Speaker, I had the bill practically finished, and I wondered if my Democratic friends would vote for it.

Mr. DENT. Mr. Speaker and members of the House, by that very laugh on the other side of the House you have put the very words that should have been said long ago. This talk of weeping and crying for the needy and the aged, talking about living in clover, and then applauding by a big laugh is to my mind an extreme pity. There is no need of anyone getting up and trying to draw another unhappy conclusion for the poor and aged people of the State of Pennsylvania, trying to tell them of the money they think they are going to get, something that the gentlemen on the other side know they are not prepared to give them. They know full well

why the Governor cut the amount from forty million to nineteen million. It was because they did not vote the necessary tax legislation in order to give him the money to pay it, and they know full well that it will be impossible to cut the age limit to sixty-five because they are not going to vote to give him the money. They know that Pennsylvania cannot borrow the money. They know that Pennsylvania has to raise money by taxes. They know that we are not going to raise that money by taxation, so why try to kid the poor? You are not kidding the poor and you are not kidding us. We are trying to give them something that we can honestly and consciously give them. I introduced a bill that would retire them at the age of fifty, and I believe in it. I believe it is necessary under the present industrial system to retire them at an earlier age, but you can't show me where you are going to get the money. Show me where you have tax measures that you can consciously vote for. You talk about bleeding hearts for children. You insulted through your remarks one of the members who made an appeal for the children on one or two previous occasions, but you do not hear any of us taking the attitude that we are crying for the aged. I have heard that before, and I will hear it again in the future. but I am not a bit fooled, and I certainly hope that the men over here are not fooled by the bald pretense brought up by the member on the other side of the House who is trying to deliberately tell the people of the state of Pennsylvania, that he wants to give them, the aged people, something that he knows darn well that he cannot give, because he wont vote for the necessary tax bills. He has demonstrated that in the past, and I feel rather sure that as a member of his party he will demonstrate it in the future. Vote "no" on these amendments.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. SOWERS and Mr. WITKIN.

Mr. SOWERS. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—85.

Atkins,	Greenstein,	Murrin,	Stott,
Baker, F. T.,	Habbyshaw,	Nothnagle,	Surface,
Baldi,	Hamilton, R. S.,	Panton,	Sweeney,
Barnhardt,	Hermansen,	Perry,	Tahl,
Beadman,	Hoffner,	Peters,	Terry,
Bernhard,	Hoopes,	Phillips.	Trout,
Blumberg,	Jackson,	Reynolds,	Turner,
Boose,	Jones,	Rhys,	VanAllsburg,
Boyd, R.,	Kane,	Roan,	Wall,
Boyer,	Kelder,	Rooney,	Wasserman,
Brennan,	Kenney,	Root,	Weidemann,
Cannon,	Linderman,	Royer,	White,
Castor,	Longaker,	Schrock,	Wickersham,
Condon,	Mallen,	Serrill,	Winner,
Cordier,	Mason,	Shortz,	Witkin,
Davies,	McCreary,	Shreiner,	Wood,
Dent,	McDevitt,	Sloan,	Woodside,
Duffort,	McKinney,	Snyder, F. E.,	Yeakel,
Flynn,	Mentzer,	Snyder, J. L.,	Yourishin,
Forrest,	Merrell,	Sowers,	Zappala,
Gates,	Moore,	Stewart,	Zimmerman,
Gillette,	Muir,	Stockham,	

NAYS—100.

Achterman,	Falkenstein,	Lovett,	Sarraf,
Alexander,	Ferko,	Male,	Scanlon,
Allen,	Finnerty,	McDermo	Schaeffer,
Anthony,	Fitch,	McElroy,	Schrope,
Arnold,	Flanagan.	McHenry,	Schwab,
Baine,	Flinchbaugh,	Melchiorre,	Shaw,
Baker, J. J.,	Gerard,	Moomaw,	Shepard.
Brancato,	Hagerty,	Mooney,	Shugarts,
Brown, H. S.,	Haluska,	Moran,	Siegel,
Brown, J. E.,	Hamilton, F. P.,	Moul,	Simon,
Brownfield,	Harkins,	Munley,	Sinwell,
Brumbaugh,	Harmuth,	Nagel,	Smith, J. A.,
Caputo,	Hartman,	O'Keefe,	Smith, W. G.,
Carson,	Hetrick,	Ominsky,	Stank,
Chervenak,	Hindman,	O'Neill,	Stevens,
Coakley,	Hirsch,	Patterson, Cliff,	Stone,
Cochran,	Holland,	Patterson, J. W.,	Tronzo,
Cohen,	Holstrom,	Pearson,	Tumelty,
Coleman,	Kelso,	Pfaff,	VanSickle,
Coolahan,	Kilroy,	Piole,	Weiss,
Decker.	Kinney,	Powers,	Welliver,
Downey, G. E.,	Klingler,	Reising,	Welsh,
Downey, J. J.,	Kobelak,	Robinson,	Westrick,
Eberharter,	LaRue,	Ruffennach,	Furman,
Eroe.	Long,		

So the question was determined in the negative and the amendment to the amendment was not agreed to.

REASONS FOR VOTE

Miss BRANCATO filed the following reason for her vote:

I am voting "No" for the reason that the Republican Senate has demonstrated that they will not vote for the necessary tax legislation to raise sufficient funds needed to make the act operative.

Mr. COLEMAN filed the following reason for his vote:

I am voting "no" on Mr. Sower's amendment to House Bill No. 57 to reduce the age limit below seventy at this time due to the fact the Republican minority of the House and the Republican majority of the Senate have clearly indicated they will not support necessary revenue measures for even taking care of those of seventy years of age and upward so it is of little use to enact a measure which can not be financed.

Mr. MOOMAW filed the following reason for his vote:

I am voting no on Mr. Sower's amendment to House Bill No. 57 to reduce the age limit below seventy at this time due to the fact the Republican minority of the House and the Republican majority of the Senate have clearly indicated they will not support necessary revenue measures for even taking care of those of seventy years of age and upward so it is of little use to enact a measure which can not be financed.

Mr. MORAN filed the following reason for his vote:

I vote "No" on the amendment to change the age from 70 to 65 because no funds are available to finance it, and under the present Constitution of this Commonwealth it is impossible to tax the people best able to pay.

Mr. OMINSKY filed the following reason for his vote:

Since we are as yet not ready to provide the additional funds for the reduction in the age limit, I am voting "no" on the amendment to reduce the age limit to 65.

Mr. O'NEILL filed the following reason for his vote:

Voting "No" for the reason that the Republican Senate has demonstrated that they will not vote for the necessary tax legislation to raise sufficient funds needed to make the act operative.

Mr. SHEPARD filed the following reason for his vote:

I vote no because there were revenue measures introduced to provide for increased cost of a lower age requirement.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question,

Will the House agree to the section?

It was agreed to.

The sixth section was read as follows:

Section 6 Application for Assistance All applications for assistance shall be made to the board of the county in which the applicant resides in such form as the department shall prescribe Forms of such applications shall be furnished by the department to the respective boards

An application for assistance shall not be approved until the board is satisfied after proper investigation that the applicant is qualified for assistance under the provisions of this act

Any beneficiary under existing law repealed by this act shall without further qualification become eligible to receive assistance under the provisions of this act In case this act operates to qualify applicants previously rejected for lack of funds or for lack of qualifications such applicants shall be entitled to priority

All applications for assistance shall be sworn to or affirmed by the applicant setting forth that all facts are true in every particular Any member or employe of a board shall have authority to administer such oath or affirmation and shall not charge or receive any fee for so doing

On the question,

Will the House agree to the section

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 6, page 5, line 6, by inserting after the word "priority" the following: "over all new and unapproved applications filed under this act"

On the question,

Will the House agree to the amendments?

Mr. SOWERS. Mr. Speaker, in order to save time, it being apparent that the majority party is against the amendment I am willing that they all be voted on at one time.

The SPEAKER. The Chair is sorry but the bill must be considered section by section.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to,

On the question,

Will the House agree to the section?

It was agreed to.

The seventh section was read as follows:

Section 7 Investigators' Reports Before any assistance is granted to any person under the provisions of this act a complete report shall be made by an investigator of the board of all matters stated in the application giving (a) the name of the applicant (b) the number and kinds of relatives legally liable for support of the applicant (c) the financial condition of such relatives and (d) all other matters which shall be from time to time required by the department and the Social Security Board All such reports shall be made upon forms supplied for the purpose by the department All such reports shall be made in triplicate One copy shall be retained in the office of the board and if the application is approved one shall be forwarded to the department and one copy shall be forwarded to the Auditor General Each report shall be sworn to by the investigator which oath may be administered by any member or other employe of the board Before any assistance is granted the application and the report of the investigator shall be approved by a majority of all the members of the board

On the question,

Will the House agree to the section?

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 7, page 6, line 4, by inserting after the word "board" the following: "Applicants under this act for old age assistance shall be arranged according to age and those being the oldest shall be entitled to priority, but this shall not interfere with the priority given herein."

On the question,

Will the House agree to the amendment?

It was not agreed to,

On the question,

Will the House agree to the section?

It was agreed to.

The eighth, ninth, tenth, eleventh and twelfth sections were separately read and agreed to as follows:

Section 8 Amount of Assistance Payments from State and Federal Funds The maximum assistance allowed by any board under the provisions of this act shall not exceed thirty dollars ($30.00) per month for any beneficiary Such payments shall be made from state appropriations for old age assistance and grants from the Federal Government to the Commonwealth for assistance to aged needy individuals but in the event that Federal grants are not available payments may be made entirely from State appropriations

All payments of assistance shall be made direct to the beneficiary by warrant after requisition by the department as provided by law in other cases In the event of the death of any beneficiary the department may authorize the payment of any assistance due to such beneficiary to the wife children father mother sister or brother (preference being given in the order named) of the deceased beneficiary as the board directs without requiring letters testamentary or of administration to be issued upon the estate of the deceased beneficiary

Section 9 Other Relief No beneficiary shall at the same time receive any other relief assistance benefit compensation or pension from the United States or from this Commonwealth or from any political subdivision thereof except for medical or surgical assistance Provided however That where such other relief assistance benefit compensation or pension is less than thirty dollars ($30.00) per month the board may grant assistance in an amount so that the total received by a beneficiary from all such sources shall not exceed thirty dollars ($30.00) per month

Section 10 Trustees for Certain Beneficiaries The Department may appoint a trustee to take charge of the expenditure of the assistance granted any beneficiary when in its opinion such trustee is necessary In such cases payment shall be made direct to such trustee A trustee shall serve without compensation and shall be subject to such rules regulations and accounting as the department shall prescribe

Section 11 Beneficiary Becoming Disqualified If the condition or circumstances of a beneficiary change in such a way that he or she does not possess all the qualifications required to receive assistance hereunder the assistance to such beneficiary shall be revoked immediately by the board

Section 12 Refusal of Beneficiary to Furnish Information If any beneficiary shall refuse or neglect to comply with any reasonable request of the board or of the department for information concerning the continued need of or qualifications for assistance or shall on request fail neglect or refuse to authorize any other person firm or corporation to furnish such information about the beneficiary or his affairs the board shall suspend all payments to such beneficiary until he or she shall have complied with such requirements

The thirteenth section was read as follows:

Section 13 Appeals by Applicants and Beneficiaries Any person may within six months after notice by the board that his or her application for assistance has been refused or that the assistance if a beneficiary has been discontinued take an appeal from the action of the board to the department The Secretary of Welfare or the employe or employes of the department designated by him shall as agents of the department on a day and at a time fixed of which at least ten days' written notice shall be given to all parties interested hear such testimony as may be offered for and against the allowance of assistance or the continuation of assistance and determine whether or not the said person is entitled to assistance or to the continuation of assistance if a beneficiary The department shall report its findings to the board from whose action the appeal has been taken which board shall carry into effect the order of the department No appeal shall lie in any case where assistance has been refused or discontinued for lack of funds The action of the department on any appeal shall be final

On the question,

Will the House agree to the section?

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 13, page 8, line 8, by inserting after the word "day" the following: "in the county" where the applicant resides"

On the question,

Will the House agree to the amendment?

It was not agreed to,

On the question,

Will the House agree to the section

It was agreed to.

The fourteenth section was read and agreed to as follows:

Section 14 Funeral Expenses On the death of any beneficiary such reasonable funeral expenses not exceeding one hundred dollars ($100.00) for burial shall be paid to such persons as the board directs if the estate of the deceased is insufficient to defray the same

The fifteenth section was read as follows:

Section 15 Liability of Beneficiary and Estates The real and personal property of any beneficiary shall be liable for the repayment of assistance received under this act or the act repealed by this act whether such property was owned at the time such assistance was granted or acquired thereafter Claims for assistance furnished shall have the same force and effect against real and personal property of a deceased beneficiary as other debts of a decedent and shall be recoverable in the same manner One-half of the net amount recovered from any beneficiary or from his or her estate by the Commonwealth or any political subdivision shall be promptly paid to the United States and the remainder shall be paid into the State Treasurery and shall be credited to the current appropriation for old age assistance

On the question,

Will the House agree to the section?

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 15, page 9, line 9, by inserting after the word "States" the following: "If the United States contributed the same."

On the question,

Will the House agree to the amendment?

It was not agreed to,

On the question,

Will the House agree to the section?

It was agreed to.

The sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third and twenty-fourth sections and title were separately read and agreed to as follows:

Section 16 Allocation of State and Federal Funds Allocations of amounts available from State and Federal moneys for old age assistance and assistance to aged needy individuals and for administration purposes shall be made among the several counties by the department under such equitable system based upon need and past experience as the department shall from time to time set up Any money so allocated and unused in any fiscal year in any county shall be added to the amount of money subject to allocation for the following fiscal year under the current or any future appropriation

Section 17 Cost of Administration The boards in the several counties shall appoint such investigators and clerical assistants as may be necessary to enable them to distribute assistance in their respective counties but as far as possible the investigators engaged in the administration of the Mothers' Assistance Law shall also perform the work necessary for the administration of this act At no time shall the additional expense of administering this act in any county exceed in amount six per centum of the allocation to such county of moneys for assistance

The county commissioners of the several counties shall upon requisition of the boards pay such expenses of investigation and clerk hire in their respective counties and other administrative expenses subject always to the limitations upon such expenses imposed by this section But the liability of the county to pay such expenses shall be reduced by the amount of any moneys allocated to the county by the department for the payment of administrative expenses

Section 18 Receipt Deposit and Expenditure of Federal Moneys The department is hereby authorized to receive contributions from the United States Government or any agency or instrumentality thereof for assistance to aged needy individuals All contributions so received shall be paid into the State Treasury through the Department of Revenue and be credited to the biennial appropriations to the department for the payment of assistance

Section 19 Rules and Regulations Supervision by Department The department shall have power to adopt and promulgate rules and regulations for the administration of this act

Such supervisors and assistants as shall be necessary in the department to exercise general supervision over the administration of this act shall be appointed and their compensation fixed by the Secretary of Welfare subject to approval by the Governor as provided by The Administrative Code

Section 20 Penalties Any person who by means of a wilfully false statement or misrepresentation or by impersonation or other fraudulent means secures or attempts to secure or aids or abets any person in securing assistance under this act to which he or she is not entitled shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 21 Responsibility of Counties Cities and Poor Districts Saved This act shall not relieve any county city or poor district from responsibility for the maintenance either in an institution or otherwise of any person of sufficient age but who cannot otherwise qualify for assistance under this act or who cannot be provided for under current funds for carrying out the provisions of this act.

Section 22. Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this

act would have been adopted had such unconstitutional provision not been included therein

Section 23 Effective Date The provisions of this act shall become effective on the first day of June one thousand nine hundred and thirty-six

Section 24 Repeal The act approved the eighteenth day of January one thousand nine hundred and thirty-four (Pamphlet Laws two hundred eighty-two one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four) entitled "An act providing for and regulating subject to certain restrictions limitations and liabilities assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation" is hereby repealed

An Act providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons providing for the recovery of moneys expended for assistance in certain cases providing penalties and repealing inconsistent acts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. WITKIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WITKIN. I understand Mr. Speaker, that this House is now adjourning until tomorrow morning at 12.00 o'clock. There will be a Republican Caucus tomorrow morning at 11.00 o'clock, and I ask every member of the Republican Party to be present, because it will be important, and we want to shoot some more dynamite into the Democrats.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

COMMITTEE ANNOUNCEMENTS

The Committee on Constiutional Amendments will meet at 9:45 A. M. in room 324.

There will be a public hearing on House Bill No. 35, the Lottery Bill, in the Hall of the House tomorrow, Tuesday, June 2nd, at 2:00 P. M.

QUESTION OF PERSONAL PRIVILEGE

Mr. GATES. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GATES. Mr. Speaker, In Legislative Journal No. 11, page 302, I have been recorded as voting in favor of House Bill No. 14. I voted "no" and wish the proper correction to be made in the Journal.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

ADJOURNMENT

Mr. RINN. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12:00 o'clock noon.

The motion was agreed to, and (at 12:59 A. M.) the House adjourned until Tuesday, June 2, 1936, at 12.00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., TUESDAY, JUNE 2, 1936. No. 15.

SENATE

TUESDAY, JUNE 2, 1936

The Senate met at 12 o'clock noon.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Forgive us, O Lord, for taking too many things for granted. We accept unnumbered blessings from Thy hand never pausing to think whence or from whom they come. We are even prone to imagine that these bounties are ours by and in our own right. The summer's sun, the refreshing showers, the verdant fields, the abundant crops of grain and fruit soon to be harvested—all these and many other gracious gifts we accept from Thy open hand. Seldom do we look Thy way or respond to overtures of Thy love.

Which of us is worthy of all these mercies? When, because of our own improvidence or the combination of untoward circumstances, we imagine ourselves unjustly treated, how frequently do we murmur and complain. Develop within us a spirit of submission and thankfulness engendered by the knowledge that Thou art all-wise and all-loving, and doest all things well. May this spirit pervade this Senate and all our hearts, we ask in the name of our Master. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BAUMER, the further reading was dispensed with, and the Journal was approved.

PETITION

URGING IMMEDIATE ACTION IN PROVIDING FUNDS FOR UNEMPLOYMENT RELIEF

The Chair cleared his table and laid before the Senate communication from the City Council of Reading urging immediate action in providing funds for unemployment relief.

Which was referred to the Committee on Finance.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 2, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph F. Speicer, of Line Lexington, Bucks County, for appointment as Justice of the Peace in the Township of New Britain, Bucks County, vice Wilson S. Bergey, deceased, until the first Monday in January, 1938, to compute from the date of confirmation.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 2, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation.

BERKS COUNTY

Robert B. Temple, Reading.

BLAIR COUNTY

Thomas C. Parsons, Altoona.

LANCASTER COUNTY

Leroy S. Zell, Elizabethtown.

LUZERNE COUNTY

Oscar J. Parker, Pittston.

PHILADELPHIA COUNTY

Edmund D'Ambrosio, 136 S. Fourth St., Phila.
Miss Catherine R. Murphy, 709 Provident Tr Bldg., Phila.

GEORGE H. EARLE.

RESOLUTION RELATIVE TO INVESTIGATION OF EDUCATIONAL INSTITUTIONS

Mr. GRAFF offered the following resolution, which was twice read:

In the Senate, June 2, 1936.

Whereas, Reports have reached members of the Senate that active attempts are being made to interfere with the orderly management of educational institutions which have been receiving financial assistance from the people of this Commonwealth and which have been striving to stamp out radicalism and the teaching of dangerous and un-American doctrines, notably the University of Pittsburgh and the Indiana State Teachers' College, and

Whereas, These attempts are construed as merely the

beginning of systematic efforts to debauch the educational system of Pennsylvania, long distinguished for attainments made possible by complete freedom from political restraint, and

Whereas, The selection of executives, instructors, teachers and employes of State Teachers' Colleges of this Commonwealth has from the very beginning been free from partisan political consideration to the great benefit of the educational system, and

Whereas, Dictation of the appointment of members of a faculty of a State Teachers' College is only one step from dictation of what shall be taught, bringing forcibly to the attention of every resident of Pennsylvania a threatened menace to the free public school system heretofore so sacredly safeguarded, therefore be it

Resolved by the Senate of Pennsylvania, That its Committee of Education be directed to conduct immediately a searching investigation of the situation in order that members of the Senate may be informed of the truth of the reports and the extent and character of the abuses alleged, and be it further

Resolved, That the Committee on Education shall have power to issue subpoenas under the hand and seal of the chairman, requesting and commanding any person or persons to appear before it and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall willfully neglect or refuse to testify before said Committee, or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; be it further

Resolved, That the Committee on Education shall report as speedily as possible to the Senate now in Extraordinary Session the results of its inquiry.

Mr. GRAFF. Mr. President, I ask unanimous consent that Rule 39 which requires that resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. CAVALCANTE. Mr. President, I object.

The PRESIDENT. The Chair hears objection. The resolution will be referred to the Committee on Education.

MOTION TO PRINT RESOLUTION

Mr. CAVALCANTE. Mr. President, I move that the resolution just offered, be printed for the benefit of each and every Senator, that we may study it and see upon what assertion of fact the resolution is predicated.

Mr. GRAFF. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 47 (House Bill No. 1), as follows:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes for the tax year one thousand nine hundred and thirty-four and all previous years assessed and levied against any parcel or parcels of real estate are hereby abated without the necessity of further action by the authority levying the tax if said delinquent taxes are paid as hereinafter provided.

In order to receive the benefits of this act the taxes for the year one thousand nine hundred and thirty-five and all penalties and accrued interest and twenty per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid on or before the first day of November one thousand nine hundred and thirty-six twenty per centum on or before the first day of November one thousand nine hundred and thirty-seven twenty per centum on or before the first day of November one thousand nine hundred and thirty-eight twenty per centum on or before the first day of November one thousand nine hundred and thirty-nine and the final twenty per centum on or before the first day of November one thousand nine hundred and forty And provided That the respective current taxes on such parcel or parcels of real estate for the years subsequent to the year one thousand nine hundred and thirty-six during such installment periods assessed and levied by such taxing authority shall be paid before they become delinquent during the then current year If and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provided then and in that event there shall become due and payable for such year a sum equal to one-fifth of the total amount of the abated penalties and interest in addition to the other payments required to be paid under this Act during that year which said additional sum shall be payable and must be paid at the time the next succeeding installment payment becomes due under this Act If such additional sum is not so paid then the total amount of the abated penalties and interest less the aggregate of any such additional sums therefore paid shall be revived and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the taxpayer shall not thereafter be entitled to any further benefits or privileges under this Act.

Section 2 Any taxpayer may anticipate the payment of such delinquent taxes for the tax year one thousand nine hundred and thirty-four and previous years at any time on or before November first one thousand nine hundred and thirty-six by paying the entire amount of such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes assessed and levied for the year one thousand nine hundred and thirty-six shall not be required at the time of such payment.

Section 3 This act shall be construed to apply to all such taxes whether or not liens for such taxes have been returned for nonpayment or have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court in said county or where real property has been sold to a county city borough town township school district or poor district at a tax sale or on a tax lien and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a county city borough town township school district or poor district at a tax sale or on a tax lien and where the period of redemption has not expired and the taxpayer shall be liable for the payment of all costs incurred in such proceedings except the solicitors fees.

Section 4 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at Sheriff's or other judicial sale grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above-mentioned taxes have been assessed and levied.

For the purposes of this act a tax shall be deemed to

become delinquent on the date when a penalty attaches to the tax.

Section 5 Any taxpayer shall have the right to pay the delinquent taxes assessed and levied against any parcel or parcels of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision.

Upon application either in person or in writing by any taxpayer the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayer a statement of the delinquent taxes owed by him to such municipal subdivisions showing the face amount the penalty if any the interest if any and any costs or other charges in detail against such real property as shown by the records in his custody.

Section 6 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for non-payment of taxes before November first one thousand nine hundred and thirty-six and any tax sale shall be adjourned or readjourned as often as may be necessary for this purpose If any tax sale is adjourned or readjourned after advertisement no additional advertisement or notice shall be necessary for the adjourned or readjourned sale No such adjournment or readjournment failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid but the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this Act provided however that in every case where a taxpayer avails himself of the privileges or benefits of this Act the period during which payment of the said delinquent taxes are postponed or continued under this Act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes.

Section 7 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein.

Section 8 The Act approved the first day of May one thousand nine hundred thirty-five Pamphlet Laws one hundred twenty-nine as amended by the Act approved the twenty-second day of June one thousand nine hundred thirty-five Pamphlet Laws four hundred forty-four shall continue in full force and effect as to any and all taxpayers who have taken advantage of and are not in default in the provisions thereof All other acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect.

Section 9 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,	Harvey,	Owlett,	Ruth,
Batchelor,	Homsher,	Pierson,	Salus,
Baumer,	Howell,	Prince,	Scott,
Bennett,	Huffman,	Rankin,	Shapiro,
Buckman,	Kable,	Reed,	Sones,
Cavalcante,	Lanius,	(Dauphin)	Staudenmeier,
Chapman,	Law,	Reed,	Thompson,
Ealy,	Mallery,	(Washington)	(Westmoreland)
Frey,	McClure,	Rice,	Trainer,
Gelder,	McCreesh,	Rodgers,	Woodward,
Graff,	McGinnis,	Rupp,	Ziegenheim,
Harris,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

RECESS

Mr. HARRIS. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE RESOLUTION NO. 14

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has adopted the report of the Committee of Conference on House Resolution No. 14.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE CONCURRENT RESOLUTION NO. 14

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Concurrent Resolution No. 14, House History Serial No. 18, page 39 of the House History, June 1st issue, respectfully submit the following Concurrent Resolution as our report:

THEODORE LANE BEAN
CLARENCE J. BUCKMAN
J. ALBERT REED
Committee on the part of the Senate.

HIRAM G. ANDREWS
JOSEPH DAVID BURKE
MILES HORST
Committee on the part of the House of Representatives.

Whereas, It is estimated that approximately eight hundred forty-five thousand dollars ($845,000.00) of moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes will be lapsed into the General Fund on May thirty-first one thousand nine hundred thirty-six and

Whereas, The sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211.00) in addition to the aforesaid eight hundred forty-five thousand dollars ($845,000.00) will be necessary for unemployment relief purposes and

Whereas, There is an immediate need for the raising of this amount for the use of the General Fund by transfers of moneys from the Motor License Fund and the State Stores Fund therefore be it

Resolved (if the Senate concur), That the General Assembly hereby authorizes the Governor and the Fiscal

Officers of the Commonwealth to transfer to the General Fund the sum of two million five hundred thousand dollars ($2,500,000.00) from the State Stores Fund and the sum of one million five hundred eighty-six thousand two hundred eleven dollars ($1,586,211.00) from the Motor License Fund and hereby makes available to the State Emergency Relief Board the aggregate sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211.00) for unemployment relief purposes and

Resolved, That any moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six are hereby made available to the State Emergency Relief Board for unemployment relief purposes on and after May thirty-first one thousand nine hundred thirty-six and

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers authorized by this resolution (2) appropriating or reappropriating as the case may be to the State Emergency Relief Board for unemployment relief purposes the sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211.00) and any moneys heretofore appropriated for unemployment relief that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Motor License Fund and the Liquid Fuels Tax Fund

On the question,

Will the Senate agree to the Report?

Mr. EALY. Mr. President, as I understand this matter, the resolution as amended by the Senate provides an amount of approximately five million dollars for unemployment relief for the month of June, and the Conference Committee report strikes out the word "June" and leaves the time not limited, the inference apparently being—at least many seem to think—that if the State Emergency Relief Board should allege that more moneys are needed during the month of June to carry on unemployment relief, they will be provided. It is my firm belief that this sum of five million dollars is more than ample to see the Board through the month of June, if it is properly expended and economy is used, and I, under that belief—and I know that belief is shared by a number of others in the Senate. It is also my opinion that if this administration of relief were decentralized, placed in the hands of some local boards, that this amount of five million dollars per month could be materially reduced. I, therefore, want it distinctly understood that in voting for this Conference Committee report I am not pledging myself to vote for any more appropriations for the month of June.

And, the question recurring,

Will the Senate agree to the Report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Aron,	Harris,	Owlett,	Ruth,
Batchelor,	Harvey,	Pierson,	Salus,
Baumer,	Homsher,	Prince,	Scott,
Bean,	Howell,	Pytko,	Shapiro,
Bennett,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Sordoni,
Cavalcante,	Lanius,	(Dauphin)	Staudenmeier,
Chapman,	Law,	Reed,	Thompson,
Coyne,	Mallery,	(Washington)	(Westmoreland)
Ealy,	McClure,	Rice,	Trainer,
Frey,	McCreesh,	Roberts,	Woodward,
Gelder,	McGinnis,	Rodgers,	Ziesenheim,
Graff,	Miller,	Rupp,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 1

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes.

REPORT FROM COMMITTEE

Mr. ROBERTS. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ROBERTS, from the Committee on State Government reported as committed, Senate Bill No. 14, entitled:

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons; providing for the recovery of moneys expended for assistance in certain cases; providing penalties; and repealing inconsistent acts.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 1, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes.

House Bill No. 3, entitled:

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class; providing for the collection of such taxes by the county treasurers; and providing for their compensation.

House Bill No. 17, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such monies may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

HOUSE RESOLUTION NO. 14

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

RECESS

Mr. HOMSHER. Mr. President, I move that the Senate do now take a recess until 5:00 o'clock this afternoon.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE (John G. Homsher) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. STAUDENMEIER, Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on State Government reported as committed, Senate Bill No. 55 (House Bill No. 59), entitled:

An Act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen, and to repeal section two of the act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards and trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," by providing for the appointment of a board of trustees for each county; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers assistance, except under certain circumstances; providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board; and authorizing the Department of Welfare to cooperate with, and to accept and disburse moneys received from, the United States government for aid to dependent children.

Mr. WOODWARD. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODWARD, from the Committee on State Government reported as committed, Senate Bill No. 39 (House Bill No. 49), entitled:

An Act to amend sections four and five of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisors and assistants; defining the powers and duties of boards of trustees including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended," by providing for the payment to newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium.

Mr. HOWELL. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on State Government reported as committed, Senate Bill No. 42 (House Bill No. 56), entitled:

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from slate quarries and anthracite and bituminous coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred thirty-six

Mr. GELDER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, reported as committed, Senate Bill No. 40 (House Bill No. 50), entitled:

A Supplement to the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one), entitled "An Act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of board of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended," making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 58 (House Bill No. 75), entitled:

A Supplement to Act No. 56-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Acts of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind," increasing the current appropriation for blind pensions in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same.

Mr. GELDER. Mr. President, it is understood that these two bills, with a companion bill (Senate Bill No. 38, House

Bill No. 56), are put out for the purpose of advancing them on the calendar, and then on second reading to be returned to the Committee for further consideration and possibly for a hearing.

Mr. OWLETT. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Finance, reported as committed, Senate Bill No. 17, entitled:

An Act to amend sections seven and eight of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, register of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation;" by changing certain penalties imposed by said act.

Mr. HUFFMAN. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUFFMAN from the Committee on Finance, reported as committed, Senate Bill No. 29 (House Bill No. 22), entitled:

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board.

Mr. FREY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREY, from the Committee on Appropriations, reported as committed, Senate Bill No. 38 (House Bill No. 54), entitled:

A Supplement to Act No. 57-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Act of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance," making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

MOTION TO READ BILLS THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill o. 14, entitled:

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the Mothers' assistance funds of the several counties; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the Unted States Government for assistance to such persons; authorizing the appointment of trustees for certain persons, providing for the recovery of moneys expended for assistance in certain cases; providing penalties; and repealing inconsistent acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 17, entitled:

An Act to amend sections seven and eight of the act approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships associations, banks, national banks, trust companies, and other corporations receiving deposits of money and on certain corporaticns and limited partnerships conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by changing certain penalties imposed by said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 29 (House Bill No. 22), entitled:

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 38 (House Bill No. 54), entitled:

A Supplement to Act No. 57-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Act of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance", making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 39 (House Bill No. 49), entitled:

An Act to amend sections four and five of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three

hundred fifty-one) entitled "An Act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointments of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended", by providing for the payment to newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 40 (House Bill No. 50), entitled:

A Supplement to the act, approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one), entitled "An act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended", making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 42 (House Bill No. 56), entitled:

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from slate quarries and anthracite and bituminous coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred thirty-six.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 55 (House Bill No. 59), entitled:

An Act to amend sections one three four seven nine ten fourteen fifteen sixteen and eighteen and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards and trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" by providing for the appointment of a board of trustees for each county changing the qualifications of mothers eligible for assistance requiring all counties to appropriate moneys for mothers assistance except under certain circumstances providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations providing for cooperation by the Department of Welfare with the Federal Social Security Board and authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States government for aid to dependent children

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 58 (House Bill No. 75), entitled:

A Supplement to Act No. 56-A, approved the nineteenth day of July; one thousand nine hundred thirty-five (Appropriation Acts of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind," increasing the current appropriation for blind pensions in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nomination reported with favorable recommendation the following nomination made by His Excellency, the Governor or the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for

terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Catherene J. Monahan, 904 Phineas St., Pittsburgh.

BUTLER COUNTY

Leo S. Duffy, Butler.

CAMBRIA COUNTY

Miss Margaret E. Oldham, Johnstown.

CLARION COUNTY

Miss Laura E. Byers, Clarion.

CLEARFIELD COUNTY

L. N. Rougeux, Clearfield.

COLUMBIA COUNTY

Mrs. Jeanette Feldman, Bloomsburg.

LANCASTER COUNTY

Miss Gertrude Pothke, Mount Joy.

LUZERNE COUNTY

J. Albert Spare, Hazleton.

PHILADELPHIA COUNTY

James J. Gallagher, 5938 Roosevelt Blvd., Philadelphia.
Mrs. Florence Haldeman, 4644 N. Broad St., Philadelphia.
Leighton G. Lindes, 619 N. Broad St., Philadelphia.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 2, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BERKS COUNTY

Robert B. Temple, Reading.

BLAIR COUNTY

Thomas C. Parsons, Altoona.

LANCASTER COUNTY

Leroy S. Zell, Elizabethtown.

LUZERNE COUNTY

Oscar J. Parker, Pittston.

PHILADELPHIA COUNTY

Edmund D'Ambrosio, 136 S. Fourth St., Philadelphia.
Miss Catherine R. Murphy, 709 Provident Trust Bldg., Philadelphia.

GEORGE H. EARLE.

EXECUTIVE SESSION

A motion was made by Mr. SONES.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominatins reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Aron,	Harvey,	Pytko,	Shapiro,
Batchelor,	Howell,	Rankin,	Sones,
Baumer,	Huffman,	Reed,	Sordoni,
Bean,	Kahle,	(Dauphin)	Staudenmeier,
Bennett,	Lanius,	Reed,	Thompson,
Buckman,	Law,	(Washington)	(Centre)
Cavalcante,	Mallery,	Rice,	Thompson,
Chapman,	McClure,	Roberts,	(Westmoreland)
Coyne,	McCreesh,	Rodgers,	Trainer,
Ealy,	McGinnis,	Rupp,	Woodward,
Frey,	Miller,	Ruth,	Ziesenheim,
Gelder,	Owlett,	Salus,	Homsher.
Graff,	Pierson,	Scott,	Pres. Pro. Tem.
Harris,	Prince,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. BATCHELOR. Mr. President, I move that the Senate do now adjourn until tomorrow at 12:00 o'clock noon.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:48 P. M. until tomorrow at 12:00 o'clock noon.

HOUSE OF REPRESENTATIVES

TUESDAY, June 2, 1936

The House met at 12.00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend MARSHALL L. SHEPARD, a member of the House offered the following prayer:

Lord, who shall abide in Thy tabernacle, who shall dwell in Thy holy hills? He that hath clean hands and a pure heart, who hath not lifted his soul up to vanity nor sworn deceitfully. We pray Thee as members of this General Assembly that we may always do Thy will. Although we differ in matters of procedure and methods, nevertheless may we always be motivated by the highest ideals of right and righteousness. Bless us and keep us and cause Thy face to shine upon us. Grant us Thy peace that passeth all understanding. In Has name and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. FRANCIS T. BAKER the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILLS INTRODUCED AND REFERRED

By Mr. ANDREWS. HOUSE BILL No. 115.

An Act imposing a temporary State excise tax on natural gas sold within this Commonwealth; providing for the collection of the tax, and the disposition of the revenue derived therefrom; conferring powers and imposing duties on certain persons, association, partnerships, corporations and State departments; and imposing penalties.

Referred to the Committee on Ways and Means.

By Mr. JOHN E. BROWN. HOUSE BILL No. 116.

A Joint Resolution proposing an amendment to sections sixteen, seventeen and eighteen of article two of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. FINNERTY. HOUSE BILL No. 117.

An Act to provide revenue by imposing a State tax upon sales of safety razor blades by dealers as herein defined; requiring persons engaged in the sale of safety razor blades at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons as herein defined, engaged in the safe of safety razor blades at retail or wholesale; making an appropriation; and providing penalties.

Referred to the Committee on Ways and Means.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk

RELIEF

A communication from the Pennsylvania Unemployed League, Allentown, urging payment in cash of recipients of food orders.

A communication from the Joint Labor Council, Bethlehem, urging payment in cash of recipients of food orders.

Referred to the Committee on Appropriations.

CONSTITUTIONAL AMENDMENT

A communication from Roosevelt Council No. 564 Clarksville, protesting legislation for amendment of Constitution more speedily.

Referred to the Committee on Constitutional Amendment.

TAXES

A communication from Woodruff Grange No. 1428, protesting increase of gasoline tax, and raising license fees on trucks (House Bills Nos. 13 and 20).

LOTTERIES

A resolution from the Logan Ministerium, Philadelphia, protesting legalizing of lotteries.

Referred to the Committee on Way and Means.

RELIEF

A telegram from the Hod Carriers and Common Laborers Union Local 536 York demanding immediate transfer of adequate funds for June relief.

A telegram from Reading City Officials requesting prompt action providing relief funds.

Referred to the Committee on Appropriations.

LEAVE OF ABSENCE

Mr. WESTRICK asked and obtained leave of absence for himself for the balance of the week after today.

REPORT FROM COMMITTEES

Mr. HOMER S. BROWN, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 30, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE RESOLUTION No. 14

Mr. ANDREWS offered the report of the Committee of Conference on House Resolution No. 14.

The SPEAKER. The members will find copies of this report in their files.

Mr. ANDREWS. Mr. Speaker, I desire to call up at this time the report of the Committee of Conference on House Resolution No. 14, Printer's No. 103.

The report was read by the Clerk as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE CONCURRENT RESOLUTION No. 14

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House fo Representatives for the purpose of considering House Concurrent Resolution No. 14, House History Series No. 18, page 39 of the House History, June 1st issue, respectfully submit the following Concurrent Resolution as our report:

THEODORE LANE BEAN
CLARENCE J. BUCKMAN
J. ALBERT REED
Committee on the part of the Senate.

HIRAM G. ANDREWS
JOSEPH DAVID BURKE
MILES HORST
Committee on the part of the House of Representatives.

Whereas It i. estimated that approximately eight hundred forty-five thousand dollars ($845,000.00) of moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes will be lapsed into the General Fund on May thirty-first one thousand nine hundred thirty-six and

Whereas The sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211.00) in addition to the aforesaid eight hundred forty-five thousand dollars $845,000.00) will be necessary for unemployment relief purposes and

Whereas there is an immediate need for the raising of this amount for the use of the General Fund by transfers of moneys from the Motor License Fund and the State Stores Fund therefore be it

Resolved (if the Senate concur) That the General Assembly hereby authorizes the Governor and the Fiscal Officers of the Commonwealth to transfer to the General Fund the sum of two million five hundred thousand dol-

lars ($2,500,000.00) from the State Stores Fund and the sum of one million five hundred eighty-six thousand two hundred eleven dollars ($1,586,211.00) from the Motor License Fund and hereby makes available to the State Emergency Relief Board the aggregate sum of four million eighty-six thousand two hundred eleven dollars $4,086,-211.00) for unemployment relief purposes and

Resolved That any moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six and

Resolved That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers authorized by this resoluti . (2) appropriating or reappropriating as the case may be to the State Emergency Relief Board for unemployment relief purposes the sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211.00) and many moneys heretofore appropriated for unemployment relief that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirt--six and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution fro the Motor License Fund and the Liquid Fuels Tax Fund

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Eberharter,	Mason,	Shaw,
Alexander,	Eroe,	McCreary,	Shepard,
Allen,	Falkenstein,	McDermott,	Shortz,
Altenburg,	Ferko,	McDevitt,	Shreiner,
Andrews,	Finnerty,	McElroy,	Shugarts,
Anthony,	Fitch,	McHenry,	Siegel,
Arnold,	Flanagan,	McKinney,	Simon,
Atkins,	Flinchbaugh,	Melchiorre,	Simpson,
Aukerman,	Flynn,	Mentzer,	Sinwell,
Baine,	Forrest,	Merrell,	Sloan,
Baker, F. T.,	Gates,	Moomaw,	Smith, J. A.,
Baker, J. J.,	Gerard,	Mooney,	Smith, W. G.,
Baldi,	Gillette,	Moore,	Snyder, F. E.,
Barber,	Greenstein,	Moran,	Snyder, J. L.,
Barnhardt,	Habbyshaw,	Moul,	Sowers,
Beadman,	Haberlen,	Muir,	Sproul,
Bernhard,	Hagerty,	Munley,	Stank,
Blumberg,	Haluska,	Murrin,	Stevens,
Boose,	Hamilton, F. P.,	Nagel,	Stewart,
Boyd, R.,	Hamilton, R. S.,	Nothnagle,	Stockham,
Boyer,	Harkins,	O'Keefe,	Stone,
Bradley,	Harmuth,	Ominsky,	Stott,
Brancato,	Hartman,	O'Neill,	Sumney,
Brennan,	Hefferon,	Panton,	Surface,
Brown, H. S.,	Hermansen,	Parks,	Sweeney,
Brown, J. E.,	Hetrick,	Patterson, C.,	Tahl,
Brownfield,	Hindman,	Patterson, J. W.,	Terry,
Brumbaugh,	Hirsch,	Pearson,	Tronzo,
Burke,	Hoffner,	Perry,	Trout,
Cannon,	Holland,	Peters,	Tumelty,
Caputo,	Holstrom,	Pfaff,	Turner,
Carr,	Hoopes,	Phillips,	Van Allsburg,
Carson,	Horst,	Pioli,	VanSickle,
Castor,	Jackson,	Powers,	Wall,
Chervenak,	Jones,	Reising,	Wasserman,
Coakley,	Kane,	Reynolds,	Weidemann,
Cochran,	Keiser,	Rhys,	Weiss,
Cohen,	Kelso,	Rinn,	Welliver,
Coleman,	Kenney,	Roan,	Welsh,
Condon,	Kilroy,	Robinson,	Westrick,
Coolahan,	Kinney,	Rooney,	White,
Cooper,	Klingler,	Root,	Wickersham,
Cordier,	Kobelak,	Royer,	Winner,
Davies,	LaRue,	Ruffennach,	Witkin,
Decker,	Linderman,	Sarraf,	Wood,
Dent,	Long,	Scanlon,	Woodside,
Diehl,	Longaker,	Schaeffer,	Yeakel,
Dilley,	Lovett,	Schrock,	Yourishin,
Downey, G. E.,	Lynch,	Schrope,	Zappala,
Downey, J. J.,	Male,	Schwab,	Zimmerman,
Duffort,	Mallen,	Serrill,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, that the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CAPUTO asked and obtained permission of the House for the Committee on Judiciary General to meet during the session of the House in Room 325.

RESOLUTIONS

COMMENDING MISS NELLIE H. GRANGER

Mr. WEISS offered the following resolution which was twice read, considered and unanimously adopted:

In the House of Representatives, June 2, 1936.

"It was my ship. They were my passengers, and I thought I should stick by them."

These words expressed by Nellie H Granger, hostess of the ill-fated air liner "Sun Racer," clearly explain the heroic action of this Pennsylvania woman who, after surviving a crash, fatal to eleven other persons, saved the only two other survivors of this disaster, by removing them from the burning ship to a place of safety and protecting them with blankets until, in her injured condition, struggling through the mountains, she could summon aid and report the crash of her ship to her employer.

She had a determination to perform a duty which she felt was hers, she possessed a presence of mind, following this terrible disaster, that enabled her to do the right thing, and she had the will and spirit to carry on in the face of terrible physical handicaps. It is deeds like these that thrill the hearts of men and women.

Resolved, That the Members of the General Assembly of the Commonwealth of Pennsylvania unanimously commend Nellie H. Granger for her splendid and heroic action following the fatal crash of the air liner "Sun Racer."

Resolved, That the Chief Clerk of the House of Representatives shall transmit a copy of this resolution to Nellie H. Granger, Dravosburg, Pennsylvania, to her Aunt, Mrs. Harry Baumgartner, 118 Maple Avenue, Dravosburg, Pennsylvania, and to her brother, Merrill Granger, Editor, McKeesport Daily News, McKeesport, Pennsylvania.

ADMINISTRATION OF RELIEF

Mr. WICKERSHAM offered the following resolution and asked and obtained unanimous consent that it be read for the information of the House:

In the House of Representatives, June 2, 1936.

Whereas, It is in the interest of a sound Public Policy that employes o fthe State Emergency Relief Board, the Works Progress Administration and subordinate bodies of both should take no part in political activities; and

Whereas, It is of the utmost importance that the administration of Relief, both Direct Relief and Work Relief, be completely divorced from political influence or control; and

Whereas, One of the most vicious forms of political influence or control is the extraction from employes of State Departments, Bureaus, Boards, and other subdivisions, of so-called "voluntary" campaign contributions; and

Whereas, The Governor of this Commonwealth has not seen fit to include within the scope of his Call for the Extraordinary Session of 1936 any subject which will permit the introduction of legislation designed to prevent the extension of the "Spoils System" to the administration of Relief, Therefore, be it

Resolved, (if the Senate concurs) That it is the sense of this Assembly that the "Spoils System" should not be extended to the administration of Relief, and that no political party or candidate should solicit or accept campaign contri-

butions from any employe of the State Emergency Relief Board, the Works Progress Administration, or any subordinate Agency, Bureau, Board, or other subdivision of either or both. And be it further

Resolved, That copies of this Resolution be forwarded by the Chief Clerk of the House to the Chairman of the Democratic and Republican State Committees and to the Chairman of the various Democratic and Republican County Committees throughout this Commonwealth.

The SPEAKER. The resolution will be filed with the Clerk.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, last line, by inserting after the word "liens" the words "and providing for the extension thereof".

Amend Section 1, page 1, line 9, by inserting after the word "assessed" the words "and levied"; also by inserting after the word "any" the words "parcel or parcels of"; also by striking out after the word "estate" the words "shall be" and inserting in lieu thereof the words "are hereby"; also in page 2 line 1, by inserting after the word "abated" the words "without the necessity of further action"; also in line 3 by inserting after the word "act" the words "the taxes for the year one thousand nine hundred and thirty-five and all penalties and accrued interest and"; also line 6 by striking out the heavy face brackets before the word "on" and after the word "or"; also in line 7 by striking out after the word "of" the word "November" and inserting in lieu thereof the word "December" also in line 9 by striking out after the word "the" the word "thirty-first" and inserting in lieu thereof the word "first"; also by striking out after the word "of" the word "November" and inserting in lieu thereof the word "December"; also in line 11 by striking out after the word "the" the word "thirty-first" and inserting the word "first"; also in line 12 by striking out at the beginning of said line the word "December" and inserting in lieu thereof the word "November"; also in line 14 by striking out the word" thirty-first and inserting in lieu thereof the word "first"; also by striking out after the word "of" the word "December" and inserting in lieu thereof the word "November"; also in line 16 by striking out after the word "the" the word "thirty-first" and inserting in lieu thereof the word "first"; also in line 17 by striking out the word "December" and inserting in lieu thereof the word "November"; also in line 18 by striking out after the word "That" the words "after the first installment shall have been paid"; also in line 20 by striking out after the word "the" the word "subsequent"; also by inserting after the word "years" the words "subsequent to the year one thousand nine hundred and thirty-six"; also in line 21 by inserting after the word "periods" the words "assessed and"; also in line 22 by inserting after the word "paid" the words "before they become delinquent"; also in line 23 by striking out after the word "year" the following: "and if such current taxes for any such year are not paid during such year then the penalties an dinterest abated on the installment due for such year if such installment has already been paid shall be added to the first remaining installment of unpaid delinquent taxes and be paid in the same manner as such installment", and inserting in lieu thereof: "If and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provided then and in that event there shall become due and payable for such year a sum equal to one-fifth of the total amount of the abated penalties and interest in addition to the other payments required to be paid under this Act during that year which said additional sum shall be payable and must be paid at the time the next succeeding installment payment becomes due under this Act If such additional sum is not so paid then the total amount of the abated penalties and interest less the aggregate of any such additional sums theretofore paid shall be revived and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the taxpayer shall not thereafter be entitled to any further benefits or privileges under this Act", also on page 3 by striking out lines 9 to 14 inclusive as follows: If any taxpayer availing himself of the provisions of this act shall fail to pay any installment of taxes as hereinbefore provided for the tax year one thousand nine hundred and thirty-four and all previous years then the penalties and interest due on such unpaid installment or installments shall not be abated".

Amend Section 2, page 3, line 18 by striking out at the beginning of said line the heavy brackets before the word "on" and after the word "or"; also in same line by striking out after the word "before" the word "December" and inserting in lieu thereof the word "November"; also in line 21 by striking out after the word "of" the words "or the balance due on"; also in line 23 by inserting after the word "taxes" the words "assessed and"; also in line 24 by striking out the words "one thousand nine hundred and thirty-five or"; also in line 26 by inserting after the word "required" the words "at the time of such payment".

Amend Section 3, page 3, line 27 by inserting after the word "all" the word "such"; also on page 4, line 3 by striking out the heavy face bracket before the word "or"; also in line 11 by striking out the heavy face bracket after the word "expired"; also by striking out after the word "shall" the word "not"; also by striking out after the word "be" the words "or become"; also in line 12 by striking out after the word "of" the words "any fees or" and inserting in lieu thereof the word "all"; also by striking out after the word "in" the words "the filing of satisfaction of such liens or in the prosecution of"; also in line 14 by striking after the word "the" the words "actual prothonotaries" and inserting in lieu thereof the word "solicitors"; also by striking out after the word "fees" the word "or costs"; also by striking out lines 16 to 26 inclusive as follows:

"When the time for the making of any such return or for the filing of any such lien has not expired the making of such return and the filing of such lien shall be deferred if the taxpayer shall have paid the first installment thereon and the lien of such tax shall be fully preserved for a period of six months after default in the payment of any one installment of such taxes as provided in this act If the period for such return or the filing of such lien has not expired at the end of such six months' period such return shall be made or lien filed in accordance with existing law."

Amend Section 4, page 4, line 28 by inserting after the word "any" the words "successful bidder or purchaser at Sheriff's or other judicial sale"; also on page 5, line 2 by striking out after the word "levied" the words "anything in the permanent statutes of this Commonwealth to the contrary".

Amend Section 5, page 5, line 8 by inserting after the word "taxes" the words "assessed and"; also in line 10 by inserting after the word "taxes" the words "assessed and"; also in line 12 by striking out after the word "subdivision" the following: "Upon the request of the taxpayer it shall be the duty of the proper officials charged with the duty of assessing property or with the levy and collection of taxes to separate the assessments and the taxes assesssed against any two or more parcels of real estate in the same ward district or municipal subdivision".

Amend Section 6, page 5 by striking out beginning with line 18 the following:

Section 6 Within thirty days after the effective date of this act and once again during the last week of October one thousand nine hundred and thirty-six the county commissioners of each county shall have published in each daily newspaper published within such county a notice relative to the provisions of this act which shall read as follows

Notice to Delinquent Taxpayers

Under the provisions of Act No. approved 1936 all persons owing any county city borough town township school district or poor district taxes for the year one thousand nine hundred and thirty-four or previous years may have all penalties and interest thereon abated and may pay such taxes or any of them at face in five equal annual installments if the first twenty per centum installment is paid on or before the last day of November one thousand nine hundred and thirty-six Further information may be obtained from any tax collector." Also on page 6, line 28 by striking out after the word "any" the word "other"; also by inserting after the word "charges" the words "in detail".

Amend Section 7, page 7, by striking out the entire section as follows:

Section 7 In order to receive the benefits of this act the taxpayer shall submit to the person authorized to receive such taxes a correct and complete statement of all delinquent taxes due on the parcel or parcels of real estate upon which he desires to pay under the terms of this act including liened taxes or taxes returned to the county treasurer Whereupon the person authorized to receive such taxes shall accept such statement and accept the payment tendered forthwith anything in the permanent statutes of this Commonwealth to the contrary but if the taxpayer shall submit any false or incorrect statement he shall become liable for the payment in the manner provided by law of all penalties and interest abated on the delinquent taxes paid

Amend Section 8, page 7, line 15 by striking out after the word "Section" the figure "8" and inserting in lieu thereof the figure "6"; also in line 17 by striking out after the word "before" the word "December" and inserting in lieu thereof the word "November"; also in line 19 by striking out after the word "sale" the word "may" and inserting in lieu thereof the word "shall"; also by inserting after the words "we adjourned" the words 'as aften"; also in line 26 by striking out after the word "preserved" the words "until December first one thousand nine hundred and thirty-six notwithstanding that the period fixed by existing law as the life of such a tax lien has expired" and inserting in lieu thereo fthe following: "during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this Act provided however that in every case where a taxpayer avails himself of the privileges or benefits of this Act the period during which payment of the said delinquent taxes are postponed or continued under this Act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes".

Amend Section 9, page 8, line 1 by striking out after the word "Section" the figure "9" and inserting in lieu thereof the figure "7".

Amend Section 10, page 8, line 8 by striking out after the word "Section" the figure "10" and inserting in lieu thereof the figure "8 The Act approved the first day of May one thousand nine hundred thirty-five Pamphlet Laws one hundred twenty-nine as amended by the Act approved the twenty-second day of June one thousand nine hundred thirty-five Pamphlet Laws four hundred forty-four shall continue in full force and effect as to any and all taxpayers who have taken advantage of and are not in default in the provisions thereof"; also by inserting after the word "All" the word "other".

Amend Section 11, page 8, line 12 by striking out after the word "Section" the figure "11" and inserting in lieu thereof the figure "9".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Eberharter,	Mason,	Shaw,
Alexander,	Eroe,	McCreary,	Shepard,
Allen,	Falkenstein,	McDermott,	Shortz,
Altenburg,	Ferko,	McDevitt,	Shreiner,
Andrews,	Finnerty,	McElroy,	Shugarts,
Anthony,	Fitch,	McHenry,	Siegel,
Arnold,	Flanagan,	McKinney,	Simon,
Atkins,	Flinchbaugh,	Melchiorre,	Simpson,
Aukerman,	Flynn,	Mentzer,	Sinwell,
Baine,	Forrest,	Merrell,	Sloan,
Baker, F. T.,	Gates,	Moomaw,	Smith, J. A.,
Baker, J. J.,	Gerard,	Mooney,	Smith, W. G.,
Baldi,	Gillette,	Moore,	Snyder, F. E.,
Barber,	Greenstein,	Moran,	Snyder, J. L.,
Barnhardt,	Habbyshaw,	Moul,	Sowers,
Beadman,	Haberlen,	Muir,	Sproul,
Bernhard,	Hagerty,	Munley,	Stank,
Blumberg,	Haluska,	Murrin,	Stevens,
Boose,	Hamilton, F. P.,	Nagel,	Stewart,
Boyd, R.,	Hamilton, R. S.,	Nothnagle,	Stockham,
Boyer,	Harkins,	O'Keefe,	Stone,
Bradley,	Harmuth,	Ominsky,	Stott,
Brancato,	Hartman,	O'Neill,	Sumney,
Brennan,	Hefferon,	Panton,	Surface,
Brown, H. S.,	Hermansen,	Parks,	Sweeney,
Brown, J. E.,	Hetrick,	Patterson, C.,	Tahl,
Brownfield,	Hindman,	Patterson, J. W.,	Terry,
Brumbaugh,	Hirsch,	Pearson,	Tronzo,
Burke,	Hoffner,	Perry,	Trout,
Cannon,	Holland,	Peters,	Tumelty,
Caputo,	Holstrom,	Pfaff,	Turner,
Carr,	Hoopes,	Phillips,	VanAlisburg,
Carson,	Horst,	Piole,	Van Sickle,
Castor,	Jackson,	Powers,	Wall,
Chervenak,	Jones,	Reising,	Wasserman,
Coakley,	Kane,	Reynolds,	Weidemann,
Cochran,	Kelder,	Rhys,	Weiss,
Cohen,	Kelso,	Rinn,	Welliver,
Coleman,	Kenney,	Roan,	Welsh,
Condon,	Kilroy,	Robinson,	Westrick,
Coolahan,	Kinney,	Rooney,	White,
Cooper,	Klingler,	Root,	Wickersham,
Cordier,	Kobelak,	Royer,	Winner,
Davies,	LaRue,	Ruffennach,	Witkin,
Decker,	Linderman,	Sarraf,	Wood,
Dent,	Long,	Scanlon,	Woodside,
Diehl,	Longaker,	Schaeffer,	Yeakel,
Dilley,	Lovett,	Schrock,	Yourishin,
Downey, G. E.,	Lynch,	Schrope,	Zappala,
Downey, J. J.,	Male,	Schwab,	Zimmerman,
Duffort,	Mallen,	Serrill,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmatve, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1.

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a pertain period and preserving certain tax liens and providing for the extension thereof

HOUSE BILL No. 3.

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class providing for the collection of such taxes by the county treasurers and deputies and the payment of compensation and expenses therefor transferring employes from th office of the delinquent tax collector to the county treasurer's office and making said employes eligible to join and granting them certain credits upon joining the county retirement system

HOUSE BILL No. 17.

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the firscal officers in making monies available for unemployment relief prior to the adoption of this act

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 83, entitled:

An Act relating to the keeping fo animals wild by nature, in captivity upon any street or highway, or upon land adjoining any street or highway, or in the vicinity of any commercial establishment for the evident purpose of attracting trade; preventing cruel, improper and inhuman treatment of such animals and protecting the public from injuries thereby; providing for the granting of permits for roadside menageries, as herein defined conferring powers and imposing duties on the Board of Game Commissioners and prescribing penalties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 109, as follows:

An Act to authorize and empower municipalities and townships separately or jointly to erect and construct flood control works and improvements within or without their territorial limits and to expend moneys and incur indebtedness for such purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "municipality" as used in this act shall be construed to include cities boroughs towns and townships

Any municipality may expend moneys for the erection and construction of flood control works and improvements within or without its territorial limits if such flood control works and improvements will be of benefit to the municipality erecting the same and to the inhabitants

Any two or more municipalities may jointly erect and construct flood control works and improvements within the territorial limits of any municipality joining or within the territorial limits of some other municipality

No flood control works or improvements shall be erected under the provisions of ths act in any municipality not joining in the erection or construction thereof unless such municipality shall first consent thereto

Section 2 No such flood control works or improvements involving an expenditure by an municipality or municipalities of more than three hundred dollars ($300) shall be erected and constructed except by contract let to the lowest responsible bidder after due advertisement once a week for two weeks in at least one newspaper of general circulation Provided however That no contract shall be required to be let for the performance of the work on any such flood control work and improvement where the cost of the labor shall be paid by the Federal Government or any agency thereof without cost to the municipality or municipalities

Section 3 Any municipality may in accordance with existing law incur or increase their indebtedness for the purpose of erecting and constructing flood control works and improvements in accordance with the provisions of this act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 44, as follows:

An Act to amend section two hundred and one of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred fifty-three) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" making the real estate of public service companies with certain exceptions subject to taxation for school purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and one of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred fifty-three) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" is hereby amended to read as follows

Section 201 Subjects of Taxation Enumerated The following subjects and property shall as hereinafter provided be valued and assessed and subject to taxation for all county city borough town township school and poor purposes at the annual rate

(a) All real estate to wit Houses lands lots of ground and ground rents mills and manufactories of all kinds furnaces forges bloomeries distilleries sugar houses malt houses breweries tan yards fisheries and ferries wharves and all other real estate not exempt by law from taxation Provided That all real estate owned or possessed by any public service companies except the superstructure of the roads of railroad and street railway companies and the rights of way upon which same are located and except the lines and pipes of companies used for transmission of water electric power messages oil natural and artificial gas and the rights of way upon which the same are located and except the producing wells and natural gas producing lands and leaseholds of natural gas companies engaged in public service shall notwithstanding any existing exemption be valued and assessed and subject to taxation for school purposes.

(b) All salaries and emoluments of office all offices and posts of profit professions trades and occupations except the occupation of farmer and all persons over the age of twenty-one years who do not follow any occupation or calling as well of unnaturalized foreign-born persons who shall have resided within this Commonwealth for one whole year as of citizens of this Commonwealth Provided that when ever a person other than a Federal employe not taxable under the provision of this clause is disfranchised from voting because he cannot be lawfully assessed for a county or State tax, it shall be lawful for the county commissioners to assess the occupation of such persons for county taxation purposes in the manner provided by this act for such assessments The provisions of this clause shall not apply to counties of the second and third class or to cities of the second and second A class or to school districts

(c) All other things and persons now taxable by the laws of this Commonwealth for county city and school purposes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—101

Achterman,	Eberharter,	Lovett,	Rooney,
Alexander,	Eroe,	Lynch,	Sarraf,
Allen,	Falkenstein,	McDermott,	Scanlon,
Anthony,	Ferko,	McElroy,	Schaeffer,
Arnold,	Finnerty,	McHenry,	Schwab,
Baine,	Fitch,	Melchiorre,	Shaw,
Baker, J. J.,	Flanagan,	Mentzer,	Shepard,
Barber,	Flinchbaugh,	Moomaw,	Siegel,
Boyer,	Gerard,	Mooney,	Simon,
Bradley,	Haberlen,	Moran,	Sinwell,
Brancato,	Hagerty,	Moul,	Smith, J. A.,
Brown, H. S.,	Haluska,	Munley,	Smith, W. G.,
Brown, J. E.,	Hamilton, F. P.,	Murrin,	Stank,
Brownfield,	Harkins,	Nagel,	Stevens,
Brumbaugh,	Hartman,	O'Keefe,	Stone,
Burke,	Hindman,	Ominsky,	Sumney,
Caputo,	Hirsch,	O'Neill,	Tronzo,
Chervenak,	Holland,	Patterson, C.,	Tumelty,
Cochran,	Holstrom,	Patterson, J. W.,	Van Sickle,
Cohen,	Hoopes,	Pearson,	Weiss,
Decker,	Kinney,	Pfaff,	Welliver,
Dent,	Klingler,	Piole,	Welsh,
Dilley,	Kobelak,	Powers,	Westrick,
Downey, G. E.,	LaRue,	Reising,	Zappala,
Downey, J. J.,	Long,	Robinson,	Furman,

NAYS—79

Altenburg,	Gillette,	Muir,	Stockham,
Atkins,	Greenstein,	Nothnagle,	Stott,
Baker, F. T.,	Habbyshaw,	Panton,	Surface
Baldi,	Hamilton, R. S.,	Perry,	Sweeney,
Barnhardt,	Harmuth,	Peters,	Tahl,
Beadman,	Hermansen,	Phillips,	Terry,
Bernhard,	Hoffner,	Roan,	Trout,
Boose,	Horst,	Schrock,	Turner,
Boyd, R.,	Jackson,	Schrope,	Wall,
Brennan,	Jones,	Serrill,	Wasserman,
Carr,	Kane,	Shortz,	Weidemann,
Castor,	Kelder,	Shreiner,	White,
Coakley,	Kenney,	Simpson,	Wickersham,
Coleman,	Linderman,	Sloan,	Winner,
Cooper,	Longaker,	Snyder, F. E.,	Wood,
Cordier,	Mallen,	Snyder, J. L.,	Woodside,
Davies,	McCreary,	Sowers,	Yeakel,
Diehl,	McDevitt,	Sproul,	Yourishin,
Flynn,	Merrell,	Stewart,	Zimmerman,
Gates,	Moore,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REPORTS FROM COMMITTEES

Mr. SOWERS, from the Committee on Judiciary General, reported as committed, House Bill No. 85, entitled:

An Act to safeguard persons receiving or entitled to public relief from political coercion and to prevent political promises in return for public relief; and prescribing penalties.

Mr. DIEHL, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 101, entitled:

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Mr. OMINSKY, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 84, entitled:

An Act to safeguard from political coercion, persons employed or entitled to be employed under the Federal Works Progress Administdation or similar agency providing work relief, and to prevent political promises in return for work relief; and prescribing penalties.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. GEORGE E. DOWNEY, asked and obtained permission of the House for the Committee on Military Affairs to meet during the session of the House in the conference room.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE RESOLUTION No. 14

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Resolution numbered and entitled as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE CONCURRENT RESOLUTION No. 14

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Concurrent Resolution No. 14, House History Serial No. 18, page 39 of the House History, June 1st issue, respectfully submit the following Concurrent Resolution as our report:

THEODORE LANE BEAN
CLARENCE J. BUCKMAN
J. ALBERT REED
Committee on the part of the Senate.

HIRAM G. ANDREWS
JOSEPH DAVID BURKE
MILES HORST
Committee on the part of the House of Representatives.

Whereas, It is estimated that approximately eight hundred forty-five thousand dollars ($845,000.00) of monies heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes will be lapsed into the General Fund on May thirty-first one thousand nine hundred thirty-six and

Whereas, The sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211.00) in addition to the aforesaid eight hundred forty-five thousand dollars ($845,000.00) will be necessary for unemployment relief purposes and

Whereas, There is an immediate need for the raising of this amount for the use of the General Fund by transfers of monies from the Motor License Fund and the State Stores Fund therefore be it

Resolved (if the Senate concur), That the General

Assembly hereby authorizes the Governor and the Fiscal Officers of the Commonwealth to transfer to the General Fund the sum of two million five hundred thousand dollars ($2,500,000.00) from the State Stores Fund and the sum of one million five hundred eighty-six thousand two hundred eleven dollars ($1,586,211.00) from the Motor License Fund and hereby makes available to the State Emergency Relief Board the aggregate sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211.00) for unemployment relief purposes and

Resolved, That any moneys heretofore appropriated to the State Emergency Relief Board for unemployment relief purposes that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six are hereby made available to the State Emergency Relief Board for unemployment relief purposes on and after May thirty-first one thousand nine hundred thirty-six and

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers authorized by this resolution (2) appropriating or reappropriating as the case may be to the State Emergency Relief Board for unemployment relief purposes the sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211.00) and any monies heretofore appropriated for unemployment relief that remain unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six and (3) providing revenue by taxation or otherwise to repay monies transferred by authority of this resolution from the Motor License Fund and the Liquid Fuels Tax Fund.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess of ten minutes. The Chair hears none and a recess is declared of ten minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The SPEAKER. The time of the recess having expired the House will be in order.

REPORT FROM COMMITTEE

Mr. CORDIER, from the Committee on Military Affairs, reported as amended, House Bill No. 110, entitled:

An Act providing that no person shall be denied, refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate; and providing penalties.

RECONSIDERATION OF VOTE

Mr. COAKLEY. Mr. Speaker, I move that the vote by which House Bill No. 44, Printer's No. 44, Printer's No. 101, entitled:

An Act to amend section two hundred and one of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," making the real estate of public service companies, with certain exceptions, subject to taxation for school purposes.

was defeated on final passage today be reconsidered.

Mr. HARMUTH. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Northampton vote on the final passage of the bill?

Mr. COAKLEY. Mr. Speaker, I voted "no."

The SPEAKER. How did the gentleman from Allegheny vote on the final passage of the bill?

Mr. HARMUTH. Mr. Speaker, I voted "no."

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. EROE. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 61, as follows:

An Act imposing an income tax for State purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons partnerships associations, corporations State officers employes and departments and imposing penalties

ARTICLE I

SHORT TITLE AND DEFINITIONS

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Individual Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this section act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Dividend" Any distribution made by a corporation or association subject or not subject to the payment of a tax on capital stock under the laws of the Commonwealth out of its net earnings or profits accumulated after December thirty-first one thousand nine hundred and thirty-five to its stockholders or members whether in cash or in other property or in stock other than stock dividends as hereafter defined

"Fiduciary" A guardian committee trustee executor administrator receiver conservator or any person whether individual or corporate acting in any fiduciary capacity for any person estate or trust

"Individual" A natural person

"Paid" For the purposes of the deductions under this act means "paid or accrued" or "paid or incurred" and the words "paid or accrued" "paid or incurred" and "incurred" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act

"Person" Every natural person fiduciary association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Received" For the purpose of the computation of the net income under this act means "received or accrued" and the words "received or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act

"Resident" As applied to an individual means any person domiciled in the Commonwealth of Pennsylvania and any person who maintains a permanent place of abode within this Commonwealth

"Stock dividends" New stock for surplus or profits capitalized issued to stockholders in proportion to their previous holdings

"Tax year" The calendar year upon the basis of which the net income of a taxpayer is computed under this act

"Taxpayer" Any individual trust or estate required to pay a tax under the provisions of this act

The singular shall include the plural and the masculine shall include the feminine and neuter

ARTICLE II

IMPOSITION OF TAX

Section 201 Residents and Non-residents A A tax is hereby imposed upon every resident taxpayer of this Commonwealth which tax shall be levied collected and paid annually with respect to his entire net income as herein defined computed at the rate of one per centum of the amount of such net income

B A like tax is hereby imposed and shall be levied and collected and paid annually at the rate specified in this section upon and with respect to the entire net income as herein defined from all property owned and from every business trade occupation or profession carried on in this Commonwealth by natural persons not residents of this Commonwealth

Section 202 Estates and Trusts A The tax imposed by this act shall apply to estates and trusts which tax shall be levied collected and paid annually upon and with respect to the income of estates or of any kind of property held in trust including

(1) Income received by estates of deceased persons during the period of administration or settlement of the estate

(2) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests

(3) Income held for future distribution under the terms of the will or trust

(4) Income which is to be distributed to the beneficiaries periodically whether or not at regular intervals and the income collected by a guardian of an infant to be held or distributed as the court may direct and

(5) Income of an estate during the period of administration or settlement permitted by subsection C of this section to be deducted from the net income upon which the tax is to be paid by the fiduciary

B The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts whether such income be taxable to the estate or trust or to the beneficiaries thereof The net income of an estate or trust shall be computed in the same manner and on the same basis as provided for individual taxpayers and in cases under paragraphs (four) and (five) of subsection A of this section the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income whether or not distributed before the close of the tax year for which the return is made

C In cases under paragraphs (one) (two) and (three) of subsection A of this section the tax shall be imposed upon the estate or trust with respect to the net income of the estate or trust and shall be paid by the fiduciary except that in determining the net income of the estate of any deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee heir or other beneficiary In such cases an estate or trust created by a person not a resident and an estate of a person not a resident shall be subject to tax only to the extent to which individuals other than residents are liable by reason of the limitation as to gross income provided in section three hundred and three subsection C

D In cases under paragraphs (four) and (five) of subsection A of this section if the distribution of income is in the discretion of the fiduciary either as to the beneficiaries to whom payable or as to the amounts to which any beneficiary is entitled the tax shall be imposed upon the estate or trust in the manner provided in subsection C of this section but without the deduction of any amounts of income paid or credited to any such beneficiary In all other cases under paragraphs (four) and (five) of subsection A of this section the tax shall not be paid by the fiduciary but there shall be included in computing the net income of each beneficiary his distributive share whether distributed or not of the net income of the estate or trust for the tax year In such cases the net income of a beneficiary not a resident derived through such estate or trust shall be subject to tax only to the extent to which individuals other than residents are liable by reason of the limitations as to gross income provided in section three hundred and three subsection C

E A trust created by an employer as a part of a stock bonus pension or profit-sharing plan for the exclusive benefit of some or all of his employes to which contributions are made by such employer or employes or both for the purpose of distributing to such employes the earnings and principal of the fund accumulated by the trust in accordance with such plan shall not be taxable under this section but any amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds the amounts paid in by him

F Where any part of the income of a trust other than a testamentary trust is or may be applied to the payment of premiums upon policies of insurance on the life of the grantor or to the payment of premiums upon policies of life insurance under which the grantor is the beneficiary such part of the income of the trust shall be included in computing the net income of the grantor

Section 203 Partnerships Individuals carrying on business in partnerships shall be liable for income tax only in their individual capacity There shall be included in computing the net income of each partner his distributive share whether distributed or not of the net income of the partnership for the tax year Taxpayers who are members of partnerships may be required by the department to make a return stating the gross receipts and net gains or profits of the partnership for any tax year The net income of the partnership shall be computed in the same manner and on the same basis as provided in computing the net income of individuals and the deduction provided for in section four hundred and five shall be allowed only to the individual partners

Section 204 Initial Tax Levy The tax imposed by this article shall first be levied collected and paid in the year one thousand nine hundred thirty-seven upon and with respect to taxable net income for the calendar year one thousand nine hundred thirty-six

ARTICLE III

COMPUTATION OF THE TAX

Section 301 Net Income The term "net income" means the gross income of a taxpayer less the deductions allowed by this article

Section 302 Manner of Computing Net Income The net income shall be computed in accordance with the method of accounting regularly employed in keeping the books of the taxpayer but if no such method of accounting has been so employed or if the method employed does not clearly reflect the income the computation shall be made upon such basis and in such manner as in the opinion of the department does clearly reflect the income

Section 303 Gross Income A The term "gross income" includes gains profits and income derived from salaries wages or compensation for personal service or whatever kind and in whatever form paid or from professions vocations trades businesses commerce or sales or dealings in property whether real or personal growing out of the ownership or use of or interest in such property also from interest rent dividends securities or the transaction of any business carried on for gain or profit and all other income derived from any source whatever including income derived through estates or trusts by the benefici-

aries thereof whether as distributed or as distributable shares The amount of all such items shall be included in the gross income for the tax year in which received by the taxpayer

B The term "gross income" does not include the following items

(1) Amounts received under a life insurance contract paid by reason of the death of the insured whether in a single sum or in installments but if such amounts are held by the insurer under an agreement to pay interest thereon the interest payments shall be included in gross income

(2) The amount received by the insured as a return of premium or premiums paid by him under life insurance endowment or annuity contract either during the term or at the maturity of the term mentioned in the contract or upon surrender of the contract

(3) The value of property acquired by gift bequest devise or descent but the income from such property shall be included in gross income

(4) Interest upon the obligations of the United States or its possessions or the obligations of the Commonwealth of Pennsylvania or of any municipal corporation or political subdivision thereof

(5) Any amount received through accident or health insurance or under workmen's compensation acts as compensation for personal injuries or sickness plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness or through the war risk insurance act or any law for the benefit or relief of injured or disabled members of the military or naval forces of the United States

(6) Salaries wages and other compensation received from the United States by officials or employes thereof including persons in the military or naval forces of the United States

(7) Income received by any officer of a religious denomination or by any institution or trust for moral or mental improvement religious bible tract charitable benevolent fraternal missionary hospital infirmary educational scientific literary library patriotic historical or cemetery purposes or for the enforcement of laws relating to children or animals or for two or more of such puposes if such income be used exclusively for carrying out one or more of such purposes but nothing herein shall be construed to exempt the fees stipends personal earnings or other private income of such officer or trustees

(8) Stock dividends when received by a shareholder but if before or after the distribution of any such dividend the corporation proceeds to cancel or redeem its stock at such time and in such manner as to make the distribution and cancellation or redemption in whole or in part essentially equivalent to the distribution of a taxable dividend the amount so distributed in redemption or cancellation of the stock shall be treated as a taxable dividend and included in gross income Provided That any stock dividend shall be considered in computing gain profit or income upon the sale exchange or other disposition of the stock upon which a stock dividend has been declared or of the stock included in such stock dividend

(9) The principal and income paid by a building and loan association to a member thereof upon the maturity of his or her shares or upon the withdrawal of such member from the association

(10) Any amount received by any person whatever under any law of this Commonwealth the United States or any other state providing for any pension bonus or compensation whatsoever for or in respect to services in the military or naval forces of the United States in any war in which the United States has been engaged

(C) In the case of taxpayers other than residents gross income includes only the gross income from sources within the State but shall not include annuities interest on bank deposits interest on bonds notes or other interest-bearing obligations or dividends from corporations except to the extent to which the same shall be a part of income from any business trade profession or occupation carried on in this State subject to taxation under this act

(D) In the case of taxpayers who regularly sell or otherwise dispose of personal property on the installment plan gross income includes in any tax year only such portion of the total profit realized or to be realized when the payment is completed as the installment payments received in that year bears to the total of all installments payments

E In the case of a casual sale or other casual disposition of personal property or of a sale or other disposition of real property if in either case the payment in cash or property are not completed during the tax year when the sale or disposition was made the income may be returned on the basis and in the manner above described in subsection D of this section for installment sales Evidences of indebtedness of the purchaser or amounts secured by the property sold or disposed of shall not be construed to be payments but in such cases the income shall be returned on the above basis in the tax year when such indebtedness or the amounts secured or any part thereof is paid to the vendor

Section 304 Ascertainment of Gain and Loss A For the purpose of ascertaining any gain included in gross income as herein defined derived or any deductible loss sustained for the sale or other disposition of property real personal or mixed the basis shall be in the case of property acquired on or after January first one thousand nine hundred thirty-six the cost thereof or the inventory value if the inventory is made in accordance with this article

B In case of property acquired prior to January first one thousand nine hundred thirty-six and disposed of thereafter

(1) No profit shall be deemed to have been derived if either the cost or the fair market price of value on on January first one thousand nine hundred thirty-six exceeds the value realized

(2) No loss shall be deemed to have been sustained if either the cost or the fair market price ofvalue on January first one thousand nine hundred thirty-six is less than the value realized

(3) Where both the cost and the fair market price or value on January first one thousand nine hundred thirty-six are less than the value realized the basis for computing profit shall be the cost or the fair market price or value on January first one thousand nine hundred thirty-six whichever is higher

(4) Where both the cost and the fair market price or value on January first one thousand nine hundred thirty-six are in excess of the value realized the basis for computing loss shall be the cost or the fair market price or value on January first one thousand nine hundred thirty-six whichever is lower

Section 305 Exchange of Property Upon the sale or exchange of property in transactions the gain or profit from which is included in gross income as herein defined the entire amount of the gain or loss determined under section three hundred four of this act shall be recognized except as hereinafter provided in this section

(A) No gain or loss shall be recognized if property held for productive use in trade or business or for investment (not including stock in trade or other property held primarily for sale nor stocks bonds notes choses in action certificates of trust or beneficial interest or other securities or evidences of indebtedness or interest) is exchanged solely for property of a like kind to be held either for productive use in trade or business or for investment or if common stock in a corporation is exchanged solely for common stock in the same corporation or if preferred stock in a corporation is exchanged solely for preferred stock in the same corporation

(B) No gain or loss shall be recognized if stock or securities in a corporation a party to a reorganization are in pursuance of the plan of reorganization exchanged solely for stock or securities in such corporation or in another corporation a party to the reorganization

(C) No gain or loss shall be recognized if property is transferred to a corporation by one or more persons solely in exchange for stock or securties in such corporation and immediately after the exchange such person or persons are in control of the corporations but in the case of an exchange by two or more persons this subsection shall apply only if the amount of the stock and securities received by each is substantially in proportion to his interest in the property prior to the exchange

(D) If property (as a result of its destruction in whole or in part theft or seizure or an exercise of the power of requisition or condemnation or the threat or imminence thereof) is compulsorily or involuntarily converted into property similar or related in service or use to the property so converted or into money which is forthwith in good faith under regulations proscribed by the department expended in the acquisition of other property similar or related in service or use to the property so converted or in the acquisition of control of a corporation owning such other property or in the establishment of a replacement fund no gain or loss shall be recognized If any part of the money is not so expended the gain if any shall be so recognized but in an amount not in excess of the money which is not so expended

(E) If there is distributed in pursuance of a plan of reorganization to a shareholder in a corporation a party to the reorganization stock or securities in such corporation or in another corporation a party to the reorganization without the surrender by such shareholder of stock or securities in such a corporation no gain to the distributee from the receipt of such stock or securities shall be recognized

(F) If an exchange would be within the provisions of subsections A B or C of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subsection to be received without the recognition of gain but also of other property or money then the gain if any to the recipient shall be recognized but in an amount not in excess of the sum of such money and the fair market value of such other property

(G) If an exchange would be within the provisions of subsections A B or C of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subsection to be received without the recognition of gain or loss but also of other property or money then no loss from the exchange shall be recognized

(H) As used in this section the term "reorganization" means (1) a merger or consolidation (including the acquisition by one corporation of at least a majority of the total number of shares of all other classes of stock of another corporation or substantially all the properties of another corporation) or (2) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its stockholders or both are in control of the corporation to which the assets are transferred or (3) recapitalization or (4) a mere change in identity form or place of organization however effected

The term "a party to a reorganization" includes a corporation resulting from a reorganization and includes both corporations in the case of an acquisition by one corporation of at least a majority of the voting stock and at least a majority of the total number of shares of all other classes of stock of another corporation

As used in this section "control" means the ownership of at least eighty per centum of the voting stock and at least eighty per centum of the total number of shares of all other classes of stock of the corporation

Section 306 Inventory Whenever in the opinion of the department the use of inventories is necessary in order clearly to determine the income of any taxpayer inventories shall be taken by such taxpayer upon such basis as the department may prescribe conforming as nearly as may be to the best accounting practice in trade or business of such taxpayer

Section 307 General Deductions In computing net income there shall be allowed as deductions

A All the ordinary and necessary expenses paid or incurred during the tax year in carrying on any trade or business or in the production of income required to be included in gross income under this article including a reasonable allowance for salaries or other compensation for personal service actually rendered and including rentals or other payments required to be made as a condition to the continued use or possession for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he has no equity

B All interest paid or accrued during the taxable year on indebtedness

C Taxes paid or accrued within the tax year imposed by (1) the authority of the United States or of any of its possessions (2) by the Commonwealth of Pennsylvania (except the net income tax imposed by this act and taxes on liquid fuels) (3) by any city borough town township school district or poor district of this Commonwealth or (4) by the authority of any other state country or territory

D Losses sustained during the tax year and not compensated for by insurance or otherwise if incurred in trade or business

E Losses sustained during the tax year not compensated for by insurance or otherwise if incurred in any transaction entered into for profit through not connected with the trade or business No deduction shall be allowed under this clause for any loss claimed to have been sustained in any sale or other disposition of shares of stock or security where it appears that within thirty days before or after the date of such sale or other disposition the taxpayer has acquired (otherwise than by bequest or inheritance) or has entered into a contract or option to acquire substantially identical property and the property so acquired is held by the taxpayer for any period after such sale or disposition If such acquisition or the contract or option to acquire is to the extent of part only of substantially identical property then only a proportionate part of the loss shall be disallowed

F Losses sustained during the tax year of property not connected with the trade or business (but in case of a taxpayer other than a resident only of real property or tangible personal property having an actual situs within the State) if arising from fires storms shipwrecks or other casualty or from theft and not compensated for by insurance or otherwise

G Debts ascertained to be worthless and charged off within the tax year and when satisfied that a debt is recoverable only in part the department may allow such debt to be charged off in part In the case of a debt existing on January first one thousand nine hundred thirty-six no more than its fair market value on that date shall be deducted A worthless debt arising since January first one thousand nine hundred thirty-six from unpaid wages salary rent or any similar item of taxable income is not an allowable deduction unless the income which such item represents has been included as income by the taxpayer in a return rendered under this act

H A reasonable allowance for the exhaustion wear and tear of property the income from which is required to be included in gross income under this article used in the trade or business including a reasonable allowance for obsolescence In case of property held by one person for life with remainder to another person the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust or in the absence of such provisions on the basis of the trust income allocable to each

I In the case of mines oil and gas wells other natural deposits and timber a reasonable allowance for depletion and for depreciation or improvement according to the peculiar conditions in each case such reasonable allowance in all cases to be made under rules and regulations to be made by the department The department may apportion such deductions equitably between the lessor and lessee

J In the case of a taxpayer other than a resident of the State the deduction allowed in this section shall be allowed only if and to the extent that they are connected with income arising from sources within the State and taxable under this act to a nonresident taxpayer and the proper apportionment and allocation of the deductions with respect to sources of income within and without the State shall be determined under rules and regulations to be prescribed by the department.

Section 308 Items Not Deductible In computing net income no deduction shall in any case be allowed in respect of

A Personal living or family expenses

B Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate

C Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made or

D Premiums paid on any life insurance policy covering the life of any officer or employe or of any person financially interested in any trade or business carried on by the taxpayer when the taxpayer is directly or indirectly a beneficiary under such policy

Section 309 Credit for Taxes in Case of Taxpayers Other than Residents of the Commonwealth Whenever a taxpayer other than a resident of the Commonwealth has become liable to income tax to the state county or city where he resides upon his net income for the tax year derived from sources within this Commonwealth and subject to taxation under this act the department shall credit the amount of income tax payable by him under this act with such proportion of the tax so payable by him to the state county or city where he resides as the income subject to taxation under this act bears to his entire income upon which the tax so payable to such other state county or city was imposed Provided That such credit shall be allowed only if the laws of said state county or city (1) grant a substantially similar credit to residents of this Commonwealth subject to income tax under such laws or (2) impose a tax upon the personal incomes of its residents derived from sources in this Commonwealth and exempt from taxation the personal income of residents of this Commonwealth No credit shall be allowed against the amount of the tax of any income taxable under this act which is exempt from taxation under the laws of such other state county or city.

Section 310 Certain Gifts not Taxable In case any taxpayer in any tax year shall give or contribute and has given or contributed in each of the ten preceding calendar years ninety per centum or more of his net income in each year to any corporation or trust or community trust fund or foundation organized and operated exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation such net income so given or contributed shall not be subject to any tax under the provisions of this act

ARTICLE IV

RETURNS AND PAYMENT

Section 401 Taxpayers' Returns Time and Place of Filing Payment A Every taxpayer regardless of the amount of his net income shall make under oath or affirmation a return as hereinafter provided stating specifically the items of his gross income and the deductions and credits allowed by this act If the taxpayer is unable to make his own return the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer A taxpayer other than a resident shall not be entitled to the deductions authorized by section three hundred and seven unless he shall make under oath or affirmation a complete return of his gross income both within and without the State

B Returns shall be in such form and shall contain such information as the department may from time to time prescribe and shall be filed with the department at its main office or at any branch office which it may establish on or before the fifteenth day of May in the year one thousand nine hundred thirty-seven and in each year thereafter for the preceding calendar year The department is authorized to prepare and furnish such return forms but the failure of any taxpayer to receive or procure a return form shall not excuse him from making a return

C The department may upon application made to it in such form as it may prescribe on or prior to the last day for filing any report and upon proper cause shown grant a reasonable extension of time for the filing of any return within which time such return may be filed without penalty except as herein provided and shall keep a record of every such extension and the reason therefor Except in the case of taxpayers who are abroad no such extension shall be granted for more than six months

D Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making any return or report required by this act for the taking of which oath or affirmation no charge shall be made Any such agent who shall make any charge for administering such oath or affirmation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

E Each taxpayer shall or in cases where an agent guardian committee fiduciary or other person makes the return for the taxpayer then such agent guardian fiduciary committee or person shall at the time of filing the return pay to the department the amount of tax payable under this act as the same shall appear from a calculation made on the face of the return If the time for filing the return shall have been extended by the department the taxpayer shall pay in addition interest thereon at the rate of six per centum per annum from the time when the return was originally required to be filed to the time of payment

Section 402 Returns in Cases of Changed Residence If a taxpayer during the tax year changes his status from that of resident to that of non-resident or from that of non-resident to that of resident he shall file two returns One as a resident covering the fraction of the year during which he was a resident and one as a taxpayer other than a resident covering the fraction of the year during which he was a non-resident In case two returns for one year are filed as aforesaid the taxes due thereon shall not be less than would be payable if the total net income shown by the two returns were included in a single return

Section 403 Partnership Returns Every partnership shall make a return for each tax year stating specifically the items of its gross income and the deductions allowed by this act and shall include in the return the names and addresses of the persons who would be entitled to share in the net income if distributed and the amount of the distributive share of each person The return shall be sworn to or affirmed by any one of the partners

Section 404 Fiduciary Returns Every fiduciary (except receivers appointed by authority of law in possession of part only of the property of a taxpayer) shall make under oath or affirmation a return for the individual estate or trust for whom he acts as follows

A If he acts for an individual whose entire income from whatever source derived is in his charge

B If he acts (a) for an estate of a deceased person during the period of administration or settlement whether or not the income of such estate during such period of administration or settlement is properly paid or credited to any legatee heir or other beneficiary (b) for an estate or trust the income of which is accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests or (c) for an estate or trust the income of which is held for future distribution or is distributable in the discreton of the fiduciary under the terms of the will or trust

C If he acts (a) for an estate or trust the income of which is to be distributed to the beneficiaries periodically or (b) as the guardian of an infant whose income is to be held or distributed as the court may direct The return made by a fiduciary shall state specifically the items of the gross income and the deductions and credits allowed by this act Under such regulations as the department may prescribe a return made by one of two or more joint fiduciaries shall be sufficient compliance with the above requirement

D The fiduciary shall make oath or affirmation that he has sufficient knowledge of the affairs of the individual estate or trust for whom or which he acts to enable him to make the return and that the same is to the best of his knowledge and belief true and correct Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to taxpayers

Section 405 Deduction for Making Return or Statement Keeping Records and Accounts Verification Penalty Every

taxpayer shall be allowed an allowance compensation or deduction from the income tax payable on net income under this act of twenty dollars ($20) for his or her work labor and services and the work labor and services of others in and about the making of the accounting computation and figuring necessary to be made and done to comply with this act and the keeping of a record of his or her gross income and allowable deductions as provided in this act during the taxable year and the said allowances or deductions shall not be construed to be and are not meant to be and are not an exemption of the taxpayer from the payment of the tax in whole or in part but is made only and solely for encouraging the taxpayer to keep proper accounts of his gross income and his net income and the proper deductions allowable by law and if after making such accounting and computation no money is actually payable under this act the taxpayer may in lieu of the return file a statement with the department setting forth his name age net income and precise residence certifying that after deducting the amount allowed for making and preparing the computation and return no money is actually due and payable by him or her to the Commonwealth and that he or she verifies the truth of such statement and upon conviction of making a false statement in any court of quarter sessions shall be subject to the penalties provided by the laws of the Commonwealth for perjury No deduction from the tax shall be allowed unless the statement or report or return is filed according to law and the tax paid when due according to law Should the compensation payable to the taxpayer for performing his or her duties as herein above set forth be more than the amount of money required to be paid by the taxpayer then the taxpayer may for the following year or years deduct from the taxes due under this act the sum or sums not deducted retained held or paid to him or her by deduction from the tax due by him or her in the following year or years and until he or she has been fully or partly compensated as provided by this act for making the accounting and keeping the records herein set forth

ARTICLE V

PROCEDURE

Section 501 Department of Revenue to Administer The Department of Revenue shall administer and enforce the tax herein imposed for which purpose it may divide the State into districts in each of which a branch office of the department may be maintained

Section 502 Examination of Returns Assessment of Tax Refunds A As soon as practicable after the return is filed the department shall examine it and assess the tax

B If the amount of tax as assessed shall be greater than the amount theretofore paid the additional assessment shall be paid by the taxpayer to the department within ten days after a notice of the amount of such additional tax as assessed shall be mailed to the taxpayer by the department In such case if the return is made in good faith and the understatement of the amount in the return is made in good faith there shall be no interest or penalty because of such understatement provided the deficiency be paid or notice of an intention to file a petition for a reassessment or to appear and be heard as herein provided shall be given within ten days after notice of the amount is mailed to the taxpayer If payment is not made within ten days and if no notice of an intention to file a petition for a reassessment or to appear and be heard is given to the department within ten days as herein provided there shall be added to the amount of the deficiency five per centum thereof and in addition interest at the rate of one per centum per month for each month or fraction thereof from the date of such notice to the date of payment If the understatement is false or fraudulent with intent to evade the tax the tax on the additional income discovered to be taxable and assessed by the department shall be double and an additional one per centum shall be added to the amount so due for each month or fraction of a month from the date the tax was originally due to the date of payment

C If the amount of tax as assessed by the department shall be less than the amount paid by the taxpayer the excess shall be refunded upon written application by the department with the approval of the Board of Finance and Revenue Estimates of the amounts to be expended for refunds from time to time by the department shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition of the department for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

Section 503 Estimated Assessments A If any individual or fiduciary believed by the department to be liable for a tax under the provisions of this act shall have failed to file a return in accordance with and within the time prescribed by the provisions of this act or any extension thereof granted by the department if the department should deem it more conducive to the public interest because of the supposed smallness of the tax or for any other reason not to proceed to compel the exhibition of such individual's or fiduciary's accounts it may make an estimated assessment of the probable amount of the tax owing by such individual or fiduciary but in every such case it shall add to every such estimated assessment a penalty of fifty per centum to include any losses which might otherwise accrue to the Commonwealth from such neglect or refusal to file a return or statement and the department shall proceed to recover money so due the Commonwealth as in other cases if not paid when due as hereinafter provided

B The amount thus determined together with penalties and interest at the rate of one per centum per month or fractional part thereof shall be due and payable ten days after notice of such settlement shall be mailed by the department

Section 504 Assessments Made at any Time Within Five Years An additional assessment or estimated assessment as heretofore provided shall be made by the department at any time within five (5) years after any net income of any taxpayer should have been returned by him for taxation any such additional assessment or estimated assessment may be made at any time during said period notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the department shall have made previous additional or estimated assessments against such taxpayer In any such care no credit shall be given for any penalty formerly assessed and paid

Section 505 Petition for Reassessment Appeal A Any taxpayer against whom any estimated or additional assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department prior to the time the amount becomes due and payable to wit within ten (10) days after notice of such estimated or additional assessment is given or sent by the department to the taxpayer as provided in this act The department shall hold such hearings in each county as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the estimated or additional assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

B If such petitioner is dissatisfied with the action of the department on his petition for reassessment he shall have the right to appeal to the court of common pleas of the proper county at any time within thirty (30) days after notice of such action or refusal is given to him by the department If any resident shall fail to give due notice of an intention to petition for a reassessmen and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein get forth the right to do so shall be forever barred and any

such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as aforesaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section 506 Enforcement Rules and Regulations Inquisitorial Powers of the Department A The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

B The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any taxpayer or supposed taxpayer in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by this act Every such taxpayer or supposed taxpayer is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized The department is hereby authorized to examine any person under oath concerning any income which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such income The procedure for such hearing or examination shall be the same as that provided by The Fiscal Code relating to inquisitorial powers of fiscal officers

C Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act shall be confidential except for official purposes and except in accordance with proper judicial order or as otherwise provided by law and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars ($500) and costs of prosecution or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

Notwithstanding the provisions of subsection C of this section the department may permit the commissioner in internal revenue of the United States or the proper officer of any state imposing an income tax upon the incomes of individuals or the authorized representative of either such officer to inspect the income tax returns of any individuals or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return or disclosed by the report of any investigation of the income or return of income of any individual but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state as the case may be grant substantially similar privileges to the proper officer of this State charged with the administration of the personal income tax law thereof

Section 507 Information at the Source Every person in whatever capacity acting including lessees or mortgagors of real or personal property fiduciaries employers and all officers and employes of the Commonwealth or of any municipal corporation or political subdivision of the Commonwealth having the control receipt custody disposal or payment of interest (other than interest coupons payable to bearer) rent salaries wages premiums annuities compensations remunerations emoluments or other fixed or determinable annual or periodical gains profits and income shall on or before the fifteenth day of May make a return under oath or affirmation to the department containing complete information concerning the amount of all such interest rent salaries wages premiums annuities compensations remunerations emoluments or other fixed or determinable annual or periodical gains profits and income of any individual partnership or fiduciary under such regulations and in such form and manner and to such extent as may be prescribed by the department The return shall be in such form as the department shall prescribe and shall contain a statement that the individual officer or employe of the Commonwealth political subdivision thereof or corporation or member or partner of the association making the return verifies the information contained in the return Upon conviction of making a false statement in such return the person making the same shall be subject to the penalties provided by the laws of the Commonwealth for perjury

Every person who fails refuses or neglects to file a return in accordance with the provisions of this section shall be liable to a penalty of not more than five hundred dollars to be imposed assessed and collected in the same manner as is provided in this act with regard to taxes

Section 508 Lien of Taxes A All taxes imposed by this act together with all penalties and interest shall be considered a public account after being assessed in the manner prescribed in this act and as such shall be a lien upon the franchise and property both real and personal of the taxpayer against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchise or property are situated

B The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgement and execution in the same manner as such writs are ordinarily employed

Section 509 Collection of Unpaid Taxes Whenever the taxes penalties or interest imposed by this act are not paid and no petition for reassessment thereof has been filed or if such taxes interest and penalties are not paid after all appeals have finally been disposed of the department shall call upon the Department of Justice to collect the same in like manner as is provided by law for the collection of other Commonwealth taxes

ARTICLE VI

VIOLATIONS

Section 601 Violations Penalties Any person who shall fail neglect or refuse to make any report required by this act or any taxpayer who shall refuse to pay the tax penalties and interest imposed by this act or any person who shall refuse to permit the department or any agent appointed by it in writing to examine his or her books records and papers or who shall knowingly make any incomplete false or fraudulent report or who shall attempt to do anything whatever to avoid the full disclosure of the amount of net income to avoid the payment of the whole or any part of the tax shall be guilty of a misdemeanor and shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and costs of prosecution or undergo imprisonment not exceeding three (3) years or both in the discretion of the court

Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

Section 602 Costs Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

ARTICLE VII

DISPOSITION AND USE OF TAX

Section 701 Disposition and Use of Tax All taxes interest and penalties received recovered paid or collected under the provisions of this act shall be paid by the department into the General Fund of the State Treasury and shall be used only for the payment of appropriations made to the State Emergency Relief Board for unemploy-

ment relief purposes excepted that two per centum of such monies shall be added and credited to the current biennial maintenance appropriation of the department and shall be available and is hereby appropriated for the same purposes for which such current biennial appropriation is available

ARTICLE VIII

MISCELLANEOUS

Section 801 Saving Clause Nothing contained in this act shall be construed to repeal any other law of this Commonwealth imposing any tax for State or local purposes

On the question,

Will the House agree to the bill on third reading?

Mr. VANSICKLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 202, page 5, line 24, by striking out the word "he" and inserting in lieu thereof: "the"

Amend Sec. 304, page 13, line 4, by striking out the word "of" and inserting in lieu thereof: "or"

Amend Sec. 305, page 14, line 10, by striking out "puruance" and inserting in lieu thereof: "pursuance"

Amend Sec. 307, page 18, line 19, by striking out the word "then" and inserting in lieu thereof: "than"

Amend Sec. 307, page 20, line 6, by striking out the word "of"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. REISING. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, last line of title, by inserting after the word "departments" the following: "making an appropriation"

Amend Sec. 701, page 37, line 18, by striking out the words "the General Fund of"

Amend Sec. 701, page 37, line 23, by inserting after the word "available" the following: "Ninety-eight per centum of such moneys is hereby specifically appropriated to the Department of Public Instruction for reimbursing school districts, upon the salaries of members of the teaching and supervisory staffs of elementary schools and junior high schools, in accordance with the provisions of law."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. VANSICKLE. Mr. Speaker and members of the House, I arise to oppose these amendments for the reason that under the twelfth point of the call of this Special Session only "Appropriations for financially distressed school districts" can be considered, and the amendments as proposed by the gentleman from Beaver do not come under that call. If they were put in by this House they would render the entire act unconstitutional, as not coming within the Governor's call. I, therefore, ask the members of this House to vote against these amendments.

Mr. REISING. Mr. Speaker and members of this House, it is at this time important that we follow up the action of the last regular session, wherein we passed the graded income tax law to raise money to aid distressed school districts and to relieve property owners to some extent. We would be seriously derelict in our duties at this time to the taxpayers of Pennsylvania if we neglected to follow up the gesture of the last regular session with the income tax proposition to relieve distressed taxpayers in the school districts. So, therefore, I feel that at least a part of the moneys to be derived from this flat income tax should go for school purposes, and the balance of it can go for relief. Therefore, in order to carry out our promise to the people that we would do all we could in the interest of relief not only from those suffering by reason of unemployment but for those who are suffering by reason of the heavy taxation, I will ask all of the members of the House to support these amendments.

Mr. MASON. Mr. Speaker and members of the House, first, I wish to call the attention of the members to Point No. 11, in the Governor's proclamation which reads as follows: "Legislation to strengthen enforcement of existing revenue statutes and to offset adverse court decisions interpreting existing revenue statutes." I know of only one adverse court decision and that was when the Supreme Court of this State declared that Act No. 314, the graduated income tax of the last regular session, was unconstitutional.

I feel that the Legislature at this time, in special session assembled, must face the fact that we must do something to aid the distressed school districts of Pennsylvania.

Let me call your attention to what we did do at the last regular session. We passed Act No. 314 which was known as the graduated income tax act. In addition to that we passed Act 315 which provided for amendments to the Pennsylvania School Code and allowing for additional appropriations to various school districts which took advantage of certain features of the act, namely, by the reduction of the millage upon real estate and in that way they would be paid by the State an additional appropriation. In addition to that we passed Act 29-A appropriating twenty-five million dollars to be used for the aid of school districts.

Now, the Supreme Court ruled that Act 314, the graduated income tax act, was unconstitutional. The Attorney General of this State ruled subsequently that as the income tax act, the revenue raising measure, is unconstitutional, the appropriation act fell, and then following that, in the chain, he said that as the appropriation act fell, there being no appropriation, the amendments to the School Code could not be carried out. However, there has been a great difference of opinion among various attorneys and authorities as to the ruling of the Attorney General and as a result of this very great difference of opinion, you will find that approximately fifty to sixty school districts throughout this State took advantage of that twenty-five million dollars appropriation that we made, took advantage of the amendments to the School Code, cut the real estate millage and included as an estimated receipt an additional appropriation from the State to each school District. Those school districts acted in good faith, believing that the twenty-five millon dollar appropriation was still legal and believing that the amend-

ments to the School Code were still binding and an obligation upon the State.

As I say, there is no doubt in my mind that there will be tested in court the question as to whether or not the State can pay to the school districts who took advantage of the act the amount that they have figured as an estimated receipt in accordance with the formula prescribed in the School Code, and we must face it in this special session of the Legislature or every school district whose fiscal year begins next July first and ends on June 30th of the following year, which has figured that estimated receipt on the basis of Act 315 will not receive any moneys from the State. It is our pledge that we made at the regular session, and I urge you to vote for these amendments of the gentleman from Beaver, Mr. Reising, because in doing so we will fulfill the pledge that we made at our regular session.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. VANSICKLE and Mr. REISING and were as follows:

YEAS—182

Alexander,	Eroe,	McDevitt,	Shaw,
Allen,	Falkenstein,	McElroy,	Shortz,
Altenburg,	Ferko,	McKinney,	Shreiner,
Andrews,	Finnerty,	Melchiorre,	Shugarts,
Anthony,	Fitch,	Mentzer,	Siegel,
Arnold,	Flanagan,	Merrell,	Simon,
Atkins,	Flinchbaugh,	Moomaw,	Simpson,
Aukerman,	Flynn,	Mooney,	Sinwell,
Baine,	Gates,	Moore,	Sloan,
Baker, F. T.,	Gerard,	Moran,	Smith, J. A.,
Baker, J. J.,	Gillette,	Moul,	Smith, W. G.,
Baldi,	Habbyshaw,	Muir,	Snyder, F. E.,
Barber,	Hagerty,	Munley,	Snyder, J. L.,
Barnhardt,	Haluska,	Murrin,	Sowers,
Beadman,	Hamilton, F. P.,	Nagel,	Sproul,
Bernhard,	Hamilton, R. S.,	Nothnagle,	Stank,
Blumberg,	Harkins,	O'Keefe,	Stevens,
Boose,	Harmuth,	O'Neill,	Stewart,
Boyd, R.,	Hartman,	Panton,	Stockham,
Boyer,	Hermansen,	Parks,	Stott,
Bradley,	Hindman,	Patterson, C.,	Sumney,
Brancato,	Hirsch,	Patterson, J. W.,	Surface,
Brennan,	Hoffner,	Pearson,	Sweeney,
Brown, H. S.,	Holland,	Perry,	Terry,
Brown, J. E.,	Holstrom,	Peters,	Tronzo,
Brownfield,	Horst,	Pfaff,	Trout,
Brumbaugh,	Jackson,	Phillips,	Tumelty,
Burke,	Jones,	Piole,	Turner,
Caputo,	Kane,	Powers,	Van Allsburg,
Carr,	Kelder,	Relsing,	Wall,
Carson,	Kelso,	Reynolds,	Wasserman,
Castor,	Kenney,	Rhys,	Weidemann,
Coakley,	Kilroy,	Rinn,	Weiss,
Cochran,	Kinney,	Roan,	Welliver,
Coleman,	Klingler,	Robinson,	Welsh,
Condon,	Kobelak,	Rooney,	White,
Coolahan,	LaRue,	Root,	Wickersham,
Cooper,	Linderman,	Royer,	Winner,
Cordier,	Long,	Ruffennach,	Witkin,
Davies,	Longaker,	Sarraf,	Wood,
Decker,	Lovett,	Scanlon,	Woodside,
Diehl,	Lynch,	Schaeffer	Yeakel,
Dilley,	Male,	Schrock,	Yourishin,
Downey, G.	Mason,	Schrope,	Zappala,
Duffort,	McCreary,	Schwab,	Furman,
Eberharter,	McDermott,	Serrill,	

NAYS—4

Achterman,	Cohen,	Hoopes,	Van Sickle,

So the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the bill as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE RESOLUTION No. 14

Commonwealth of Pennsylvania,
Harrisburg, June 2, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Resolution No. 14, Printer's No. 103 providing for transfers of moneys from special funds to the General Fund for unemployment relief.

GEORGE H. EARLE.

COMMITTEE MEETING

There will be a meeting of the Democratic Caucus tomorrow morning at 9:30.

LEAVES OF ABSENCE

Mr. MENTZER asked and obtained leave of absence for himself for the balance of the week after today's session.

Mr. BARBER asked and obtained leave of absence for himself for the balance of the week after today's session.

Mr. KANE asked and obtained leave of absence for himself for the balance of the week after today's session.

APPOINTMENT OF COMMITTEE

The SPEAKER. Pursuant to House Resolution No. 1, the Chair appoints the following committee: Messrs. Weiss, John J. Baker and Stockham.

ADJOURNMENT

Mr. SHUGARTS. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 10:00 o'clock.

The motion was agreed to, and (at 2:50 o'clock P. M.) the House adjourned until Wednesday, June 3, 1936, at 10:00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., WEDNESDAY, JUNE 3, 1936. No. 16.

SENATE

WEDNESDAY, JUNE 3, 1936.

The Senate met at 12 o'clock noon.

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

We pray, O God, that our lives may be in harmony with our prayers. In time of need, distress or danger we are prone to invoke Thy help and then too often we live so that it is impossible for Thee to grant our petitions and Thou art more anxious to give than we are to receive. We are promised that if we ask we shall receive, if we seek we shall find, if we knock the door will be opened unto us. Most of our prayers would be automatically answered if we would but live in accord with Thy standards and deliver us O God from lip worship. As we daily face life's duties and responsibilities lead us to knowledge of Thy will and enable us to humbly follow the guidance of Thy Spirit. We ask these things in the name of Thy Son. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WOODWARD, the further reading was dispensed with, and the Journal was approved.

PETITION

OPPOSING THE USE OF REVENUE DERIVED FROM A STATE INCOME TAX OTHER THAN FOR ADDITIONAL AID TO SCHOOL DISTRICTS

The Chair cleared his table and laid before the Senate petition from the Allegheny County Real Estate Owners and Taxpayers League opposing the use of revenue which might be derived from the contemplated State income tax for any purpose other than providing additional aid to school districts with mandatory reduction of taxation on real estate.

Which was referred to the Committee on Appropriations.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows, considered and agreed to:

In the House of Representatives, June 3, 1936.

Resolved (if the Senate concur), that when the Senate adjourns this week it reconvene Monday evening, June eighth, at 9 o'clock, Eastern Standard Time; and that when the House of Representatives adjourns this week it reconvene Monday evening, June eighth, at 9 o'clock, Eastern Standard Time.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 57 (Senate Bill No. 63), entitled:

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons; authorizing the appointment of trustees for certain persons; providing for the recovery of moneys expended for assistance in certain cases; providing penalties; and repealing inconsistent acts.

Which was committed to the Committee on State Government.

House Bill No. 109 (Senate Bill No. 64), entitled:

An Act to authorize and empower municipalities and townships, separately or jointly, to erect and construct flood control works and improvements within or without their territorial limits, and to expend moneys and incur indebtedness for such purposes.

Which was committed to the Committee on Municipal Government.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

JEFFERSON COUNTY

Harry H. Nolph, Brookville.

PHILADELPHIA COUNTY

Mrs. Salina C. W. Kerton, 6330 N. Broad St., Phila.

WESTMORELAND COUNTY

Cecil R. Montgomery, Greensburg.

GEORGE H. EARLE.

RESOLUTION RELATIVE TO TRANSFERRING MONEY FROM CERTAIN DEPARTMENTS TO THE DEPARTMENT OF INTERNAL AFFAIRS

Mr. WOODWARD offered the following resolution, which was twice read, and referred to the Committee on State Government:

Whereas, Large sums of money are necessary to finance relief

Whereas, The pyramiding of taxes to obtain such money is distressing to taxpayers

Whereas, There are some functions of State Government that can be curtailed and the money saved by such curtailment can be used for relief

Resolved, That the Legislative Reference Bureau be instructed to draft bills to transfer to the Department of Internal Affairs all state departments and bureaus that are not essential to the orderly conduct of state business and to maintain the same at the minimum cost to the people of this Commonwealth. Such transfer to continue during this biennium.

REQUESTING COMMITTEE ON APPROPRIATIONS TO OBTAIN CERTAIN INFORMATION RELATIVE TO METHODS USED IN ADMINISTERING RELIEF IN NEW JERSEY

Mr. GELDER offered the following resolution, which was twice read:

In the Senate, June 3, 1936.

Whereas, It is reported in the newpapers a substantial reduction in the number of cases on relief has resulted from a change in the system of administering relief in the State of New Jersey; and

Whereas, The reduction in the number of relief cases has brought about a remarkable decrease in the cost of administering relief, therefore, be it

Resolved, By the Senate of Pennsylvania that the Appropriations Committee of the Senate be directed to ascertain from official sources in New Jersey causes for the decline in relief cases and the cost of administration together with information as to the methods used.

Mr. GELDER. Mr. President, I ask unanimous consent that Rules 39, which requires resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. McGINNIS. Mr. President, I object.

The PRESIDENT. The Chair hears objection. The Resolution will be referred to the Committee on Appropriations.

Mr. McGINNIS. Mr. President, I am in favor of this resolution, but I want to have time to read it and study it. I think it ought to be amended, and we should ask the State of New Jersey what has been the effect on the poor in New Jersey since they have had the reduction.

MOTION TO PRINT

Mr. McGINNIS. Mr. President, I move that the resolution just read be printed.

Mr. CAVALCANTE. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED

Mr. LAW. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LAW, read in place and presented to the Chair Senate Bill No. 65, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispnsed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 14, as follows:

An Act providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons providing for the recovery of moneys expended for assistance in certain cases providing penalties and repealing inconsistent acts

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Short Title This act shall be known and may be cited as the "Old Age Assistance Law"

Section 2 Definitions The following words and phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Assistance" means financial assistance to aged indigent resident citizens qualified to receive assistance under this act or payments toward the funeral expenses of such persons as provided in this act

"Beneficiary" means a person who is receiving financial assistance in accordance with the provisions of this act

"Board" means the Board of Trustees of the Mothers' Assistance Fund established by law and herein invested with powers to administer this act

"Department" means the Department of Welfare of the Commonwealth of Pennsylvania

"Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several states to make more adequate provisions for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes"

"Social Security Board" means the Social Security board established by the Social Security Act

Section 3 Administration of Act This act shall be administered by the department and the boards in the several counties of this Commonwealth

Section 4 Cooperation with Federal Board The department is empowered and directed to cooprate with the

Social Security Board in carrying out the provisions and purposes and the administration of title one of the Social Security Act and is further empowered to supervise the disbursement of all funds provided by the Federal Government for use in this Commonwealth for assistance to make such reports in such form and containing such information as the Social Security Board may from time to time require and to comply with such orders and regulations as such board may from time to time make to assure the correctness and verification of such reports

Section 5 Qualifications for Assistance Assistance may be granted under this act only to an applicant who

(a) Has attained the age of seventy years or upwards or who after December thirty-first one thousand nine hundred and thirty-nine attains the age of sixty-five years or upwards

(b) Is a citizen of the United States

(c) Resides in this Commonwealth and (1) has so resided therein for five years during the nine years immediately preceding the date of making application for assistance (2) has so resided continuously for one year immediately preceding the date of making application for assistance and (3) has a legal settlement in this Commonwealth Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the Commonwealth if a domicile has not been required outside the Commonwealth

(d) Is not at the date of making application an inmate of a public reform or correctional institution or public mental hospital

(e) Has not within two years preceding the date of application for assistance been a professional tramp or beggar

(f) Is indigent and has no relative responsible under the law of this Commonwealth and financially able to support him or her

(g) Shall not have voluntarily relinquished or given up any gainful employment without just cause within six months preceding the date of making application for assistance

(h) Shall not have conveyed or transferred his or her real or personal property of the value of five hundred dollars ($500.00) or upwards without fair consideration within two years preceding the date of making application for assistance

Section 6 Application for Assistance All applications for assistance shall be made to the board of the county in which the appelicant resides in such form as the department shall prescribe Forms of such applications shall be furnished by the department to the respective board

An application for assistance shall not be approved until the board is satisfied after proper investigation that the applicant is qualified for assistance under the provisions of this act

Any beneficiary under existing law repealed by this act shall without further qualification become eligible to receive assistance under the provisions of this act In case this act operates to qualify applicants previously rejected for lack of funds or for lack of qualifications such applicants shall be entitled to priority

All applicants for assistance shall be sworn to or affirmed by the applicant setting forth that all facts are true in every particular Any member or employe of a board shall have authority to administer such oath or affirmation and shall not charge or receive any fee for so doing

Section 7 Investigators' Reports Before any assistance is granted to any person under the provisions of this act a complete report shall be made by an investigator of the board of all matters stated in the application giving (a) the name of the applicant (b) the number and kinds of relatives legally liable for support of the applciant (c) the financial condition of such relatives and (d) all other matters which shall be from time to time required by the department and the Social Security Board All such reports shall be made upon forms supplied for the purpose by the department All such reports shall be made in triplicate One copy shall be retained in the office of the board and if the application is approved one shall be forwarded to the department and one copy shall be forwarded to the Auditor General Each report shall be sworn to by the investigator which oath may be administered by any member or other employe of the board Before any assistance is granted the application and the report of the investigator shall be approved by a matjority of all the members of the board

Section 8 Amount of Assistance Payments from State and Federal Funds The maximum assistance allowed by any board under the provisions of this act shall not exceed thirty dollars ($30.00) per month for any beneficiary Such payments shall be made from state appropriations for old age assistance and grants from the Federal Government to the Commonwealth for assistance to aged needy individuals but in the event that Federal grants are not available payments may be made entirely from State appropriations

All payments of assistance shall be made direct to the beneficiary by warrant after requisition by the department as provided by law in other cases In the event of the death of any beneficiary the department may authorize the payment of any assistance due to such beneficiary to the wife children father mother sister or brother (preference being given in the order named) of the deceased beneficiary as the board directs without requiring letters testamentary or of administration to be issued upon the estate of the deceasd beneficiary

Section 9 Other Relief No beneficiary shall at the same time receive any other relief assistance benefit compensation or pension from the United States or from the Commonwealth or from any political subdivision thereof except for medical or surgical assistance Provided however That where such other relief assistance benefit compensation or pension is less than thirty dollars ($30.00) per month the board may grant assistance in an amount so that the total received by a beneficiary from all such sources shall not exceed thirty dollars ($30.00) per month

Section 10 Trustees for Certain Beneficiaries The department may appoint a trustee to take charge of the expenditure of the assistance granted any beneficiary when in its opinion such trustee is necessary In such cases payment shall be made direct to such trustee A trustee shall serve without compensation and shall be subject to such rules regulations and accounting as the department shall prescribe

Section 11 Beneficiary Becoming Disqualified If the condition or circumstances of a beneficiary change in such a way that he or she does not possess all the qualifications required to receive assistance hereunder the assistance to such beneficiary shall be revoked immediately by the board

Section 12 Refusal of Beneficiary to Furnish Information If any beneficiary shall refuse or neglect to comply with any reasonable request of the board or of the department for information concerning the continued need of or qualificatins for assistance or shall on request fail neglect or refuse to authorize any other person firm or corporation to furnish such information about the beneficiary or his affairs the board shall suspend all payments to such beneficiary until he or she shall have complied with such requirements

Section 13 Appeals by Applicants and Beneficiaries Any person may within six months after notice by the board that his or her application for assistance has been refused or that the assistance of a beneficiary has been discontinued take an appeal from the action of the board to the department The Secretary of Welfare or the employe or employes of the department designated by him shall as agents of the department on a day and at a time fixed of which at least ten days' written notice shall be given to all parties interested hear such testimony as may be offered for and against the allowance of assistance or the continuance of assistance and determine whether or not the said person is entitled to assistance or to the continuance of assistance if a beneficiary The department shall report its findings to the board from whose action the appeal has been taken which board shall carry into effect the order of the department No appeal shall lie in any case where assistance has been refused or discontinued for lack of funds The action of the department on any appeal shall be final

Section 14 Funeral Expenses On the death of any beneficiary such reasonable funeral expenses not ex-

ceeding one hundred dollars ($100.00) for burial shall be paid to such persons as the board directs if the estate of the deceased is insufficient to defray the same

Section 15 Liability of Beneficiary and Estates The real and personal property of any beneficiary shall be liable for the repayment of assistance received under this act or the act repealed by this act whether such property was owned at the time such assistance was granted or acquired thereafter Claims for assistance furnished shall have the same force and effect against the real and personal property of a deceased beneficiary as other debts of a decedent and shall be recoverable in the same manner One-half of the net amount recovered from any beneficiary or from his or her estate by the Commonwealth or any political subdivision shall be promptly paid to the United States and the remainder shall be paid into the State Treasury and shall be credited to the current appropriation for old age assistance

Section 16 Allocation of State and Federal Funds Allocations of amounts available from State and Federal moneys for old age assistance and assistance to aged needy individuals and for administration purposes shall be made among the several counties by the department under such equitable system based upon need and past experience as the department shall from time to time set up Any money so allocated and unused in any fiscal year in any county shall be added to the amount of money subject to allocation for the following fiscal year under the current or any future appropritaion

Section 17 Cost of Administration The boards in the several counties shall appoint such investigators and clerical assistants as may be necessary to enable them to distribute assistance in their respective counties but as far as possible the investigators engaged in the administraton of the Mothers' Assistance Law shall also perform the work necessary for the administration of this act At no time shall the additional expense of administering this act in any county exceed in amount six per centum of the allocation to such county of moneys for assistance

The county commissioners of the several counties shall upon requisition of the boards pay such expenses of investigation and clerk hire in their respective counties and other administrative expenses subject always to the limitations upon such expenses imposed by this section But the liability of the county to pay such expenses shall be reduced by the amount of any moneys allocated to the county by the department for the payment of administrative expenses

Section 18 Receipt Deposit and Expenditure of Federal Moneys The department is hereby authorized to receive contributions from the United States Government or any agency or instrumentality thereof for assistance to aged needy individuals All contributions so received shall be paid into the State Treasury through the Department of Revenue and be credited to the biennial appropriations to the department for the payment of assistance

Section 19 Rules and Regulations Supervision by Department The department shall have power to adopt and promulgate rules and regulations for the administration of this act

Such supervisors and assistants as shall be necessary in the department to exercise general supervision over the administration of this act shall be appointed and their compensation fixed by the Secretary of Welfare subject to approval by the Governor as provided by the Administrative Code

Section 20 Penalties Any person who by means of a wilfully false statement or misrepresentation or by impersonation or other fraudulent means secures or attempts to secure or aids or abets any person in securing assistance under this act to which he or she is not entitled shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 21 Responsibility of Counties Cities and Poor Districts Saved This act shall not relieve any county city or poor district from responsibility for the maintenance either in an institution or otherwise of any person of sufficient age but who cannot otherwise qualify for assistance under this act or who cannot be provided for under current funds for carrying out the provisions of this act

Section 22 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 23 Effective Date The provisions of this act shall become effective on the first day of June one thousand nine hundred and thirty-six

Section 24 Repeal The act approved the eighteenth day of January one thousand nine hundred and thirty-four (Pamphlet Laws two hundred and eighty-two one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four) entitled "An act providing for and regulating subject to certain restrictions limitations and liabilities assistance to and the bural of certain aged indigent persons and the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. REED (Dauphin). Mr. President, I move that Senate Bill No. 14, the bill just read be recommitted to the Committee on State Government.

Mr. McCLURE. Mr. President, I second the motion.

On the question.

Will the Senate agree to the motion?

Mr. THOMPSON (Centre). Mr. President, I would like to interrogate the Senator from Dauphin, Mr. Reed.

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated?

Mr. REED. (Dauphin). Mr. President, I will.

Mr. THOMPSON. (Centre). Mr. President, will the Senator from Dauphin, Mr. Reed, state his purpose in recommitting this bill.

Mr. REED (Dauphin). Mr. President, when this bill was voted out of Committee, the understanding was that anyone desiring to make an amendment would have the opportunity to do so. I am making this motion for the purpose of amendment. I have no objection to the bill and do not want to delay its progress.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 17, as follows:

An Aac to amend sections seven and eight of the act approved the twenty-second day of June one thuosand nine hundred and thirty-five (Pamphlet Laws four hundred and fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothentaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of

money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by changing certain penalties imposed by said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections seven and eight of the act approved the twenty-second day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred and fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" are hereby amended to read as follows

Section 7 Estimated Assessment Notice If any resident liable for or believed by the department to be liable for the tax imposed by the third section of this act shall fail or refuse to file a return in the manner and within the time prescribed by this act the department shall make an estimated assessment against him The department shall promptly thereafter give or send by mail or otherwise notice of such estimated assessment to such resident At any time within thirty (30) days after notice of such estimated assessment is so given or sent such resident may file a return under oath or affirmation with the department and if the department is satisfied that such return is correct and includes all property made taxable by the third section of this act or that such resident owned held or possessed no such taxable property it shall assess the tax if any on the basis of the return so made together with a penalty of ten per centum of the [gross amount of taxable property returned with] amount of the tax so assessed and interest thereon at the rate of six per centum per annum from the time such property should have been returned to the date of assessment and shall cancel the estimated assessment Any resident against whom an estimated assessment is made who shall fail or refuse to file a return in the manner and within the time provided in this section shall have no right to appeal therefrom or to petition for a reassessment and in any suit for the collection of a tax so assessed shall not be permitted to set up as a defense that he owned held or possessed no property made taxable by the third section of this act or any other matter of defense whatsoever If a return is filed before an estimated assessment is made but not within the time required by this act [a penalty of ten per centum shall be added to the amount of property so returned and] the tax shall be assessed on the basis thereof [with] together with a penalty of ten per centum of the amount of the tax so assessed and interest thereon at the rate of six per centum per annum from the time such property should have been returned to the date of assessment

Section 8 Additional Assessment Notice If any taxable resident shall fail to include in any return all of his property made taxable by the third section of this act the department shall make an additional assessment against such resident of the amount of such omitted property together with a penalty of ten per centum of [such amount] the amount of the additional tax so assessed and interest thereon at the rate of six per centum per annum from the time such property should have been returned to the date of assessment Promptly thereafter the department shall give or send by mail or otherwise notice thereof to such resident If such resident is dissatisfied with the additional assessment so made he may petition for a reassessment in the manner hereinafter provided

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HOWELL. Mr. President, I ask unanimous consent that Senate Bill No. 29 (House Bill No. 22), on second reading, entitled:

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 38 (House Bill No. 65), as follows:

A Supplement to act number fifty-seven-A approved the nineteenth day of July one thousand nine hundred thirty-five (Appropriation Act of one thousand nine hundred thirty-five Page forty-one) entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance" making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the current appropriation for old age assistance made to the Department of Welfare by the act to which this is a supplement the sum of one million seven hundred fifty thousand dollars ($1,750,000) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Department of Welfare for expenditure during the biennium ending the thirty-first day of May one thousand nine hundred thirty-seven for old age assistance in the manner provided by law except as otherwise provided by this act The sum hereby appropriated shall be set aside as an emergency reserve fund to be distributed upon written requisition of the Secretary of Welfare to applicants who may be approved as eligible for assistance under existing law Provided That the application for each such applicant has been approved and presented to the Department of Welfare by the Board of Trustees of the Mothers' Assistance Fund of the county wherein the applicant resides and that the board certifies there is not available to such county out of moneys already appropriated and allocated to it sufficient moneys to provide old age assistance to such applicant

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 39 (House Bill No. 49), as follows:

An Act to amend sections four and five of the Act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" by providing for the payment in newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met it is hereby enacted by the authority of the same That section four and five of the Act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" are hereby amended to read as follows

Section 4 No county shall receive its allotment of the State appropriation available for any year under the method of distribution provided by this act unless such county [has accepted the provisions of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) as amended and] has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year [No county shall receive any sum from the State under sections two and three of this act unless such county shall appropriate a like sum for the same purpose] or such other amount if any as the Department of Welfare shall determine in the manner provided by law

Section 5 Out of the amount hereinbefore appropriated there shall be set apart for the counties not organized under the Mothers' Assistance System on the first day of June one thousand nine hundred and thirty-four a sum equal to the amount that would be their allocation if the amount available for Mothers' Assistance were allocated to counties on the basis of population The amount thus allocated to any unorganized county shall be [divided by the State Treasurer into two equal parts and one such part shall be available for each] available during the second fiscal year of the biennium to such county after it becomes organized as required by law Any unorganized county organizing during the [first or] second fiscal year of the biennium shall be required to match only such portion as would have been available for the [months of] [the year or] second fiscal [period remaining after such acceptance] year had such county been organized at the beginning of the fiscal period

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 40 (House Bill No. 50), as follows:

A Supplement to the act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisr and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the current appropriation for assistance to certain mothers made to the Department of Welfare by the act to which this is a supplement the sum of six hundred thousand dollars ($600,000) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Department of Welfare for expenditure during the biennium ending the thirty-first day of May one thousand nine hundred thirty-seven for assistance to poor and dependent mothers in the manner provided by the act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws eight hundred ninety-three) and its amendments except as otherwise provided by this act The sum hereby appropriated shall be set aside as an emergency reserve fund to be distributed upon written application of the Secretary of Welfare to applicants who may be approved as eligible for assistance under the act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws eight hundred ninety-three) and its amendments Provided That the application of each such applicant has been approved and presented to the Department of Welfare by the Board of Trustees of the Mothers' Assistance Fund of the county wherein the applicant resides and the board certifies that there are not available to such county out of moneys already appropriated and allocated to it sufficient moneys to provide assistance to such applicant

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 42 (House Bill No. 56), as follows:

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from anthracite coal mines which have been flooded directly

or indirectly by the high waters during March one thousand nine hundred thirty-six

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven hundred thousand dollars ($700,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Health to defray the cost of pumping the water from slate quarries and anthracite coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred thirty-six including the purchase and installation of pumps motors and other equipment the purchase of electric power and all necessary incidental expenses

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 55 (House Bill No. 59), as follows:

An Act to amend sections one three four seven nine ten fourteen fifteen sixteen and eighteen and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards and trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" by providing for the appointment of a board of trustees for each county changing the qualifications of motors eligible for assistance requiring all counties to appropriate moneys for mothers assistance except under certain circumstances providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations providing for cooperation by the Department of Welfare with the Federal Social Security Board and authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for aid to dependent children.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" as amended by the act approved the twenty-second day of May one thousand nne hundred and twenty-three (Pamphlet Laws three hundred seven) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representative of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that in each county of the Commonwealth [which by the action of this county commissioners accepts the provisions of this act] the Governor shall appoint a board of trustees composed of seven women residents of the county to be called the Board of Trustees of the Mothers' Assistance Fund

Except as herein otherwise provided such trustees shall hold office for a term of six years and until their successors are duly appointed and qualified

[Whenever any county shall hereafter accept the provisions of this act the] The first board of trustees of a county shall be appointed as follows two for two years each two for four years each and three for six years each from the first day of June next succeeding

In all counties which have [heretofore accepted the provisions of this act the board] boards of trustees new in office such boards shall continue in office as heretofore unless removed by the Governor [but the Governor shall before the first day of June one thousand nine hundred and twenty-three designate two of said trustees to hold office for two years each two for four years each and three for six years each and where such board has less than seven trustees the Governor shall appoint additional trustees so that the total number may be seven and he shall accordingly fix their terms]

If the terms of trustees shall expire the Governor shall appoint successors for terms of six years each

Vacancies other than those due to the expiration of a term shall be filled by appointment by the Governor for the unexpired term

[All counties which have heretofore availed themselves of the provisions of the acts repealed by this act shall be deemed to have accepted the provisions of this act and shall be entitled to the benefits thereof]

Section 2 That section three of said act as amended by the act approved the twenty-second day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred seven) is hereby further amended to read as follows

Section 3 The [State Supervisor] Department of Welfare shall have general supervision over the boards of trustees of the several counties [and shall act as general field organizer She shall be on the staff of the Department of Public Welfare]

The [State Supervisor] Department of Welfare shall formulate and issue to the boards of trustees of the various counties rules of procedure by which they shall be governed to the end that uniformity of interpretation and practice shall obtain throughout the Commonwealth [She] The department by its duly authorized agents shall visit at least twice each year the boards of trustees of each county [accepting the provisions of this act]

[She shall as general field organizer visit the county commissioners of those counties which have not availed themselves of the provisions of this act and shall explain to such commissioners the benefits accruing from the act and the advantages of coming within its provisions and shall assist such county commissioners in the organization of boards of trustees

She shall make public a report annually to the Commission of Public Welfare reviewing the work done under the provisions of this act by the trustees of the various counties laying special stress upon educational conditions of the assisted families]

Section 3 That section four of said act is hereby amended to read as follows

Section 4 Subject to the general supervision of the Department of Welfare [The] the administration of this act within the several counties shall be solely in the hands of the boards of trustees appointed by the Governor [subject] however to the rules adopted and issued by the State Supervisor] The members of the boards of trustees shall serve without compensation but shall receive all actual and necessary expenses incurred in the performance of their duty

Section 4 That section seven of said act is hereby amended to read as follows

Section 7 In order to prevent the alienation of the citi-

zenship of those who may receive the benefits under this act no family shall be a beneficiary thereunder unless the mother has been a resident continuously of the State for a period of [two years] one year [and of the county in which she applies for assistance for a period of one year] immediately preceding the date of application for such assistance and unless the child assisted (1) has resided in this Commonwealth for one year immediately preceding the date of application for such assistance or (2) was born in this Commonwealth within one year immediately preceding the date of the application for assistance and whose mother has resided in the Commonwealth for one year immediately preceding the birth

No family entitled to receive the benefits of this act in any county shall be deemed to have lost its residence in such county within one year after removal therefrom but any such family shall if it returns to the county in which it was entitled to receive assistance within said year be immediately entitled to assistance in such county

Section 5 That secton nine of said act is hereby amended to read as follows

Section 9 The [combined] maximum [payment] assistance allowed by any board of trustees shall in no case exceed [twenty] eighteen dollars per month for the first dependent child and [ten] twelve dollars per month for each additional dependent child in the same family A mother shall be entitled to assistance under this act for an unborn child in like manner as for other children if she has one or more children living which entitle her to the benefits of this act

Section 6 That section ten of said act is hereby amended to read as follows

Section 10 Before any payment is made to any family under the provisions of this act a complete report of such family shall be made in quodruplicate giving the name of the mother the number of children with their full names their ages and place of residence. One copy of such report shall be placed on file in the office of the board of trustees as a record and if the application is approved one copy shall be forwarded to the [State Supervisor] Department of Welfare and two copies shall be forwarded with each application for a warrant for the use of the Auditor General and the county treasurer The copies forwarded to the Auditor General and the county treasurer shall be sworn to by the investigator and shall be approved by a majority of the board of trustees The affidavit on any such report may be taken before any member or employe of the board

Section 7 That section fourteen of said act as amended by the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred seventy-five) is hereby further amended to read as follows

Section 14 [No county shall receive its allotment of the State appropriation available for any year under the classification appointed by the act making an appropriation to carry into effect the provisions of this act unless such county has accepted the provisions of this act and has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year] It shall be mandatory upon each county of the Commonwealth to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such county for such year Provided That if any county is financially unable to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such county in such year the county commissioners of that county shall file a written application with the Department of Welfare on a form prescribed by it asking further appropriation of State funds to that county of a sum equal to the whole or any portion of the amount already allocated under this act to said county for said year such further State appropriation to be in lieu of all or a part of the appropriation required by this act to be made by said county for said year The Department of Welfare shall thereupon conduct an administrative inquiry on a day and at a time fixed of which at least ten days' written notice shall be given to all parties interested and shall hear the testimony of the county commissioners and of such other county officials and other persons as the department may in its discretion require to appear before it and after considering the financial condition of the said county the department shall determine whether the said county is entitled to the additional State appropriation requested or any part thereof in lieu of an appropriation by the said county and the department shall thereupon allocate from any appropriation available for the purpose whatever amount the department shall have determined

Section 8 That section fifteen of said act is hereby amended to read as follows

Section 15 [On the first day of June of the second fiscal year following each State appropriation the State Treasurer shall apportion among the various counties which have accepted the provisions of this act before the end of the first fiscal year a sum equal to the amount apportioned to such county during the first fiscal year according to the aforesaid classification including therein all unexpended balances from the previous fiscal year credited to the several counties accepting the provisions of this act which unexpended moneys shall remain available during the second fiscal year for use by the counties to which theretofore credited and excluding all moneys apportioned to the several counties which have not availed themselves of the provisions of this act he shall likewise exclude from said apportionment all moneys appropriated for the second fiscal year for counties which have not accepted the provisions of this act before the end of the first fiscal year] Any mother of a dependent child may within six months after notice by the county board of trustees that her application for assistance has been refused or that the assistance if formerly a beneficiary has been discontinued take an appeal from the action of the county board of trustees to the Department of Welfare The department on a day and at a time fixed by it of which at least ten days' written notice shall be given to all parties interested shall hear such testimony as may be offered for and against the allowance of assistance or for and against the continuation of assistance and shall determine whether or not the said mother is entitled to assistance if an applicant or to the continuation of assistance if a beneficiary The Department of Welfare shall report its findings to the county board of trustees from whose action the appeal has been taken which board of trustees shall carry into effect the order of the department No appeal to the department by an applicant for or beneficiary of assistance shall lie in any case where assistance has been refused or discontinued for lack of funds The action of the department on any appeal shall be final

Section 9 That section sixteen of said act is hereby amended to read as follows

Section 16 [All funds set aside from year to year for counties which have not availed themselves of the provisions of this act shall be set aside into a surplus fund The surplus fund shall be available during the second fiscal year in the counties which have availed themselves of the provisions of this act before the end of the first fiscal year but no county shall be entitled to an amount from such fund in excess of twenty-five per centum of the aggregate sum apportioned and set aside by the State Treasurer to that county for the two year period and no such county shall participate in such surplus fund unless it shall in addition to the appropriations hereinbefore required appropriate a sum equal to the amount which it desires from the surplus fund] The Department of Welfare is empowered and directed to cooperate with the Federal Social Security Board in carrying out the provisions and purposes and in administration of title four of the act of the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several states to make more adequate provisions for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes" and is further empowered to make such reports in such form and containing such information as the Federal Board may from time to time require and to

comply with such orders and regulations as the said board may from time to time make to assure the correctness and verification of such reports

Section 10 That section eighteen of said act is hereby amended to read as follows

Section 18 [A detailed report of the number of beneficiaries the amount expended and the advantages and disadvantages of the system with recommendations for improvement shall be made by the State Supervisor to the General Assembly at the beginning of each session of the General Assembly Such report shall be printed by the State Printer upon requisition by the Superintendent of Public Instruction to the Department of Printing and Binding] The Department of Welfare is hereby empowered and authorized to cooperate and enter into cooperative agreements with and to receive contributions from the United States government for aid to dependent children eligible for assistance under this act All contributions received hereunder from the United States government shall be paid into the State Treasury through the Department of Revenue and credited to the current appropriations to the Department of Welfare for the payment of assistance to mothers eligible for assistance under the act

Section 11 That section two of said act and the amendment thereto be and the same is hereby repealed

Section 12 The provisions of this act shall become effective on the first day of June one thousand nine hundred and thirty-six

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. REED (Dauphin). Mr. President, I move that Senate Bill No. 55 (House Bill No. 59), the bill just read, be recommitted to the Committee on State Government.

Mr. THOMPSON (Westmoreland). Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 58 (House Bill No. 75), as follows:

A Supplement to act number fifty-six-A approved the nineteenth day of July one thousand nine hundred thirty-five (Appropriation Acts of one thousand nine hundred thirty-five Page forty-one) entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind" increasing the current appropriation for blind pensions in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the appropriation made by the act to which this act is a supplement the sum of two hundred thousand dollars ($200,000) or as much thereof as may be necessary is hereby appropriated out of the General Fund to the Department of Welfare for the binnium ending the thirty-first day of May one thousand nine hundred thirty-seven for the payment of pensions for the blind in the manner provided by law

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. GELDER. Mr. President, I move that Senate Bill No. 38 (House Bill No. 54), entitled:

A Supplement to Act Number fifty-seven-A approved the nineteenth day of July one thousand nine hundred and thirty-five (Appropriation Act of one thousand nine hundred thirty-five page forty-one) entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance" making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants.

be recommitted to the Committee on Appropriations.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELDER. Mr. President, I move that Senate Bill No. 40 (House Bill No. 50), entitled:

A Supplement to the act approved the nineteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants

be recommitted to the Committee on Appropriations.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELDER. Mr. President, I move that Senate Bill No. 58 (House Bill No. 75), entitled:

A Supplement to Act Number fifty-six-A approved the nineteenth day of July one thousand nine hundred thirty-five (Appropriation Acts of one thousand nine hundred thirty-five Page forty-one) entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind" increasing the current appropriation for blind pensions in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same

be recommitted to the Committee on Appropriations.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

COMMUNICATION FROM THE SECRETARY OF REVENUE

The Chair cleared his table and laid before the Senate

the following communication, which was referred to the Committee on Finance.

Commonwealth of Pennsylvania,
Department of Revenue, Harrisburg, June 3, 1936.

To The President of the Senate:

In reply to the resolution adopted by the Senate of Pennsylvania on May 26, 1936 the following is respectfully submitted:

PERSONAL PROPERTY TAX—Act 182

Between 450,000 and 500,000 Personal Property Tax Returns have been received.

It is impossible to estimate the total of taxable Personal Property disclosed on these returns as this would necessitate an expenditure of at least $20,000 for extra clerical hire and would require two weeks additional work. The first five counties, namely: Adams, Allegheny, Armstrong, Beaver and Bedford show a total of taxable Personal Property on such return to equal $600,000,000. Upon this basis we would estimate that the total of taxable Personal Property in the Commonwealth of Pennsylvania will be $6,500,000,000 to $8,000,000,000.

The estimate of the Department is that the total amount of this tax will equal between $6,500,000 to $8,000,000 for those returns filed for the year 1936 and if the tax is not made self-assessing approximately $1,500,000 for the year 1937.

CORPORATE NET INCOME TAX—Act 91

The Department of Revenue has received approximately 300,000 Corporate Net Income Returns to date.

The total amount of Corporate Net Income assignable to Pennsylvania upon those returns so far submitted to the Department equal $215,935,385 up to May 28, 1936.

It is estimated that this Act will bring in approximately $13,500,000 for the first year of the biennium and as it is a self-assessing Act, approximately the same total for the second year of the biennium.

CIGARETTE TAX ACT—P. L. 155

The total collections under this Act to May 1, 1936 amounts to $7,799,680.93. The Department of Revenue estimates the total amount of tax collected from this Act will be approximately $8,500,000 for the first year of the biennium and $10,000,000 for the second year of the biennium.

To give a more complete picture of the situation the Documentary Stamp Tax Act No. 90 as amended by Act No. 184 was estimated to yield during the biennium $3,500,000. Due to the amendments to this Act the yield for the first year of the biennium will be approximately $414,705. It is estimated that this tax will yield in the second year of the biennium about $450,000; making a total yield for the biennium $864,705. This will show a deficit from the estimated yield of this Act of $2,655,295.

Capital Stock Tax

(Domestic)—Collections from this tax to May 30, 1936 have been $18,590,788. It is estimated that if valuations on the type of corporations subject to this tax remain the same for 1937 as they are at present, namely: for the year 1936 a deficit of between $15,000,000 and $16,000,000 might reasonably result.

Very truly years,

(s) RAYMOND E. EVLETH,
Deputy Secretary of Revenue
for JOHN B. KELLY, Secretary of Revenue.

RECESS

Mr. GELDER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. GELDER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, reported as amended, the following Resolution:

In the Senate, June 3, 1936.

Whereas, It is reported in the newspapers a substantial reduction in the number of cases on relief has resulted from a change in the system of administering relief in the State of New Jersey, and

Whereas, The reduction in the number of relief cases has brought about a remarkable decrease in the cost of administering Relief, therefore, be it

Resolved, By the Senate of Pennsylvania that the Appropriations Committee of the Senate be directed to ascertain from official sources in New Jersey causes for the decline in relief cases and the cost of admniistration together with information as to the methods used and the effect on the relief of actual distress.

Mr. GELDER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection.

On the question.

Will the Senate agree to the resolution?

Mr. McGINNIS. Mr. President, I wish to withdraw my objection. The resolution has been amended to meet my wishes.

The PRESIDENT. Is there objection? The Chair hears none.

On the question recurring.

Will the Senate agree to the resolution.

It was agreed to.

RECONSIDERATION OF MOTION TO PRINT

Mr. McGINNIS. Mr. President, I move to reconsider the vote by which it was agreed to print the resolution just reported from committee.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring

Will the Senate agree to the motion to print?

The motion was not agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. THOMPSON. (Centre). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Centre, Mr. Thompson, will state his question of personal privilege.

Mr. THOMPSON (Centre). Mr. President, in spite of all of the jesting that my good friend from Bucks County indulged in when I rise to a point of personal privilege, I still feel that the matter which I want to discuss is of very serious importance to the public of Pennsylvania. As I arise this morning, I cannot help but remember that old Greek motto, that "Whom the Gods would destroy they first make mad."

Last week in the hall of this Senate we saw a deliberate and studied attempt to encroach upon the right of free speech, which is guaranteed to every person in the Commonwealth of Pennsylvania by our Constitution, which last year was held up as being so sacred to us. This week we have seen a continuance of the same policy. This morning the Owlett Committee met downstairs in 'star chamber' session. This Committee, as we have seen, not only this week, but is first, last and all time a packed jury to dispose of the problems which they presume to take into consideration. This morning they met substantially behind closed doors. When a member of the Governor's Cabinet, Mr. Guy Swope, when he was attacked by a man who was called before the Committee, when he requested the right to cross-examine this witness and to appear in his own defense, he was denied this right. And who was the man who was called? A man who is a rubber goods salesman around the streets of Harrisburg, without any background, was permitted to attack a member of the Governor's Cabinet who was refused a chance to cross-examine this man in the right to answer the charges that this witness makes. We saw this morning in this 'star chamber' Committee meeting the W. P. A. Director in this area attacked and likewise refused a chance to appear in his own defense and to cross-examine this witness. But I think the crowning indiscretion that we permit in this Senate is the action of the Committee as a whole.

This morning the Federal Court for the Middle District of Pennsylvania made an order, which I want to read. This order was made in a legitimate orderly proceeding in the Federal Court and signed by the Federal Judge and decreed as an order of the Federal Court: "Now, therefore, it is ordered that you, the said G. Mason Owlett, John R. K. Scott, George L. Reed and Charles Staudenmeier, individually and as members of an investigating committee, appointed by the President Pro Tempore of the Senate of the Commonwealth of Pennsylvania, by the presumed authority of Senate Resolution No. 1 of the Extraordinary Session of 1936, and all other persons whosoever acting, or presuming to act, under and by virtue of the said resolution of the Senate of the Commonwealth of Pennsylvania, or on behalf of the said Committee, your agents, servants, attorneys, employes or representatives in any capacity, and all persons acting by or under your direction or authority, be and you are hereby especially restrained and enjoined from issuing or serving any subpoenas for the appearance of any persons before you, your agents, servants, attorneys, employes or representatives, or any other persons for the purpose of investigating the organization, administration and functioning of the Works Progress Administration in Pennsylvania, and you are hereby enjoined, individually and as members of the Investigating Committee of the Senate of the Commonwealth of Pennsylvania by your agents, servants, attorneys and employes, from conducting, or attempting to conduct, any investigation whatsoever respecting in any manner the organization, administration and functioning of the Works Progress Administration in Pennsylvania, and so forth.

Dated this third day of June, 1936.

ALBERT W. JOHNSON, U. S. District Judge."

Mr. President, you know and I know that the Judge who signed this order is not actuated by any political motive in making an order of this kind. What did this 'packed jury' that met in 'star chamber' session downstairs do? Just deliberately thumbs its nose at the United States Court, the Constitution and every other agency of the Federal Court. Now, certainly, when we in the Senate presume to defy the laws, the Constitution and the Courts of the United States and of this Commonwealth, and everything else, certainly when we can fritter away our time here for weeks, it reminds me that we are coming to a pass in our legislative halls of this Commonwealth comparable to the most tyrannical execution to cure of the Czar before the days of the Russian Revolution. Certainly this Committee, sitting week after week, if it were on the level, Mr. President, and was not entirely for the purpose of generating fallacious propoganda, would have obeyed the mandate of the Federal Court; but it choose, after this order of Court was served upon them, to meet and call these fictutuous witnesses and those on the payroll of this Committee, called these witnesses for the purpose of condemning men who are principally men who are trying to do their work, and to deliberately deny an opportunity to a member of the Governor's Cabinet the right to be heard in his defense before this Committee.

Mr. President, I say it is high time that the Senate of Pennsylvania cuts out actions of this kind and acts in accordance with the law and in accordance with the Constitution and in accordance with the mandates of the people of Pennsylvania.

RESOLUTION REQUESTING COMMITTEE APPOINTED TO INVESTIGATE WORKS PROGRESS ADMINITRATION TO MAKE REPORTS

Mr. CAVALCANTE offered the following resolution which was twice read:

Whereas, ugly reports are afoot over this Commonwealth, that the Special Committee of this Senate, appointed to investigate the functioning of the Works Progress Adminisration in Pennsylvania, has exceeded its authority and is being financed with monies donated to it by a group of individuals some of which reside within and some without this Commonwealth, who are steadily and systematically plotting the overthrow of the Democratic Government of the people, both State and Federal, and

Whereas, these ugly reports charge that said Special Committee of the Senate seek and harbor the finance, counsel and guidance of said group so that it may further its designs, and

Whereas, reports of this character directly undermine the confidence of the people of this Commonwealth in the integrity of this Senate,

Now Therefore Be It Resolved, that said Special Committee of this Senate make report of the truth or falsity of these reports on Monday, June 8, 1936, and that thereafter said Committee make a report of its authority, finances, expenditures and findings to this Senate on every Monday until its activities are concluded.

Mr. CAVALCANTE. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. BUCKMAN. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

Mr. CAVALCANTE. Mr. President, objection having been made, I now move that we proceed to the immediate consideration of this resolution.

Mr. BUCKMAN. Mr. President, I arise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, my point of order is that this resolution, under the rules, must be referred to a Committee, unless unanimous consent be given, or that rule is suspended by a two-thirds vote of the members present.

MOTION TO SUSPEND RULE

Mr. CAVALCANTE. Mr. President, in order to clarify this, I move that the rules be suspended and that we proceed to the immediate consideration of the resolution.

Mr. THOMPSON (Centre). Mr. President, I second the motion.

MOTION TO ADJOURN

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until next Monday evening, at nine o'clock.

Mr. HOWELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and Mr. THOMPSON (Centre) and were as follows, viz:

YEAS—5

Buckman,	Thompson,	Trainer,	Homsher.
Gelder,	(Westmoreland)		Pres. Pro. Tem.

NAYS—15

Cavalcante,	Lanius,	Prince,	Rodgers,
Frey,	Law,	Pytko,	Ruth,
Harris,	McCreesh,	Rankin,	Thompson,
Huffman,	McGinnis,	Roberts,	(Centre)

So the question was determined in the negative.

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I arise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, my point of order is that less than a majority of the Senators being present and answering to their names, the Senate must adjourn.

The PRESIDENT. The Chair rules that the point of order is well taken.

Mr. THOMPSON (Centre). Mr. President, I would like to call attention of the Chair to two things: In the first place, that you do not need a quorum of the Senate to act upon the question of adjournment. Any number that is present can act either to adjourn or not to adjourn. If the Chair wishes it to be verified and gives me a couple of minutes, I think I can refer to Jefferson's Manual and find it.

In the second place, I would like to call the attention of the Chair to the fact that there is a quorum of the Senate present at this time.

Mr. President, let me call attention to Article 2, Section 10, of the Constitution of Pennsylvania—and we still have a Constitution:

"A majority of each House shall constitute a quorum, but a smaller number may adjourn from day to day, and compel the attendance of absent members.

The PRESIDENT. The Chair has decided that the Senate is not adjourned.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until next Monday evening at nine o'clock.

Mr. GELDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Mr. CAVALCANTE. Mr. President, I arise to a point of order.

The PRESIDENT. The Senator from Fayette will state his point of order.

Mr. CAVALCANTE. Mr. President, no business of this Senate has intervened since the motion to adjourn has been defeated, and another motion to adjourn is not in order until some business of the Senate intervnes.

Mr. BUCKMAN. Mr. President, a motion to adjourn is always in order.

The PRESIDENT. The Chair rules that a motion to adjourn is always in order.

Mr. THOMPSON (Centre). Mr. President, due to the fact that we have so many important bills which have been referred to committees—a lot of important bills were sent back to committee this morning, which have not been reported out—I think we are not justly doing our duty in adjourning at this time.

And the question recurring.

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and Mr. THOMPSON (Centre).

Mr. CAVALCANTE. Mr. President, I ask for a verification of the roll.

The roll was verified and was as follows, viz:

YEAS—19

Aron,	Gelder,	Pierson,	Thompson,
Batchelor,	Graff,	Reed,	(Westmoreland)
Bean,	Howell,	(Dauphin)	Trainer,
Buckman,	Mallery,	Scott,	Ziesenheim,
Coyne,	Owlett,	Staudenmeier,	Homsher,
Ealy,			Pres. Pro. Tem.

NAYS—17

Baumer,	Lanius,	Prince,	Rodgers,
Cavalcante,	Law,	Pytko,	Rupp,
Frey,	McCreesh,	Rankin,	Ruth,
Harris,	McGinnis,	Roberts,	Thompson,
Huffman,			(Centre)

So the question was determined in the affirmative.

The Senate adjourned at 1.55 P. M. until 9 o'clock Monday evening, June 8th, 1936.

HOUSE OF REPRESENTATIVES

WEDNESDAY, June 3, 1936

The House met at 10:00 A. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

REV. MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

Father of Light, Truth and Beauty, grant us Thy favor; grant us Thy blessing. May we seek to love Thee more and serve Thee better.

We present these petitions in the Master's name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday when, on motion of Mr. VANALLSBURG, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. DAVIES and O'NEILL.

HOUSE BILL No. 118.

An Act abating accrued penalties and interest on certain delinquent taxes levied by counties, cities, boroughs, towns, townships, school districts and poor districts, where such taxes have heretofore been paid in full at face.

Referred to the Committee on Municipal Corporations.

By Messrs. JOHN J. BAKER and BRADLEY.

HOUSE BILL No. 119.

An Act imposing and providing for the collection of a temporary tax for State purposes on all gas and water meters used in this Commonwealth; and prescribing penalties.

Referred to the Committee on Ways and Means.

By Messrs. JOHN J. BAKER and BRADLEY.

HOUSE BILL No. 120.

An Act imposing and providing for the collection of a temporary tax for State purposes on all telephone pay stations and private switch boards as herein defined, used in this Commonwealth; and prescribing penalties.

Referred to the Committee on Ways and Means.

RESOLUTION INTRODUCED AND REFERRED

By Mr. WICKERSHAM

(Concurrent) RESOLUTION No. 20.

In the House of Representatives, June 2, 1936.

Whereas, It is in the interest of a sound Public Policy that employes of the State Emergency Relief Board, the Works Progress Administration and subordinate bodies of both should take no part in political activities; and

Whereas, It is of the utmost importance that the administration of Relief, both Direct Relief and Work Relief, be completely divorced from political influence or control; and

Whereas, One of the most vicious forms of political influence or control is the extraction from employes of State Departments, Bureaus, Boards, and other subdivisions, of so-called "voluntary" campaign contributions; and

Whereas, The Governor of this Commonwealth has not seen fit to include within the scope of his Call for the Extraordinary Session of 1936 any subject which will permit the introduction of legislation designed to prevent the extension of the "Spoils System" to the administration of Relief, Therefore, be it

Resolved (if the Senate concur), That it is the sense of this Assembly that the "Spoils System" should not be extended to the administration of Relief, and that no political party or candidate should solicit or accept campaign contributions from any employe of the State Emergency Relief Board, the Works Progress Administration, or any subordinate Agency, Bureau, Board, or other subdivision of either or both. And be it further

Resolved, That copies of this Resolution be forwarded by the Chief Clerk of the House to the Chairman of the Democratic and Republican State Committees and to the Chairman of the various Democratic and Republican County Commitees throughout this Commonwealth.

Referred to the Committee on Rules.

COMMUNICATIONS

The SPEAKER laid before the House the following communication which was read by the Clerk.

SCHOOL SYSTEM

A resolution from the Allegheny County Real Estate Owners and Taxpayers' League protesting use of revenue from State Income Tax for purposes other than operation of public school system.

Referred to the Committee on Ways and Means.

TAX

A resolution from the Washington and Greene Chapters of the Pennsylvania Motor Truck Association, Inc., protesting tax on gasoline and increase in truck license fees.

Referred to the Committee on Highways.

LEAVES OF ABSENCE

Mr. KELDER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. ANTHONY asked and obtained leave of absence for himself for the remainder of the week after to-day's session.

Mr. J. J. Baker asked and obtained leave of absence for Mr. BRADLEY for the remainder of the week.

Mr. MURRIN asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. REYNOLDS asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. HINDMAN asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. Winner asked and obtained leave of absence for Mr. PETERS for the remainder of the week.

Mr. DILLEY asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. SCHWAB asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. PANTON asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. Sumney asked and obtained leave of absence for Mr. CARSON for the remainder of the week.

Mr. LYNCH asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. RINN asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. McCREARY asked and obtained leave of absence

for himself for the remainder of the week after today's session.

Mr. WALL asked and obtained leave of absence for Mr. BALDI and himself for the remainder of the week after today's session.

Mr. Stockham asked and obtained leave of absence for Mr. ROBERT BOYD.

Mr. MUIR asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. WEISS asked and obtained leave of absence for himself for the remainder of the week after today's session.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FLINCHBAUGH asked and obtained permission for the Committee on Ways and Means to meet in Room 324, during the session.

RESOLUTION

TIME OF NEXT MEETING

Mr. EBERHARTER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, June 3, 1936.

Resolved (if the Senate Concur), that when the Senate adjourns this week it reconvene Monday evening, June eighth, at 9 o'clock, Eastern Standard Time; and that when the House of Representatives adjourns this week it reconvene Monday evening, June eighth, at 9 o'clock, Eastern Standard Time.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

Miss BRANCATO offered a resolution which was filed under the rules with the Clerk.

STATEMENT BY MR. HINDMAN.

Mr. HINDMAN asked and obtained unasimous consent to make the following statement:

Mr. Speaker and members of the House, on last Sunday an article appeared in one of the Pittsburgh papers which I felt would be of interest to this House, and taking it as a basis I felt that I should make a statement.

The heading of the article was: "State Legislatures Get Little Done at Special Session—Members to Miss Big Conventions."

"Both National Conventions may go merrily along, but they'll do so without the benefit of Pennsylvania Legislators. For the Legislature is going to remain in session it seems.

"It has been meeting for four weeks now, that is, legislative weeks. It could have had relief, flood control, social security, and rehabilitation of state institutions—its major problems, solved by now, had the members applied themselves.

"Only one bill has passed the State Senate and that, the appropriation to pay the Legislators for visiting Harrisburg, Monday nights and Tuesday, tossing a few verbal bricks, playing the marble machines in the hotel lobbies or seeing a floor show and then returning home.

"As the result of this dilly-dallying, the Democrats will not recess for the Republican National Convention, which begins Tuesday of next week in Cleveland, nor will they recess for the Democratic National Convention in Philadelphia, June 23. This refusal to recess on the basis that Legislation for Relief is more important than attending Conventions, will disappoint many Legislators and others."

This will give us some idea of the impression that we, of this Legislature, are giving the citizens of our State, and who, of this body, can say not deservingly so, at least, in part, particularly in the light of what has transpired in the past two weeks.

We have been repeatedly and vociferously told by our Republican leaders, how badly and inefficiently relief has been handled in Pennsylvania by the Democrats and how viciously the WPA was being handled in the interests of the Democratic party. I would remind these gentlemen that it was we Democrats and not Republicans who first called attention to the short-comings of the Relief Organization in the State, and this, in no indefinite terms.

I have gone into this relief situation very carefully and believe I am qualified to talk about it, in support of the statement which I have just made. ,

I would direct your attention to the statement I made on the floor of this House, May 27, 1935. In that statement, I told you that relief in Pennsylvania was infested with politics of the rottenest sort and the then director of relief, Mr. Johnson, was ruled, guided and directed by the same old relief organization which was so adroitly built up by former Governor Pinchot. This statement still holds.

Mr. Johnson, himself a Republican, saw fit to retain this organization. Since that time, he has attempted to crucify the State Administration as well as the National Administration. He has proved to be a real "Judas" to the Administration to which he was indebted for his appointment and of which he naturally was a part.

As to the charge made by our opponents, that the Governor of this State was playing politics with relief, I wish to brand as false. I am convinced that he has been actuated by the highest motives and ideals. If he can be charged with anything, it is that he has bent over backwards in his sincere efforts to keep politics out of relief. One of the strongest points in support of this, was his appointment and his retention of his first relief administrator.

I would call to your attention, the report of the Investigating Committee who investigated relief conditions in Washington and Greene Counties.

This Committee was composed of members of this House. I should like especially to call attention to part of the final paragraph of that report:

> "Your committee recommends a complete change in the Relief Organization, beginning in Harrisburg and ending in Washington and Greene Counties."

Permit me to remind you, ladies and gentlemen, that the members of this Committee were all Democrats.

It appears that there is a discord between the two branches of this Legislative Body that should not exist. Certainly it is incompatible with efficiency and proper achievement. Can it not be worked out?

Our Bible tells us that "a house divided against itself cannot stand". Can we by any stretch of the imagination believe that we are an exception to this truth?

Be this as it may, members of the House, let's get together in an honest and earnest endeavor to work out the problems for which we were assembled, with dignity and dispatch. Let us forget for the moment at least, that we are Democrats, Republicans or Socialists. Let us remember that we are Representatives of all the people of this Commonwealth, that we are all Pennsylvanians and that we are not here to solve problems of any particular

group but to concertedly work out our problems in the best interests of all the people, not because we are being criticised, but because of the fact that before God and the people, it is right. Let's Go!

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 30, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 85, entitled:

An Act to safeguard persons receiving or entitled to public relief from political coercion and to prevent political promises in return for public relief and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 101, entitled:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 110, entitled:

An Act providing that no person shall be denied refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

MOTION TO RECOMMIT

Mr. EBERHARTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Military Affairs for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. TURNER. Mr. Speaker and members of the House, Mr. Roan, one of the sponsors of this bill, is not in the House at the present time. Earlier this morning Mr. Cohen spoke to me about this bill. I talked to Mr. Roan, and in view of the fact that it was on the first reading calendar, it seemed to me it was not necessary to make any motion at this time to recommit or do any thing else with this bill. In fairness it should be allowed to ride over until Monday, when it would be on the second reading calendar, and there would then be plenty of time and opportunity for some of the persons on the other side to ascertain the opinions of some of the service bdies, and in view of the fact that Mr. Roan is not here to attend to that, and in view of the fact that I asked that it be allowed to ride over, I would ask that Mr. Eberharter withdraw his motion at this time, and I will get in contact with Mr. Roan.

MOTION WITHDRAWN

Mr. EBERHARTER. Mr. Speaker, I might say that the motion to refer back to committee was made after consultation with one of the sponsors of the bill, Mr. Murrin. However, in view of the fact that Mr. Roan, the other sponsor is not present, I will be glad to withdraw my motion to recommit at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 83, as follows:

An Act relating to the keeping of animals wild by nature in captivity upon any street or highway or upon land adjoining any street or highway or in vicinity of any commercial establishment for the evident purpose of attracting trade preventing cruel improper and inhuman treatment of such animals and protecting the public from injuries thereby providing for the granting of permits for roadside menageries as herein defined conferring powers and imposing duties on the Board of Game Commissioners and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Roadside Menagerie Act"

Section 2 As used in this act the following terms shall have the following meanings

"Board" The Board of Game Commissioners of this Commonwealth

"Person" A natural person copartnership association or corporation

"Roadside Menagerie" Any place where one or more wild animals are kept in captivity either in an enclosure or by tether upon any street or highway or upon land public or private adjoining any street or highway or upon land public or private in the vicinity of any commercial establishment for the evident purpose of exhibition or attracting trade The term shall not include the exhibition of any animal by an educational institution or in any zoological garden or in connection with any theatrical exhibition or circus

"Wild Animal" Any animal wild by nature as distinguished from the common domestic animals whether or not such animal was bred or reared in captivity

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 The board may grant permits for roadside menageries Applications therefor shall be made on forms prepared and furnished by the board The applications shall show the name and address of the applicant the location or proposed location of the roadside menagerie the approximate number and kinds of wild animals being or to be kept space and method of housing and confinement measures taken to protect the public from injury by any wild animal and such further information as the board shall prescribe each original application shall be accompanied by a permit fee of five dollars ($5.00) and each renewal of a permit shall be accompanied by a permit fee of two dollars ($2.00) Separate applications shall be made for each roadside menagerie for which a permit is desired

Section 4 No permit shall be granted by the board until it is satisfied that the provisions for housing and caring for the wild animals and for protecting the public are proper and adequate and in accordance with the standards therefor established by the board

Section 5 All permits shall expire on the thirty-first day of May next after their date of issue and may be

revoked by the board at any time prior thereto for failure to comply with the rules and regulations of the board adopted pursuant to the provisions of this act

Section 6 The board is charged with the enforcement of this act and shall adopt and enforce rules and regulations for the housing care treatment feeding and sanitation of wild animals kept in roadside menageries and for the protection of the public from injury by such wild animals

Section 7 All permit fees and fines received or collected under the provisions of this act shall be paid into the State Treasury through the Department of Revenue and shall be credited to the Game Fund

Section 8 From and after August fifteenth one thousand nine hundred thirty-six it shall be unlawful for any person to keep any wild animal in captivity upon any street or highway or upon land public or private adjoining any street or highway or upon land public or private in the vicinity of any commercial establishment for exhibition or the evident purpose of attracting trade or to have any wild animal in his custody or control for such purpose unless a permit therefor has been issued by the board

Section 9 Any person violating any of the provisions of this act shall upon summary conviction thereof be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of the payment thereof to undergo imprisonment for not more than ten (10) days Each day during which a roadside menagerie is maintained without a permit shall constitute a separate offense

Section 10 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 109, entitled:

An Act to authorize and empower municipalities and townships separately or jointly to erect and construct flood control works and improvements within or without their territorial limits and to expend monies and incur indebtedness for such purposes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Achterman,	Falkenstein,	McElroy,	Shreiner,
Alexander,	Ferko,	McHenry,	Shugarts,
Allen,	Finnerty,	McKinney,	Siegel,
Altenburg,	Fitch,	Melchiorre,	Simon,
Andrews,	Flanagan,	Merrell,	Simpson,
Anthony,	Flinchbaugh,	Moomaw,	Sinwell,
Arnold,	Flynn,	Mooney,	Smith, J. A.,
Atkins,	Forrest,	Moore,	Smith, W. G.,
Aukerman,	Gates,	Moran,	Snyder, F. E.,
Baine,	Gerard,	Moul,	Snyder, J. L.,
Baker, F. T.,	Habbyshaw,	Muir,	Sowers,
Baker, J. J.,	Haberlen,	Munley,	Sproul,
Baldi,	Hagerty,	Murrin,	Stank,
Barnhardt,	Haluska,	Nagel,	Stevens,
Beadman,	Hamilton, F. P.,	Nothnagle,	Stewart,
Bernhard,	Hamilton, R. S.	O'Keefe,	Stockham,
Boose,	Harkins,	Ominsky,	Stone,
Boyd, R.,	Harmuth,	O'Neill,	Sumney,
Boyer,	Hermansen,	Panton,	Surface,
Brancato,	Hetrick,	Parks,	Sweeney
Brown, H. S.,	Hindman,	Patterson, C.,	Tahl,
Brown, J. E.,	Hirsch,	Patterson, J. W.,	Terry,
Brownfield,	Holland,	Pearson,	Tronzo,
Brumbaugh,	Holstrum,	Perry,	Trout,
Burke,	Hoopes,	Pfaff,	Tumelty,
Cannon,	Horst,	Piole,	Turner,
Caputo,	Jackson,	Powers,	VanAllsburg,
Carr,	Jones,	Reising,	VanSickle,
Carson,	Kelder,	Reynolds,	Wall,
Castor,	Kelso,	Rhys,	Wasserman,
Chervenak,	Kenney,	Rinn,	Weidemann,
Coakley,	Kilroy,	Roan,	Weiss,
Cochran,	Kinney,	Robinson,	Welliver,
Cohen,	Klingler,	Root,	Welsh,
Coleman,	Kobelak,	Rooney,	Westrick,
Condon,	LaRue,	Royer,	White,
Coolahan,	Linderman,	Ruffennach,	Wickersham,
Cooper,	Long,	Sarraff,	Winner,
Cordier,	Longaker,	Scanlon,	Wood,
Davies,	Lovett,	Schaeffer,	Woodside,
Decker,	Lynch,	Schrock,	Yeakel,
Dent,	Male,	Schrope,	Yourishin,
Dilley,	Mallen,	Schwab,	Zappala,
Downey, G. E.,	Mason,	Serrill,	Zimmerman,
Duffort,	McCreary,	Shaw,	Furman,
Eberharter,	McDermott,	Shepard,	
Eroe,	McDevitt,	Shortz,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 25, as follows:

An Act imposing a temporary State excise tax on electric power and current generated manufactured and sold within this Commonwealth providing for the collection of the tax and the disposition of the revenue derived therefrom imposing certain costs on the Commonwealth conferring powers and imposing duties on certain persons associations partnerships corporations and State departments and imposing penalties

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Electric Power Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" A corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other State territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Exemptions (a) Every person engaged in the business of manufacturing or generating hydroelectric power and current in this Commonwealth for the purpose of sale shall be subject to the payment of a State excise tax of three-quarter (¾) mill upon each kilowatt hour of hydroelectric power and current so manufactured or generated

(b) Every person engaged in the business of manufacturing or generating electric power and current by the use of steam power in this Commonwealth for the purpose of sale shall be subject to the payment of a State

excise tax of three-quarter (¾) mill upon each kilowatt hour of electric power and current so manufactured or generated

(c) Every person engaged in the business of selling electric power and current within this Commonwealth shall be subject to the payment of a State excise tax of three-quarter (¾) mill upon each kilowatt hour of electric power and current sold in this Commonwealth Provided That if such seller procures electric power or curcent which has been subject to the payment of the excise tax hereinbefore provided a credit on said tax to the amount of the excise tax already required to be paid by the person manufacturing or generating the same within this Commonwealth shall be allowed Provided further That the provisions of this act shall not apply to the electric power or curren manufactured or generated in another state and brought into this Commonwealth until such power or current has lost its interstate character and immunities

(d) The excise taxes imposed by this section shall not be payable upon electric power and current manufactured generated or sold by the Commonwealth or any political subdivision thereof

(e) The excise taxes imposed by this section shall be in addition to all other taxes which now are or may hereafter be imposed by law

Section 4 Report and Payment of Tax For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every person liable to pay tax under this act on or before the fifteenth day of each month to transmit to the department upon a form prescribed and furnished by the department a report under oath or affirmation of electric power and current manufactured generated or sold in this Commonwealth during the preceding month upon which electric power and current tax is imposed by this act Such report shall show the number of kilowatt hours of such electric power and current manufactured generated or sold in the Commonwealth during the period for which it is made and such further information as the department shall prescribe

Every person liable for tax under this act at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on electric power and current manufactured generated or sold by him during the preceding month The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the fifteenth day of the next succeeding month and shall bear interest at the rate of one per centum per month or fractional part of a month from the date they are due and payable until paid

If any person liable to pay tax under this act shall neglect or refuse to make any report or payment as herein required an additional ten per centum of the amount of the tax shall be added by the department and collected as hereinafter provided

Section 5 Determination and Redetermination of Tax Penalties and Interest Due (a) If the department is not satisfied with the report and payment of tax made by any person under the provisions of this act it is hereby authorized and empowered to make a determination of the tax due by such person based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such persons Within thirty (30) days after the date of any such determination such person may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons whcih the petitioner believes entitles him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within ninety (90) days after the date of any determination to dispose of any petitions for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty (30) days after notice by the department of the action taken on any petition for redetermination filed with it the person against whom such determination was made by petition such action Every petition for review filed hereunder shall state specifically the reason upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of said board to dispose of any such petition within ninety (90) days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlements

(e) If any person liable to pay tax under this act shall neglect or refuse to make any report or payment of tax required by this act the department shall estimate the tax due by such person and determine the amount due by him for taxes penalties and interest thereon as prscribed herein from which determination there shall be no right of review or appeal

Section 6 Requirements as to Meters Every person engaged in the business of manufacturing generating or selling electric power and current in this Commonwealth shall provide himself with and maintain the necessary meters or other instruments to show the amount of electric power and current manufactured generated or sold expressed in kilowatt hours and shall keep permanent legible records showing the number of kilowatt hours of electric power and current so manufactured generated or sold in each day

Section 7 Examination of Records and Equipment The department or any agent appointed in writing by it is hereby authorized to enter upon the premises and to examine the books papers records meters instruments and any other equipment and to investigate the character of the business of any person liable to pay tax under this act pertaining to the manufacture generation or sale of electric power and current taxable under this act to verify the accuracy of any report or payment made under the provisions of this act or to ascertain whether or not the tax imposed by this act has been paid but any information gained by the department as the result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1000) and costs of presecution or to undergo imprisonment of not more than one (1) year or both in the discretion of the court

Every person is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations

Section 8 Retention of Records Penalty Each person liable to pay tax under this act shall maintain and keep for a period of two years such record or records of electric power and current manufactured generated or sold in this Commonwealth by him together with such other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of one thousand dollars ($1,000.00) and costs of prosecution or to under-

go imprisonment for not more than one (1) year or both in the discretion of the court

Section 9 Collection of Unpaid Taxes Whenever the taxes penalties or interest imposed by this act are not paid within thirty (30) days fater the date of their determination if no petition for redetermination has been filed or from the date of undetermination if no petition for review has been filed or within ninety (90) days from the date of the decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judical sales assignments or bankruptcies the department shall call upon the Department of Justice to collect the same

On all claims for taxes penalties and interest hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the taxpayer for the use of the Commonwealth an Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dollars ($10,000.00) and three (3) per centum upon the amount of the recovery in excess of ten thousand dollars ($10,000.00) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

Section 10 Enforcement Rules and Regulations The department shall be charged with the enforcement of the provisions of this act and it is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act Such rules and regulations shall have the same force and effect as law and violations thereof shall be punishable as hereinafter provided

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the Commonwealth and not the county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both

Section 11 Disposition of Taxes Interest and Penalties All taxes interest and penalties received and collected under the provisions of this act shall be paid into the State Treasury through the department and shall be used only for unemployment relief purposes and for the payment of costs imposed upon the Commonwealth and for such purposes are hereby appropriated

Section 12 Violations (a) Any person who shall fail neglect or refuse to make the report and pay the tax interest and penalties imposed by this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books records papers meters instruments or other equipment pertaining to the manufacture generation or sale of electric power and current in this Commonwealth or who shall make attempt to do anything whatsoever to avoid a full disclosure of the amount of electric power and current manufactured generated or sold or to avoid the payment of the whole or any part of the tax interest and penalties due shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand ($1,000.00) and costs of prosecution or to undergo imprisonment for not more than one (1) year or both in the discretion of the court

(b) Any person who shall violate any rule or regulation of the department prescribed adopted or promulgated relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) and costs of prosecution or to undergo imprisonment for not more than six months (6) months or both in the discretion of the court

Section 13 Constitutionality If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional section sentence clause or part thereof not been included therein

Section 14 Effective Date This act shall become effective the first day of the month succeeding its final enactment and shall remain in force for a period of twelve months from the effective date thereof.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. EBERHARTER. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

STATEMENT BY MR. McCREARY

Mr. McCREARY asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, on two different occasions since I have been a member of this House, I have heard two members rise in their place and very fervently and reverently thank God that they were not lawyers. That is the first time that I ever knew that God had anything to do with lawyers.

I haven't reached the point where I want to say that, but I have almost reached the point where I want to thank God that there are not any more lawyers in this House than there are.

For about four weeks the rest of us, common run-of-mine fellows, have sat around and heard lawyers scrap, fight, and quarrel and yowl like cats on the back fence, and we were helpless to help ourselves. After these lawyers had fought back and forward for a while and had gotten themselves all tangled up in parliamentary procedure, then they had to call an editor over here to go up on the Speaker's rostrum and straighten out the snarl, and I am going to go on record as being in favor of swapping some of our lawyers off for some editors. And then if in the future we elect some more lawyers as members of this House, let us elect some good ones, lawyers who know enough to draw up a bill that means what it says and says what it means, so that the common man can understand it and not have to have it amended three or four times, and vote on the amendments, and amend the amendments until when we finally get a chance to record our votes, we don't know what in Hades we are voting for.

The first thing we know the Pennsylvania Legislature will be in the same fix as they are in Washington; they haven't had a lawyer down there, evidently, that knows enough to draw up a bill that is constitutional, and I don't know where they are going to land, nor where we are going to land, but it certainly does not look very favorable in a land flowing with milk and honey, where everybody has a competency and where the New Deal at last came into flower.

The reason I am sore at lawyers is this, gentlemen: two weeks ago last Monday night I introduced a bill and a resolution. I am convinced that they both came under the call of the Governor, and they were both entitled to come out on the floor of this House and have the deliberation of this body. I asked when I introduced the resolutin, not that it be considered immediately, but simply

made the request that it be read for the information of the members of this House, and I think if the lawyers had sat still it would have been, but immediately somebody got up and objected and that started a fight that lasted about two hours, I guess, about four times as long as it would have taken to read the resolution, and when they got through, they didn't know what they had voted about, and neither did they know what the resolution was about, and they don't know now.

I say that both the bill and resolution came under the call of the Governor, because they were both revenue measures and economy measures, and the Lord knows we need both of they and need them mighty bad. Now, two weeks and three days have come and gone and that bill and that resolution still remain in the subterranean archives of the Ways and Means Committee.

I have contacted the Chairman of that committee every day since, and he has promised to do what he could, so you may know how helpless he is. He has just called a meeting of the Ways and Means Committee today, asked permission to take this committee out of this House and go into conference. I contacted him just before he left so that he would not forget it. I said, "Can't you get this resolution out of the committee?" I thought this was a government of majority rule. Instead of that it is decided within the locked doors of the committee room.

And do you know what one of the finest legislators in this whole United States said about that? That is George W. Norris, United States Senator from Nebraska. He said the committee room is the invisible government of our United States, and if this representative government of ours ever fails, it will founder on the rock of invisible government conducted in the committee room.

You know and I know that for years there has been a tradition in the Senate and in the House, both Republican for forty years, never to discharge a committee. It is contrary to the ethics of politics, but not to common sense, and not to representative government.

Representative government means a government by, for and of the people, but a representative government here is represented in this House by two hundred eight men and fifty over in the Senate. Then by what right and authority do twelve men go into a room and decide whether a bill comes out on the floor or whether it does not? And they tell you time and again that it is six votes one way and six the other. And then what? We discharged a committee of this House during this session despite tradition and I think God had something to do with that in spite of the lawyers.

Now, I am only one of two hundred eight; I represent a fourth class county with one hundred seventy-five thousand people. I am sent down here to try to represent them, and I hate to be thwarted by a few people in the committee room that will not even send my resolution out on the floor of this House or let the rest of the members know what it is about.

I would be glad, gentlemen, and I believe it would be representative government, if every bill that is introduced came out on the floor of the House. I would be willing to pay five dollars apiece to cover printing for every bill that I ever introduced, for the sake of having it come out here and be discussed by the representatives of the people in this session. That is what I call representative government; vote it up or vote it down; amend it if it requires it, but when you are through you have got the consensus of opinion of the members of this House, who represent the ten million people back in the sixty-seven counties of the State. That is representative government and not the invisible government under which we are now working.

Now, I tell you frankly, I am not asking favors nor expecting any, but I do want the thing that the Democrats call the square deal or the new deal,—I don't care which adjective you apply, but I want both a square deal and a new deal. I want when I introduce a bill in good faith, that comes under the clause of the Governor's call, —I want it to come out on the floor of the House. I want to have a group of my peers to decide whether that should be amended or whether it should pass as it is or should be killed, and if the majority vote is to kill it, I am satisfied, but I am not satisfied to sit here for four weeks and hear a lot of lawyers scrap over parliamentary rules that don't amount to a cuss, and not let a resolution such as mine get out of the committee room.

That is my statement, gentlemen, and I thank you for your courtesy.

STATEMENT BY MR. FLINCHBAUGH

Mr. FLINCHBAUGH asked and obtained unanimous consent to make the following statement:

Mr. Speaker, ladies and gentlemen of the House, I was not here to hear the opening remarks of my good friend Mr. McCreary. Mr. McCreary has been a very personal friend of mine ever since he has been in this Legislature, since we have learned to know each other. I admire all the members from Erie County; I have a very high regard for the County of Erie and the northwestern part of the State, whose shores are lapped by the waters of Lake Erie, in which are those delicious, delectable white fish, which I had the pleasure of helping to eat, by the gratuity of some of the members from Erie.

The County of Erie is a great county, and the County of Erie is where the ladies are attractive—in fact where they are attractive enough at least to attract the attention of the eligible bachelors of Erie County.

I want to assure the gentleman from Erie County that it is not the desire of the Ways and Means Committee to pickle any of his bills. We just returned from the Ways and Means Committee where one of his bills was given serious and earnest consideration, but in view of the voluminous matter in the bill and in view of the fact that it covers a subject that is entirely new to the members of this House, and desiring to be enlightened upon the subject matter of that bill, the committee decided that we were going to extend the courtesy of the committee to the member from Erie County in order that at some future date he might appear and explain it to the committee in all its details in order that we might act more intelligently upon the bill.

The resolution which he proposes, we did not have time to consider, because a messenger from the House came up and asked us to retire to the Chamber of the House in order to transact its business.

As I started to say, I was unfortunately out at the beginning of the remarks of the gentleman from Erie, and his opening remarks were entirely lost on me, because I was not here to listen to all that political oratory and fine diction and the flow of speech which the member from Erie is so well able to deliver.

BILL ON FINAL PASSAGE

Mr. HOLLAND. Mr. Speaker, I desire to call up at this time House Bill No. 44, Printer's No. 101, on page 4 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. HOLLAND,

The House resumed consideration on final passage of House Bill No. 44, entitled:

An Act to amend section two hundred and one of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred fifty-three) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" making the real estate of public service companies with certain exceptions subject to taxation for school purposes

On the question recurring,

Shall the bill pass finally?

HOUSE BILL No. 44 MADE SPECIAL ORDER

Mr. HOLLAND. Mr. Speaker, I move that this bill be made a special order of business on Monday evening, June 8, 1936, at 10:00 o'clock.

On the question,

Will the House agree to the motion?

The SPEAKER declared the ayes appeared to have it. Whereupon, a division was called for, eighty-nine members having voted in the affirmative and thirty-nine in the negative, the question was determined in the affirmative and the motion was agreed to.

BILL ON THIRD READING

Mr. KOBELAK. Mr. Speaker, I desire to call up at this time House Bill No. 57, Printer's No. 70, on page 2 of today's calendar, bills on third reading which was passed over this morning.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 57, entitled:

An Act providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mother's assistance funds of the several counties authorizing the Department of Welfare to cooperate with and to accept and disburse monies received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons providing for the recovery of monies expended for assistance in certain cases providing penalties and repealing inconsistent acts.

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. SOWERS. Mr. Speaker, and members of the House, this is the Administration old age assistance bill which has included in it features that are unknown to assistance laws in many states. It seems to me that it is just a humble gesture to make good under the Governor's call. While I cannot vote "no" on this bill, yet I regret that my Democratic friends do not accept the statement of the Governor in full and give the aged of Pennsylvania the full benefit of the National Security Law. The Governor's proclamation has gone out and gone all over the State. I know down in my district, my people expect the Democratic Party to work with the Republican Party in this House and give the aged at sixty-five the benefit that President Roosevelt talked so much about. If the Democratic Party sees fit, I will do the best I can with my friends on this side of the House to refer back this bill to committee so that it can be amended to harmonize with the National Security Act.

Mr. WASSERMAN. Mr. Speaker and members of the House, I listened on Monday evening to the discussion on the amendments offered by my colleague from Philadelphia, Mr. Sowers. When these amendments were offered, my friends on the other side of the House took the attitude that because they are offered by a Republican they ought not to receive serious consideration. I have been in this House since the session of 1933, and I remember very vividly how we worked on this side of the House to put across the Old Age Assistance Law. When I read of the passage of the Federal Security Act I was very much pleased, because I felt at that time not only would Pennsylvania have the Old Age Assistance Law, but all the other states of the Union might follow suit, but when this act was introduced, and I understand it is an Admisistration measure, I thought it would surely be a more liberal measure than the one we have on our statute books today.

When I look at Section 5, sub-section (g), and we find a provision in the act "shall not have voluntarily relinquished or given up any gainful employment without just cause within six months preceding the date of making application for assistance"—I clearly realized that we are not liberalizing the law, but we are drawing it farther away from the aged person.

I have no fault to find with that person who desires to make sure that only the needy receive pensions or gratuities from the State, but when a person has worked a half a century in this State or any state, I think he should have the privilege of retiring and saying to his fellow men, "I am entitled to some retirement annuity," and if he is indigent this provision raises a great deal of discussion, raises a great deal of doubt for the aged.

I am of the opinion that the social workers and investigators on the Old Age Assistance Fund are really opposed to such a provision. It will place many applications for Old Age Assistance in doubt. If we truly intend to assist the aged, let us liberalize the present law, and certainly not hamstring, as we are doing in this case.

Of course we must vote for it; we must vote for it because the Federal Government promises us that if we bring our act in conformity with the Federal Act that we will get the benefits of the Federal Act, but this provision is certainly unwarranted, certainly not needed, and if anything questions very much the sincerity of those who want to liberalize the social laws of this State.

Mr. YOURISHIN. Mr. Speaker and members of the

House, I am surely pleased to hear the Republicans in this House making a statement now that they are for a liberal, a really liberal Old Age Pension.

I am one of those fellows who has always stood for liberal Old Age Pensions, but what I cannot understand is some of my Republican friends at this late day criticising the President of the United States for not doing this or not doing that. It is possible that if it had not been for President Roosevelt, maybe some of these same Republicans who are now criticising him because of the fact that the Social Security Act was passed by the Federal Government, might not have been so liberal in offering amendments to the Old Age Pensions. I can very well remember when the Republican organization in this State was in power, when there was a resolution presented here, and up for final passage to give the people of the State of Pennsylvania the privilege of voting and telling the Legislature that we want Old Age Pensions in Pennsylvania, and the Republican controlled House and Senate at that time refused to pass that resolution. They say, why didn't President Roosevelt do this and why didn't President Roosevelt do that. I wonder why under a Republican administration in Washington that there was no such thing as Social security offered during their administration? Why criticise? I believe that it should be more liberal. I always did believe in it, but I do not believe in criticising a man who is trying his damndest to do something for the country, trying to do something for the aged of this State of ours, and because the National or the Federal Social Security Act provides that the State must pass laws to conform to it, some of our friends are now complaining because they are not more liberal.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Achterman,	Duffort,	McDermott,	Shepard,
Alexander,	Eberharter,	McDevitt,	Shortz,
Allen,	Erne,	McElroy,	Shreiner,
Altenburg,	Falkenstein,	McHenry,	Shugarts,
Andrews,	Ferko,	McKinney,	Siegel,
Anthony,	Finnerty,	Melchiorre,	Simon,
Arnold,	Fitch,	Merrell,	Simpson,
Atkins,	Flanagan,	Moomaw,	Sinwell,
Aukerman,	Flinchbaugh,	Mooney,	Sloan,
Baine,	Forrest,	Moore,	Smith, J. A.,
Baker, F. T.,	Gates,	Moran,	Smith, W. G.,
Baker, J J.,	Gerard,	Moul,	Snyder, F. E.,
Baldi,	Habbyshaw,	Muir,	Snyder, J. L.,
Barber,	Haberlen,	Munley,	Sowers,
Barnhardt,	Hagerty,	Murrin,	Sproul,
Beadman,	Haluska,	Nagel,	Stank,
Bernhard,	Hamilton, F. P.,	Nothnagle,	Stevens,
Boose,	Hamilton, R. S.,	O'Keefe,	Stewart,
Boyer,	Harkins,	Ominsky,	Stockham,
Bradley,	Harmuth,	O'Neill,	Stone,
Brancato,	Hermansen,	Panton,	Stott,
Brennan,	Hetrick,	Parks,	Sumney,
Brown, H. S.,	Hindman,	Patterson, Cliff,	Surface,
Brown, J. E.,	Hirsch,	Patterson, J. W.	Sweeney,
Brownfield,	Holland,	Pearson,	Tahl,
Brumbaugh,	Holstrom,	Perry,	Terry,
Burke,	Hoopes,	Pfaff,	Tronzo,
Cannon,	Horst,	Phillips,	Trout,
Caputo,	Jackson,	Piole,	Tumelty,
Carr,	Jones,	Powers,	Turner,
Carson,	Kelder,	Reising,	VanAllsburg,
Castor,	Kelso,	Reynolds,	Van Sickle,
Chervenak,	Kenney,	Rhys,	Wall,
Coakley,	Kilroy,	Rinn,	Wasserman,
Cochran,	Kinney,	Roan,	Weidemann,
Cohen,	Klingler,	Robinson,	Weiss,
Coleman,	Kobelak,	Rooney,	Welliver,
Coolahan,	LaRue,	Royer,	Welsh,
Cooper,	Linderman,	Ruffennach,	Wickersham,
Cordier,	Long,	Sarraf,	Winner,
Davies,	Longaker,	Scanlon,	Wood,
Decker,	Lovett,	Schaeffer,	Woodside,
Dent,	Lynch,	Schrock,	Yeakel,
Diehl,	Male,	Schrope,	Yourishin,
Dilley,	Mallen,	Schwab,	Zappala,
Downey, G. E.,	Mason,	Sterrill,	Furman,
Downey, J. J.,	McCreary,	Shaw,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. MELCHIORRE, from the Committee on Ways and Means, reported as amended, House Bill No. 100, entitled:

An Act to further amend the title, subsection (e) of section one, and section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (Pamphlet Laws, five hundred twenty-one), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal", by defining as transfers, and taxing, the right of survivorship in property as to which such right exists, and providing for the extension of the Commonwealth's lien on real property for a further period of time.

Mr. BAINE, from the Committee on Ways and Means, reported as committed, House Bill No. 88, entitled:

An Act imposing and providing for the collection of a tax for State purposes on the gross receipts of persons, copartnerships, associations and corporations derived from the business of supplying water, electric current, and natural or artificial gas for domestic and industrial purposes.

Mr. DILLEY, from the Committee on Ways and Means, reported as committed, House Bill No. 95, entitled:

An Act to further amend section four of the act, approved the thirtieth day of June ,one thousand eight hundred eighty-five (Pamphlet Laws, one hundred ninety-three), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation' approved the seventh of June, one thousand eight hundred and seventy-nine," by requiring all corporations incorporated by or under the laws of any other State, or of the United States, and doing business in this Commonwealth to designate a resident treasurer for certain purposes.

BILL ON FINAL PASSAGE

Mr. WEISS. Mr. Speaker, I desire to call up at this time House Bill No. 70, Printer's No. 86, on page 3 of today's calendar, bills on final passage postponed.

Agreeably to order,
The bill having been called up from the postponed calendar by Mr. WEISS.

The House resumed the consideration on final passage of House Bill No. 70, entitled:

An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for assessment of benefits against property benefited and against municipalities counties and townships and for their collection providing for appeals conferring certain powers on municipalities counties and townships and the Department of Highways and making an appropriation

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. WEISS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WEISS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 2, line 1, by striking out at the beginning of the line before the word "Be" the following: ,"[Section 1]"

Amend section 1, page 2, by inserting the following between lines 6 and 7: "The phrase 'Flood Control Fund' means the fund provided for in section twenty-seven of this act"

Amend section 6, page 5, line 22 by striking out at the end of the line after the word "the" the following: ,"[special flood control]"

Amend section 6, page 5, line 23 by striking out at the beginning of the line before the word "has" the word: "[fund]" and inserting in lieu thereof the following: "Flood Control Fund"

Amend section 6, page 5, line 24 by inserting at the end of the line after the word "exceeding" the word: "the"

Amend section 7, page 6, line 12 by striking out after the word "or" and before the word "to" the word: "[tracks]" and inserting in lieu thereof the word: "track"

Amend section 8, page 7, line 2 by striking out after the word "the" and before the word "Flood" the word: "[Special]"

Amend section 11, page 9, line 21 by striking out after the word "the" and before the word "Flood" the word: "[Special]"

Amend section 11, page 9, line 24 by striking out at the end of the line after the word "the" the following: "[flood control fund]" and inserting in lieu thereof the following: "Flood Control Fund"

Amend section 13, page 10, line 18 by striking out at the end of the line after the word "other" the word: "[arrangements]" and inserting in lieu thereof the word: "agreements"

Amend section 14, page 11, line 6 by striking out after the word "the" and before the word "Flood" the word: "[Special]"

Amend section 14, page 11, line 10 by striking out after the word "the" and before the word "Flood" the word: "[Special]"

Amend section 17, page 13, line 3 by striking out after the word "the" and before the word "Flood" the word: "[Special]"

Amend section 20, page 16, line 6 by striking out after the word "SCHEDULES" and before the word "FILING" the word: "[AND]"

Amend section 20, page 16, line 6 by inserting after the word "FILING" and before "NO—" the word: "AND"

Amend section 27, page 21, line 4 by striking out after the figure "27" and before the word "FLOOD" the word: "[Special]"

Amend section 27, page 21, line 5 by inserting at the end of the line after the word "special" the following: "fund to be known as the"

Amend section 27, page 21, line 29 by striking out after the word "the" and before the word "Flood" the word: "[Special]"

Amend section 28, page 22, line 8 by striking out after the word "the" and before the word "Control" the words: "[Special Food]" and inserting in lieu thereof the word: "Flood"

Amend section 31, page 23, line 22 by striking out at the end of the line after the word "of" the following: "[five hundred]"

Amend section 31, page 23, line 23 by striking out at the beginning of the line before the word "or" the following: "[thousand dollars ($500,000)]" and inserting in the end of the line after the word "of" the following: "($2,000,000)"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS INTRODUCED AND REFERRED

By Mr. MURRIN. HOUSE BILL No. 121.

An Act to further amend the act approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth."

Referred to the Committee on Highways.

By Mr. BAINE. HOUSE BILL No. 122.

An Act to suspend the laws of this Commonwealth authorizing the collection of local taxes by distress and sale of goods and chattels.

Referred to the Committee on Municipal Corporations.

QUESTION OF PERSONAL PRIVILEGE

Mr. LONGAKER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. LONGAKER. Mr. Speaker, I find on page 260 of the Legislative Journal that I am recorded as voting "aye" on House Bill No. 26. I voted "no" and wish to be so recorded.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOOPES. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Berks, Mr. Hoopes, will state his question of parliamentary inquiry.

Mr. HOOPES. Mr. Speaker, I would like to inquire whether the gentleman from Philadelphia, Mr. Witkin, has asked for leave of absence from today's session.

The SPSAKER. The Chair will inquire of the Chief Clerk.

Mr. TURNER. Mr. Speaker, perhaps it was my fault that a leave of absence was not asked for for the gentleman from Philadephia, Mr. Witkin. Yesterday afternoon he asked me if I would be here,—that he had to go back to Philadelphia. I therefore ask for leave of absence for my colleague, Mr. Witkin, and also Mr. Blumberg.

Mr. HOOPES. Mr. Speaker, I would like to ask the gentleman to yield to permit me to ask for leave of absence in order to allow me to return the favor of last week.

The SPEAKER. Will the gentleman form Delaware, Mr. Turner, yield to the gentleman from Berks, Mr. Hoopes?

Mr. TURNER. Mr. Speaker, I never like to yield to the gentleman from Berks, but in this instance, as he is only trying to do the Alphonse and Gaston act I will yield.

Mr. HOOPES. I thank the gentleman from Delaware. I desire to ask leave of absence for the gentleman from Philadelphia, Mr. Witkin.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, June 3, 1936.

Resolved (if the Senate concur), that when the Senate adjourns this week it reconvene Monday evening, June eighth, at 9 o'clock, Eastern Standard Time; and that when the House of Representatives adjourns this week it reconvene Monday evening, June eighth, at 9 o'clock, Eastern Standard Time.

COMMITTEE MEETING

There will be a meeting of the Democratic Caucus Monday evening, in the House Caucus Room at 7:00 P. M. E. S. T.

ADJOURNMENT

Mr. SCHAEFFER. Mr. Speaker, I move that this House do now adjourn until Monday, June 8, 1936, at 9:00 P. M.

The motion was agreed to, and (at 12:16 P. M.) the House adjourned until Monday, June 8, 1936, at 9:00 P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., MONDAY, JUNE 8, 1936. No. 17.

SENATE

MONDAY, JUNE 8, 1936

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

O Thou the God of all mankind, through David the "sweet singer of Israel" Thou didst say to Thy chosen people, "Be still and know that I am God." In this age of turmoil and uncertainty we need that sane message. Amid the confusion and clamor of twentieth century life, assailed by depression and conflicting opinions, with the crash of social, moral and spiritual warfare filling the very atmosphere in which we move, it is indeed difficult for us to exercise sane judgment and reach just conclusions.

Our supreme need is the sane quietude about which David sang. Bestow it upon us, our Father. May these few moments of prayer at the beginning of each legislative day quicken our ears to hear the still small voice of Jehovah calling us to fight for righteousness and truth. Hear us in the name of Thy son. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. Huffman, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. THOMPSON (Centre) asked and obtained leave of absence for the Senator from Northampton, Mr. Roberts.

Mr. GELDER asked and obtained leave of absence for the Senator from Tioga, Mr. Owlett.

Mr. HUFFMAN asked and obtained leave of absence for the Senator from Lycoming, Mr. Sones.

Mr. HARVEY asked and obtained leave of absence for the Senator from Luzerne, Mr. Sordoni.

PETITION

Letter to the President of the Senate from William H. Ridgway, manufacturer of Coatesville, relative to taxation measures now in the hands of the Finance Committee of the Senate.

Which was referred to the Committee on Finance.

QUESTION OF PERSONAL PRIVILEGE

Mr. PRINCE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Cumberland will state his question of personal privilege.

Mr. PRINCE. Mr. President, despite the epithets and hostile adjectives hurled by some of the gentlemen on your right, Mr. President, at all the gentlemen on your left, I have sharpened no oratorical ax with which to decapitate either the Senator from Fayette or the Senator from Centre. I merely wish to make a few observations on a subject of paramount and compelling interest.

At the start I want to say that I believe the Governor of this State is actuated by altruistic and humanitarian motives, and that he can truthfully repeat with Abou Ben Adham to the angel writing in the book of gold: "Write me as one who loves his fellow men." I believe his ambition is to see inscribed upon the tablets of our law, enactments which shall realize the desideratum of our idealistic American political philosophy, "equal rights for all, special privileges for none." I believe that in setting the amount of money to be raised in this Extraordinary Session at approximately $80,000,000, Governor Earle wanted to insure enough funds to provide for legitimate needs until the next regular session of the Legislature. But apparently he sees only the foreground and not the background of the picture; only the unemployed, whether by their fault or by their misfortune, and not the struggling and almost submerged taxpayer who is hard put to feed and clothe himself and family. In his expressed desire and determination to care for the destitute, the Republican senators heartily concur; but they arrive at a different mathematical conclusion, and they prefer a method less burdensome to the public than an exclusive resort to new taxes. It seems to me regrettable that when the Governor issued his summons to the Special Session, he failed to recommend the permanent reduction of overhead expense and the elimination of useless or superfluous agencies of State government.

It was well pointed out in a recent article in the Harrisburg Telegraph that Republicans and Democrats take two distinct attitudes on the question of relief policies and expenditures. As an administrative problem, Republicans look at it primarily from the standpoint of the taxpayer; Democrats, primarily from the standpoint of the welfare worker—at least, in its theoretical aspect. From the Democratic point of view, the S. E. R. A. is an industry which provides regular employment for 7500 persons who may be described as professional social workers. Their salaries represent the bulk of S. E. R. A.'s monthly administration expenses and total the better part of a million dollars. In addition to this impressive force—the size of an army brigade on a war-time footing—thousands more

are employed to supervise and direct the distribution of work relief through W. P. A. The salaries and administrative expenses in that set-up are generally higher than in the S. E. R. A. but definite figures have not been available because of the persistent secrecy maintained in the State and district offices of the W. P. A. However, the combined S. E. R. A. and W. P. A. personnel at the present time cannot be far from 14,500 which was the peak reached by S. E. R. A. in July, 1935, when that organization was handling both direct and work relief. It is hardly likely that Democratic leaders are unanimously sympathetic with the social welfare argument incorporated in State Emergency Relief plans, but it may be fairly presumed that they are attracted by the possibilities inherent in the system; and since there are plenty of deserving Democrats who can qualify for the enormous number of jobs available, they are not unwilling to support the present system—grossly expensive though it is.

The plain truth forces the statement that this system of relief distribution has become a hopeless racket, and as long as the State remains in the business of determining who is to have relief in every community, it will continue to be a racket. In the very nature of things it cannot be otherwise. It was a racket under Governor Pinchot who established the system. Democrats can't be blamed for that, because when it happened Democrats were as scarce in the Legislature as Republicans are now in W. P. A. It is a racket under Governor Earle. It will continue to be a racket under any Governor who may be elected in the future, no matter who he is or to what party he belongs. The reason is that application of relief is vested in a hired class whose livelihood depends upon perpetuating the very condition which their activities are supposed to remove. Paid social workers are assigned a certain number of cases to investigate and report. The more they can find, the longer they will hold their jobs. The faster the number of cases diminishes, the fewer Social workers will be required. Naturally, it is to their interest to see that the number does not diminish. This is what makes State relief a racket.

But that is not the worst of it. The longer the dole is maintained, the weaker, becomes resistance to the relief appeal. The people who most need relief are the ones who are most reluctant to ask for it. When at last they are driven to that extreme, they become reconciled to the situation, then calloused, and finally complaisant and satisfied. This insidious conquest of initiative in the human spirit recalls Pope's psychology of vice:

> "—a monster of so frightful mien,
> As to be hated needs but to be seen;
> But seen too oft, familiar with her face,
> We first endure, then pity, then embrace."

This system is killing morale. Our people do not want relief, they want work. A man came to me with tears in his eyes to tell me that he had at last gone on relief. He had waited until his mortgage was foreclosed, his insurance forfeited, and he hadn't a dollar left, before he applied for relief; and even then felt that his self-respect had been crucified. He needn't have felt that way about it. He had done the best he could, had done all he could. I regard relief in that man's case not as a symbol of defeat, but as a crown of victory because he refused to surrender to inescapable necessity until his last round of ammunition was exhausted. But when a cook in a hospital receiving $15 a week quits to take sewing lessons for which she receives $17 a week—and will never learn to sew anyhow—relief ceases to be the help that helps and becomes the help that hinders. It hinders the thrifty man in his thrift by coddling and encouraging the shiftless man in his evasion of self-support.

The Republican party is ready to go the limit to save and assist the deserving victims of misfortune, but it cannot ignore the rights and just claims of the taxpayer who must foot the bill. The present system commits the State to continually increasing cost which must inevitably result in rapidly mounting levies.

The Democratic Philadelphia Record accuses the Republican controlled Senate of playing politics with relief, and the Republican Philadelphia Inquirer accuses the Democratic controlled House of doing the same thing. The Democrats charge a political motive in the Owlett investigation of W. P. A. The Republicans counter that if W. P. A. had nothing to conceal, it wouldn't be afraid to disclose the facts which the Committee wishes to ascertain.

Either there is or there is not waste, exploitation, political jobbery and incompetence in the administration of W. P. A. If there is, the public, since it is paying the bill, is entitled to know. If there is not, the Democratic party will profit by Republican failure to uncover anything seriously wrong, and the Republicans will lose prestige by starting something they can't finish. Irrespective of the legal question involved in the restraining order issued by Federal Judge Johnson last Wednesday, the evident determination of the Democratic leaders to keep the lid clamped down tight on W. P. A. in Pennsylvania lends a high degree of probability to the belief now generally held, that the Democratic leaders fear that Republican charges of gross abuse in W. P. A. administration will be more than confirmed, if the facts are divulged. But even at that, it is always a mistake to try to hide anything that is wrong. In the first place, it can't be done. It is much better to clean house, especially when all the neighbors know that the house is filthy. The way to do that is to sweep the dirt out of the door and not into a corner; or, better yet, use a vacuum. If the house is infected, certainly the worst move that can be made is to lock the door against the Board of Health.

If Miss Frances Perkins, Secretary of Labor, had granted the simple request to release certain records of the Federal-State Employment Office in Pennsylvania, which it was entirely within her province to do, the charge of concealing damaging evidence would not now be added to the already crushing indictment by the grand jury of public opinion.

The question of W. P. A.'s exact place and use in the scheme of things, as conceived and executed at Washington and Harrisburg, has a direct bearing on the problem of finance which is now staring this Legislature in the face. What W. P. A. cannot or will not take care of, Pennsylvania must. We have a right to know whether or not the money contributed by the Federal Government to this State out of the ten per cent. this State contributes to the Federal Government and appropriated by this State for relief, is being applied exclusively to that purpose; whether or not W. P. A. is providing work for those who need work to relieve our own taxpayers from the increasing weight of an ever mounting dole, or providing soft berths, and easy jobs at inflated salaries, for the politically inclined sons of rest, at Pennsylvania's expense.

There is in my judgment, and in that of many of my Republican colleagues, only one avenue to salvation from total ruin, and that is to place partial financial responsibility for relief, and, to vest entire administration of relief, in the counties. This will shock the pocketbook nerve of the taxpayer into protest to the cortical center, and will insure economical methods through intimate knowledge of local needs.

The President of the United States has said: "The Federal Government is the only governmental agency with sufficient power and credit to meet this situation. We have assumed this task and we shall not shrink from it in the future."

This definite and explicit commitment was embodied in a contract of partnership between the Federal Government, represented by Mr. Harry Hopkins, and the Commonwealth of Pennsylvania. It was understood and agreed that if tax bills, earmarked for relief, should be enacted into law producing $60,000,000 during the fiscal year ending May 31, 1936, Mr. Hopkins would deliver to Pennsylvania whatever sum above $60,000,000 would be required to meet Pennsylvania's relief needs. At the time this agreement was made, the relief needs of Pennsylvania averaged between $15,000,000 and $20,000,000 per month. Had the average relief load for the fiscal year ending May 31, 1936, been $15,000,000 per month, or a total of $180,000,000 for the year, Pennsylvania would contribute $60,000,000 and the balance of $120,000,000 would be payable by Washington. Had $120,000,000 been the total relief load for the year, Pennsylvania would contribute $60,000,000 and the same sum would be payable by Washington. If, on the other hand, the definite promise of President Roosevelt had been fulfilled, that every employable would be off direct relief and either in private employment or on W. P. A. before 1936, it is quite possible that the $60,000,000 which Pennsylvania agreed to raise through new taxation would have been sufficient to cover Pennsylvania's relief needs for the biennium ending May 31, 1937.

It was in reliance upon this agreement that I voted for many of the tax bills which were enacted into law at that time. It was confidently expected that the Administration at Washington would carry out the agreement made by Mr. Hopkins.

According to figures secured from the State Treasury, the total amount of Federal grants from June 1, 1935, to date is $74,580,535.24. The total amount expended for direct relief in Pennsylvania for the eleven months beginning June 1, 1935, and ending April 30, 1936, is $141,844,319.81. To this must be added the estimated expenditure of $8,000,000 for the month of May in the present year. The account then stands as follows:

Total expenditures for relief for the fiscal year beginning June 1, 1935 and ending May 31, 1936	$149,844,319.81
Pennsylvania's obligation for relief as fixed by the agreement of April, 1935,	60,000,000.00
Amount paid to Pennsylvania to date ..	74,580,535.24
Balance owed by Mr. Hopkins to Pennsylvania	15,263,784.57
	$149,844,319.81

When Governor Earle addressed the General Assembly on May 4th last, asking for an additional appropriation of approximately $80,000,000 to carry on relief to January 31, 1937, he said that his administration "will gladly present any facts and figures you may desire to justify this estimate."

What the Senate desires is to be informed why Mr. Harry Hopkins has not kept his agreement, and how soon the Commonwealth of Pennsylvania may expect a check from Mr. Harry Hopkins for fifteen million dollars.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Fayette will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, Article III, Section 33, provides as follows: "A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the House of which he is a member, and shall not vote thereon."

Another section of the Constitution provides that all revenue measures or bills shall originate in the House of Representatives.

This Special Session of the General Assembly was called mainly for the purpose of raising revenue to take care of the unemployed of this Commonwealth. The lower House has passed, and sent to the Senate, quite a large assortment of revenue-raising bills. All of these bills, excepting the one placing a 10% tax on liquor sold at State Liquor Stores, are awaiting the caprice of the Committee on Finance before the members of this Senate are permitted to vote for or against them.

The Committee on Finance, true to its past record, is entering upon a series of public hearings, to find its usual excuse to kill the revenue bills that do not meet with the approval of individuals who have a personal or private interest in the defeat of such bills.

Let us take, for an example, the bill placing a tax on the chain stores. At the last general session a similar bill was sent to this Senate by the lower House. It was, in regular course, referred to the same Committee on Finance. There it underwent the ordeal of a public hearing staged for the benefit of certain interested individuals. At this Special Session the same bill is referred to the same Committee on Finance, and the same interested individuals have, as usual, won the graces of the same chairman of the Committee on Finance, and are again permitted to conduct a public hearing to advance the same biased arguments.

It is time that we call a spade a spade. It is time that the members of this Senate show their good faith to the people of this Commonwealth. It is time that we demonstrate our integrity and honesty to the people we represent. It is time that the members of this Senate spread on the Journal of the Senate their intentions to abide by the Constitution of this Commonwealth and the lawful rules and procedures of this Senate. To this end, I ask unanimous consent to offer a resolution.

The PRESIDENT. Is there objection? The Chair hears none.

RESOLUTION REQUIRING MEMBERS OF THE SENATE TO CERTIFY THEIR ANSWERS TO CERTAIN INTERROGATORIES

Mr. Cavalcante offered the following resolution, which was twice read:

Whereas, numerous measures or bills forwarded by the House of Representatives are now before this Senate or in the hands of its committees for consideration, and

Whereas, many of said measures or bills deal with revenue and other matters directly affecting Public Utilities and other corporations of this Commonwealth, and

Whereas, reports are current throughout this Commonwealth that the final passage of some of said measures or Bills will be defeated or unnecessarily delayed by this Senate or its committees by reason of influence exerted to that end by individuals having a personal or private interest in said measures or Bills, and

Whereas, Article III, Section 33, of the Constitution of this Commonwealth provides as follows:

"A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the House of which he is a member, and shall not vote thereon." and,

Whereas, it is the sworn duty of the members of this Senate to abide by the Constitution of this Commonwealth,

Now, therefore be it resolved, that each member of this Senate deliver to the clerk of the Senate, on or before Wednesday, June 10, 1936, a certificate, to be spread upon the journal of this Senate, answering truthfully the following interrogatories:

1. Are you an officer, an employee or the solicitor or attorney of a Public Utilities or corporation that will be directly affected by any measure or bill proposed or pending before this Senate?
2. Do you derive a salary, fee or wage of any kind from income of a Public Utilities or corporation that will be directly affected by any measure or bill proposed or pending before this Senate, excepting earnings derived from your ownership of stocks or bonds of said Utilities or corporation?

Mr. CAVALCANTE. Mr. President, before moving for the immediate adoption of the resolution just read, I offer to the Clerk of this Senate the following certificate, signed with my own hand:

I do hereby certify that I am not an officer, employe, solicitor or attorney for, nor do I receive a salary fee or wage of any kind from the income of the public utilities or corporations that will be in any way affected by any measure or bill proposed, or pending before this Senate.

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to suspend Rule 39, which requires that resolutions be referred to an appropriate committee, be suspended, and that the Senate do now proceed to immediate consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. BUCKMAN. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

MOTION TO SUSPEND RULE 39

Mr. CAVALCANTE. Mr. President, I move that Rule 39, which requires that resolutions be referred to an appropriate committee, be suspended, and that the Senate do now proceed to the immediate consideration of the resolution just read.

Mr. THOMPSON (Centre). Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and Mr. THOMPSON (Centre) and were as follows, viz:

YEAS—15

Cavalcante,	Law,	Pytko,	Rodgers,
Frey,	McCreesh,	Reed,	Ruth,
Huffman,	McGinnis,	(Washington)	Thompson,
Kahle,	Miller,	Rice,	(Centre)
Lanius,			

NAYS—28

Aron,	Gelder,	Pierson,	Shapiro,
Batchelor,	Graff,	Prince,	Staudenmeier,
Baumer,	Harris,	Reed,	Thompson,
Bean,	Harvey,	(Dauphin)	(Westmoreland)
Buckman,	Homsher,	Rupp,	Trainer,
Chapman,	Howell,	Salus,	Woodward,
Coyne,	Mallery,	Scott,	Ziesenheim,
Ealy,	McClure,		

So the question was determined in the negative.

The PRESIDENT. The resolution is referred to the Committee on State Government.

QUESTION OF PERSONAL PRIVILEGE

Mr. McCLURE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senate from Delaware will state his question of personal privilege.

Mr. McCLURE. Mr. President, the Senator from Fayette, Mr. Cavalcante, in his previous remarks, referred to the manner in which the Committee on Finance has handled the tax bills which have been referred to it, particularly referring to the chain store tax. In connection with this bill he stated in effect, the dilatory methods had been invoked in the Committee, and that the bill had been prohibited in coming before the Senate

At the meeting of the Committee on Finance last week it was brought to the attention of the Committee, by a Democratic member of the Committee, that Judge Von Moschiszker had questioned the constitutionality of this bill. This Democratic member suggested that the Attorney General be asked to appear before the Committee to give the Committee further information.

Before I left Harrisburg last week I endeavored several times to communicate with the Attorney General. I was not able to find him in his office. This evening I again called the Attorney General, and received word from his office that he would call me.

After the Attorney General has been given an opportunity to come before our Committee, if he does care to come, the Committee will promptly act on the chain store tax. Until such decision is made by the Attorney General I think it would be highly improper for the Committee on Finance to take any action.

Mr. CAVALCANTE. Mr. President, I desire to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will be very glad to be interrogated.

Mr. CAVALCANTE. Mr. President, does the Senator from Delaware, Mr. McClure, know that approximately three years ago the Supreme Court of the United States of America declared a similar tax imposed by the State of Indiana, to be constitutional?

Mr. McCLURE. Mr. President, I am aware that the Supreme Court has rendered such a decision; but the Constitution of Pennsylvania also enters into the constitutionality of this bill, and the members of the Committee on Finance are mindful of the fact that we have in our Constitution a uniform tax provision. That is the

point on which Judge Von Moschiszker principally attacked this bill.

Mr. CAVALCANTE. Mr. President, does the gentleman from Delaware, Senator McClure, know that the Constitution of the State of Indiana contains the identical provision that the Constitution of the State of Pennsylvania does?

Mr. McCLURE. Mr. President, I have never read the Constitution of Indiana.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, I had not intended to make any statements tonight, but I always, like everyone else, I am sure, in this Senate, am interested in any statements coming from the Senator from Cumberland. Mr. Prince. I regard his thoughts as very interesting, and I regard him as a man of experience and intellectual ability. I listened to his statement about the obligation of the Federal Government, and I cannot refrain from saying just what I think about that situation. There are some facts and figures in which, I am sure, the members of this Senate are interested in knowing, but there is a problem far more reaching than the subject he has touched upon.

I understand that the government of the United States owes the State of Pennsylvania $15,000,000. I should like to refer the Senator from Cumberland to the report which is before all of us, the printed report, which I will call, for want of a better title, The Goodrich Report. If the Senator from Cumberland will turn to that report he will find that in the year 1935 there were two hundred and fifty-two millions of dollars spent for relief in the State of Pennsylvania. Part of that was spent for direct relief and part for work relief. The major portion of the money for work relief was provided by the Federal Government. If he will examine the report he will find that one hundred and eighty-three millions of dollars was contributed in 1935 by the Federal Government and $56,000,000 by the State of Pennsylvania.

I wonder what claim the State of Pennsylvania has upon the Federal Government, which has dumped into this Commonwealth $183,000.00 as compared to $56,000,000.00 by the State, less than $5,000,000.00 per month. But aside from that, I think the problem is a more serious one and reaches farther back than any of us have been willing to recognize. In the Legislature today there are before us several bills of consideration. Those bills are prepared for the purpose of making the laws of the Commonwealth of Pennsylvania conform to the Federal Government Social Security Act. I don't know how many of us have read the Federal Social Security Act, but I have, and I have made a short summary of it for the purpose of finding out just how far reaching that Act is. It deals with old age benefits and old age assistance, and I should like the attention of the Senate for a few minutes, while I may be long about it, it may help us in solving some of the problems that will come before us.

The old age benefit plan is proposed to take care of those people on what we call our old age pension. They will probably give it a different name on account of constitutionality, but up to 1940 the Federal Government a sum sufficient to help us enlarge our benefits which we give to old age, and from 1940 on, what is known as the Old Age Assistance Act will go into effect. It will raise a fund by means of a levy of three per cent. (3%); it begins with one, one and a half and three, beginning in 1938. From the funds raised by that tax, three per cent. of which will be paid by the employer and three per cent by the employe. There will be paid to all persons who reach the age of sixty-five years a specified amount. In addition to that, the Federal Government proposes to take care of the dependent children. It also proposes to furnish money of children under the heading of crippled children, vocational rehabilitation, public health, and in addition to that the Federal Government proposes to take care of the blind. It proposes to do this by what is known grants in Federal matched funds. The State of Pennsylvania will now be able to take care of all of its old aged by appropriating $1,600,000.00, as the result of which it will require from the Federal Government an amount of $16,000,000.00. I wonder if the members of the Senate realize that the appropriations for the first year by the Federal Government for old age assistance, for dependent children and maternal welfare amounts to $97,000,000.00. I wonder if the Senate also knows that in order for the State of Pennsylvania not to lose at least $18,000,000.00, they must be prepared and approved by the Federal Government before the 19th of June, 1936, laws of the Commonwealth of Pennsylvania in conformity with the rules and the laws laid down by the Social Security Act. I realize tonight that tonight is the 8th of June, and that up until now there has been no Act passed, or submitted to the Governor which can be forwarded to Washington for its approval, and if we continue in the same way, we probably will pass the 20th of June and we certainly will not be able to get our first quarterly allotment, and may possibly lose the allotment for the whole year.

Now, I mention those subjects, because I think that when we consider what the Federal Government is going to do, or trying to do, we may ask ourselves the question, why does the Federal Government finds it is obliged to enter into a program which involves figures beyond the comprehension of a normal human being? I have concluded from what little study I have been able to make, that it is because those who have an obligation other than that imposed by law have neglected that obligation. There was a time when, if someone needed help, his family, or his neighbor, everyone helped, or the public, local charity, gathered together and saw to it that he got the help. The poor house was the place where the man who had no friends nor family was wont to go, and certainly did not want to go, but now it seems that the poor house is now what we call relief, and everybody goes on relief. Why not? Because it is the easiest thing in the world to do. There are of course a great many people who go on relief, who would not do work if you gave it to them, and it is because of those of us who have an obligation to our fellow human beings have faltered and fallen in that obligation. We have not lived up to what really should be considered by all of us—our own obligation. The facts and figures prove that. We have many millions of dollars that are being spent by the State which would otherwise be paid out and spent by those who can do it. In an investigation I made on relief I found that a man who was on relief, what they call white collar workers, when his record was looked up, happened to be a brother of a man,

who had spent on a particular day that he applied for relief, $5,000.00 for a rare stamp. In the community of Philadelphia, we have fathers who are asked to pay for the support of their sons, do not pay, and you go to the municipal courts and you get the munificient sum of $2.00 per week for allowance. It does not take and should not take an Act of Assembly to make us realize our obligation. I made the statement here last week that the Commonwealth of Pennsylvania was out of pocket $20,000.00 a day for every day that the liquor tax was delayed in passing, and some of us suggested that that was a rather foolish argument, because the Commonwealth of Pennsylvania is not entitled to the money which was in the pockets of the people who were to buy it, and I made the answer then, and I repeat it now, that no one has the right to have money in his pocket which he can use for the purchase of liquor, when people around him are starving. There is an obligation on that person to see to it that when he can spend money for a luxury and personal enjoyment, that at least his next door neighbor should have sufficient to keep him and his family in clothing and food, and there is an obligation, whether it is legal or otherwise, that he shall pay that money. I say that we have failed as citizens as individuals, and the corporations as industrialists, to recognize that obligation. I say there is no reason why the Federal Government should pay into the State of Pennsylvania, as it is doing today—and I suggest these figures to the Senator from Cumberland for his benefit so that he can verify them, that the Government is paying today in work relief at least $17,000,000.00 every month, and I think it is carrying out its share of the obligation. I say the corporations have failed to recognize their obligation, because they have not taken up the slack of work, the unemployment situation as it should be. I contend that if those corporations which are making a profit, would add to their payroll and reduce their profit, that there would be no necessity, in a great measure, for the Government to spend all this money.

It might be interesting to you to listen to these figures, on the question of the tax on gasoline. Those people who sell gasoline and those who pay for it say that they are overtaxed, and that they are contributing their share. I suggest the answer that up until last year in the Commonwealth of Pennsylvania any man who paid a license tax for the privilege of operating his automobile, or a gasoline tax on fuel that operated or motivated the car paid one cent to the general welfare of the community, because by virtue of the provisions of the Tax Act which imposed a tax on gasoline, Federal and State, and the Tax Act which imposes a license fee on automobiles, all that money was used for his benefit and pleasure to build roads and highways so that he could travel in comfort, while other people needed money to live. There has not been a dollar of money contributed by the automobilist that went to public welfare as such. You might just as well say, when I build a house and put a fine bathroom in it, that I am contributing to the public welfare because I have a nice home. I refer you to the figures of the gasoline companies who are complaining about taxes, for the purpose of showing, first, that they have no right to complain about the tax, and, secondly, because they have no right to complain about the Federal Government expenditure of money, because they have not done their full duty. I have the reports of four or five companies and I examined them for the years 1930, 1931, '32, '33, '34 and '35, for the purpose of satisfying myself about the criticisms that have been made about the Federal Government. I divided most of the figures into the pre-Roosevelt and the Roosevelt period. Take the Sun Oil Company, for instance: In the year 1930 its profits were $7,745,483.00, in the year 1931, its profits were $3,107,147.00 in the year 1932 its profits were $4,198,-046.00 a total of $15,050,676.00 in the year 1933, the Roosevelt period, the profits of the Sun Oil Company were $6,971,843.00, for the year 1934, the profits were $6,-650,463.00, in the year 1935, the profits were $7,100,000.00, a total of $20,722,306.00, for the Roosevelt period, as against $15,050,676.00 in the pre-Roosevelt period for three years.

The dividends for those years—in the three years pre-Roosevelt period, the total dividends being $12,088,049.00, and in the subsequent three years, Roosevelt years, a dividend of $21,611,006.00.

I ask the question and I also say parenthetically, that while it was alleged that the increase in taxes would decrease the sales or the volume of business, the reports which I have here, and which I will be glad to show to any member of the Senate, show that in this particular case the increase was from $76,000,000.00 to $88,000,000.00 for the year 1935, and the claim was made last year that the moment we place a tax upon the gasoline there would be a decrease in the sales. That argument falls, because not only did the sales increase, but the profits increased from $6,500,000.00 to $7,100,000.00, in spite of the tax.

It may be interesting to know, and you should know this, because the question might be raised whether any of these dividends were paid out of profits. I suggest to you that the figures show that in 1930 the surplus of the Sun Oil Company was $10,000,000.00 and in 1935, if you look at the report, it was $9,500,000.00, and the difference is accounted for, not by distribution of the profits, but by taking care of the capital of the corporation before the depression, which was decreased in 1935, because in addition to these profits there had been six million dollars set aside for depression.

Take the Gulf Refining Company: In the year 1930, which was a good year, the Gulf Refining Company earned $10,649,000.00 in the year 1931, which was a bad year, the Gulf Refining Co. lost $23,000,000.00, and in 1932, it earned $2,000,000.00, in the years 1933 and 1934, the Gulf Refining Company made up all of its losses and ended the period with a profit of $4,784,000.00. To be correct I should not say it made up its losses of $11,386,000.00, it made a net profit of $4,784,000.00 by earning $16,000,000. in 1934 and 1935.

The Gulf Refining Company started in 1930 with a surplus of $210,000,000.00, and by reason of its loss of $23,-000,000.00 in 1931, ended up that year with $172,000,000.00 surplus, but in 1935, by reason of the profits in the Roosevelt period, the Gulf Refining Company ends up with a surplus of $181,000,000.00.

The Atlantic Refining Company, in 1930, earned $2,-742,000.00. In 1931, $1,800,000.00 and in 1932, $3,918,000.00. Those were the pre-Roosevelt years. In the Roosevelt years, 1933, 1934-1935,the profits of the Atlantic Refining Co., according to their report, which I have before me, are $6,556,000.00 for the first year, $5,512,000.00 for the second year, and $3,970,000.00 for the third year, or a total of $16,039,000.00 profit for those three years. The dividends of the Atlantic Refining Co. have always been the same, $2,660,000.00 or $2,680,000.00 or $2,690,000.00. Beginning

its pre-Roosevelt period with $61,000,000.00 and ended with $66,000,000.00 surplus.

The Standard Oil Company, in 1930, earned $56,938,000.00, $20,618,000.00 in 1931, $15,648,000.00 in 1932, a total for the pre-Roosevelt period of $93,000,000.00. Now I ask you to look at these figures: 1933, $38,786,000.00, 1934, $67,800,000.00, 1935, $68,111,000.00, and the surplus of the Standard Oil Company today counting the new investments, as compared to $549,000,000.00 in 1930, was $548,000,000.00 in 1935, paying out dividends averaging around $40,000,000.00 a year.

Members of the Senate, what does that mean? Does that mean that the Federal Government is not doing its part? Or does it mean that the organizations which are making the profits are not willing to give up some of their profits in order that the Federal Government may do the rest?

I suggest to those corporations that the people of Pennsylvania and the people of the United States are contributing to their profits, and they in that measure which they contribute to the welfare of the people, the people will contribute to their increased profit, so that if they will increase the buying power of the people who are to be their customers, the customers will increase their profits by exercising that power, and so long as they attempt, and continue in the attempt, to hoard up large surpluses and earn large profits, without taking their full measure of the obligation which is theirs, whether it be by tax or on the basis of moral responsibility, so long will this condition continue. I suggest that we have got to get busy now to get the Commonwealth of Pennsylvania to make our laws conform to the Federal Act, and we have to begin now to ask our industrialists to pay, beginning the first of January, 1937, one per cent. of the payroll in 1936, two per cent. on the payroll in 1937, and three per cent. on the payroll of 1938, and 1939 and 1940 we are asking the people of Pennsylvania, as well as the corporations to contribute a percentage of their payrolls, beginning with one per cent. and ending on three per cent. —for the purpose of what? for doing that which each industry of itself should have done for the last twenty-five or thirty years, and that is to take care of their own responsibility. The time has come when we can talk frankly. No industry has a right to take away from a man the best years of his life, and after he reaches the age of forty-five or fifty take someone else whose productive powers are greater, and cast him on the dump heap, because then he comes back on the community, where the responsibility does not belong. Some of the industries have old age assistance funds, sick benefits and all of the ramifications of the social plan which are necessary to the conduct of humanitarian fairness of the industry. Most of them have not. Many of those industries have done their full share, but because most of them have not seen it and refused to see it, we are in the position in which we are today. I suggest that we begin to see not only our duty as members of the Legislature, but that we begin to realize that it is the duty of those who are making profits by the use of labor and are refusing to give the labor that which will enable us to continue those profits, we have got to get busy and stop worrying whether W. P. A. a half dozen, or half a hundred or ten thousand people on the payroll which should not belong there. As long as this method of government goes on, with political parties contending, there will be politics in everything, and we cannot stop it, but if we realize that, and realize our duty, we will get down to what is our duty, and that is to place the burden of the condition in which we find ourselves upon the people who are best able to bear it.

QUESTION OF PERSONAL PRIVILEGE

Mr. PRINCE. Mr. President, may I make a parliamentary substitution, of a comment on what the Senator from Philadelphia, Mr. Shapiro, has said, in place of an interrogation of the Senator himself?

The PRESIDENT. The Senator from Cumberland, Mr. Prince, may proceed.

Mr. PRINCE. Mr. President, I merely wish to say that I stressed the fact that the Federal Government had promised to take over the employables—off relief in Pennsylvania, by a certain date. When the Senator said that the Federal Government had "dumped" $263,000,000 into Pennsylvania he employed a very appropriate word, for in the process of dumping it has made it possible for people who have had jobs, to quit them in order to go on relief and get W. P. A. jobs at twice what they were receiving in industry.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED (Washington). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Washington, Mr. Reed, will state his question of personal privilege.

Mr. REED (Washington). Mr. President, on May 4, 1936, this Senate was called into Extraordinary Session to meet an apparent emergency and to consider ways and means for solving the problems involved therein. One of the most important problems laid before us in the Governor's call was Relief. It did not come to us for the first time with this Special Session. On the contrary, it has been a matter of major significance for several years. It has received serious consideration and careful study, and volumes have been written by investigating committees and others to assist those who must pass upon this matter in a public capacity. For weeks we have gathered in this chamber with this serious problem of Relief standing out prominently before us and each week we have looked up at it, shied around it, and then adjourned to our homes. Such indolent conduct on the part of this Senate, opens to inquiry the cause of this delay. Is it due to lack of courage or is it caused by political maneuvering? In either case, rightfully, we should be criticised, and this policy of procrastination, condemned. We must not forget that the whole Commonwealth is vitally interested in the disposition of this important question, and because of its general importance the members of this Senate should approach it with care and promptitude; not as Republicans, not as Democrats, but as American citizens sincerely and solely concerned with the welfare of the State and her people. The two branches of this subject demand attention. No one can deny the existence of many worthy citizens in Pennsylvania who, through no fault of their own, need emergency assistance. It is the duty of this State to provide such unfortunate citizens with adequate and reasonable support. But at the same time it is likewise the duty of this State and this Senate to carefully scrutinize the situation so that the fraudulent

and the unworthy, the demagogue and the agitator, will not be permitted to broaden the policy to let in those stalwart individuals who through industry and economy can ably provide for themselves, thereby leaving to the weak and the infirm, the aged and the helpless, the bounty of the State that is justly due them.

Relief must not be encouraged; individual thrift and ambition, two old American virtues, must be cultivated and preserved.

And, while we think of the recipients of relief, we must not fail to consider the taxpayer who furnishes the money that goes to make up the bounty. We must not drive into bankruptcy and ruin one part of our populace to provide help for another. Our policy must be one of justice and prudence. I see the farmer plowing early in his field in quest of an honest living; I see the artisan hurrying to his work that he may provide sustenance for himself and family; I see the tradesman striving to succeed; I see mines go down; I see factories go up; and then exclaim: "Great is Pennsylvania and her People!" But we must protect and foster this wholesome growth; we must encourage this thrift and honor among our people, and in so doing we must be careful not to levy burdensome and destructive taxes. Our plan must be fair and just; our policy must be equitable and sound. To provide, by proper taxation, a reasonable and adequate amount for relief is our immediate problem. Sufficient money for this purpose must and can be raised. But although five weeks have passed, no plan or policy so far has been advanced in this Extraordinary Session by this Senate. It is time that we act. Our people are uttering words of discontent over our delay; just criticism is spreading throughout the State; and ere long June shall be called upon for a transfer of more funds, and great will be the consternation on that day.

Several weeks ago, I offered in this Senate a resolution for the appointment by the President of this Senate of three Republican Senators and two Democratic Senators to determine the minimum amount needed for relief for the period ending January 31, 1937, and the method for raising the required amount. This resolution was referred to the Judiciary General Committee on May 18, 1936, where it has continued to repose down to the present time. I would like to see this Resolution immediately reported out of Committee. I would like to see the President of this Senate appoint a proper Committee as provided by said Resolution, so that a Relief policy could at once be formulated and submitted to this body. I have faith in the members of this Senate. I have faith in the President of this Senate. I believe that this Senate has vision and character sufficient to lay aside distrust and discord and agree upon a proper program for this emergency. I sincerely hope the chairman of the Judiciary General Committee will at once move towards bringing this Resolution to the floor of this Senate.

QUESTION OF PERSONAL PRIVILEGE

Mr. THOMPSON (Centre). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Centre, Mr. Thompson, will state his question of personal privilege.

Mr. THOMPSON (Centre). Mr. President, when the learned Senator from Cumberland County, Mr. Prince, a little while ago took his text from one of the poets of the restored Stuart monarchy of the seventeenth century I could not help but feel that the selection of his text was characteristic, at least in some respect, of the background of the approach of the other side of this House to the problems which we have had before us in this Special Session, and have not dealt with to any extent, practically, whatsoever.

I think it would be better for all of us, on both sides of this House, to take the good, up to date, Twentieth Century American text, and let our text be, on all of these problems, to go to work. I was ashamed of myself when I looked at this Senate calendar tonight. We saw bills on our calendar last week,—and what happened to them? Just the same thing that happens to any piece of legislation that appears on our calendars. Back in Committee! Back in Committee! That is where all of this legislation goes.

As the Senator from Philadelphia, Mr. Shapiro, has reminded us, we are coming right to the narrow edge of the passage of this social security legislation. The State of Pennsylvania will lose millions of dollars if we do not begin acting this week and do not act next week. And what do we do? Try to delay for political conventions!

We all heard it propounded last week, on the floor of this Senate that we adjourn for the political conventions; and that, Mr. President, did not come from the Democratic side of the House. If we would have adjourned this Senate last week for the political conventions, it would have meant the death of social security legislation in Pennsylvania.

The Senator from Cumberland, Mr. Prince, says that the Republican Party is willing to go the limit on all of these problems for the protection of the unfortunate of this State. I ask you, Mr. President, why doesn't the Republican Party go somewhere on this problem,—anywhere, as a matter of fact? But we sit here for a month and a half and the Republican Party has not gone anywhere. Is this lack of courage? Is this a lack of ability to face these problems and to dispose of them frankly and fairly, and in a manner which is answerable to the public of Pennsylvania? I say, let us go somewhere in this Senate, even if we do make a mistake; let us do something, and not sit here interminably with a calendar of two or three bills on it, and probably send those bills back to committee before we adjourn within twenty-four hours after we convene.

The Senator from Cumberland, Mr. Prince, has inferred that there is waste and jobbery and incompetence in the Works Progress Administration. Perhaps there is. Perhaps he could recite it from Cumberland County. We haven't heard it. Nevertheless, the Works Progress Administration, and the work that it is doing, stands, Mr. President, as I have said before, as the only positive and progressive endeavor in the history of the United States to put the greater part of our population to work, or a large portion of our population to work; and I say to you, Mr. President, that the Republican Party is jealous because the first positive endeavor to find employment for the people of this country emanates under the Democratic Administration.

The Senator from Cumberland County said that you cannot hide anything wrong. If that is the case, then we have before the public today all of the wrongs in the Works Progress Administration; and we all know, Mr. President, that the condemnation that the Works Progress Administration has received, and is receiving, but which, of course, now is postponed for a few days during the

Republican National Convention, is not public condemnation but has been and still is, and always will be, purely political condemnation.

I wonder if the good Senators on the other side of the House realize that the supervisory staff of the Works Progress Administration, in all its projects, come from the recommendation of local municipal bodies. The Works Progress Administration takes the recommendation of the Boards of Supervisors of the cities, or the borough councils or the school directors of the municipalities which are the sponsors of these projects, and if they are the subjects to be condemned, the Senator from Cumberland County can present us from his own community, whether those municipalities are in the hands of the Republicans or Democrats, the condemnation of his local authorities such as they merit.

It rather amuses me to hear the Senator from Cumberland County call the Republican Party in Pennsylvania a Board of Health. I have heard it called a good many things, but that is the first time I ever heard the Republican Party called a Board of Health.

Mr. President, there is a great collateral problem connected with this work problem, and connected with this relief problem, and that is the business stimulus that the distribution of these funds gives every week. For instance, take the chain stores, we are so bitterly opposing an effort made to have them contribute their fair share of this relief burden. The very people who, in this State, get 70% of the money spent each week for relief, goes right into the coffers of these chain stores. What would happen to them if we stopped these relief payments, if we stopped these W. P. A. payments? Yet those are the very people who are doing this fancy kicking on the floor of this Legislature—the people who benefit by these payments. And yet we quibble around over taxing people of that kind, and I want to repeat, Mr. President, at this date, although I spoke of it two weeks ago, that there is still no activity on the part of the committee that was appointed last year to investigate into the rumor that the chain stores are spending money to defeat this tax.

Let us just look for a minute, Mr. President, on the consequences of the proposition propounded by the Senator from Cumberland County. He says, "Turn this relief back to local poor districts;! turn the payment of relief back to local poor districts." We saw here a week or ten days ago, at a meeting of the poor directors, what the poor directors themselves thought of that. They petitioned unanimously, in their convention,—petitioned the Legislature to prevent the returning of relief back to these poor districts. They do not want it. They know they cannot handle it.

But what is the other problem there, Mr. President? What does that mean? It means, let us go back to the good old Republican principle of throwing the burden of all taxation back on the real estate of the Commonwealth. Any of us who are in the least familiar with the municipal operations of our home districts know that practically all our poor districts are levying against the real estate of those communities right up to their limit. And what would the Senator from Cumberland County have us do?—add more tax on the real estate, throw more burden back on our local communities, increase this tax on real estate? We cannot do it, Mr. President. If we have to tax utilities, we must tax utilities. If we have to tax oil companies, we must tax oil companies. If we have to tax chain stores, we have got to tax chain stores. But we cannot and must not do anything in this Senate to add more tax to the already overburdened Commonwealth of Pennsylvania.

In closing, Mr. President, let me just say again let us get away from these Eighteenth Century and Seventeenth Century mottoes of the Stuart monarchy, and let us come to the good old American principle for the Senate as well as everything else, and let us go to work.

REPORT FROM COMMITTEE

Mr. COYNE, from the Committee on Executive Nominations, reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1936.

To tht Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation,

JEFFERSON COUNTY

Harry H. Nolph, Brookville.

PHILADELPHIA COUNTY

Mrs. Salina C. W. Kerton, 6330 N. Broad St.

WESTMORELAND COUNTY

Cecil R. Montgomery, Greensburg.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. RICE.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensd with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations:

Which was agreed to.

Whereupon,

A motion was made by Mr. RICE,

That the Senate do advise and consent to the nominations reported.

On the question.

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,	Harris,	Miller,	Salus,
Batchelor,	Harvey,	Pierson,	Scott,
Baumer,	Homsher,	Prince,	Shapiro,
Bean,	Howell,	Pytko,	Staudenmeier,
Buckman,	Huffman,	Reed, (Dauphin)	Thompson, (Centre)
Cavalcante,	Kahle,	Reed, (Washington)	Thompson, (Westmoreland)
Chapman,	Lanius,	Rice,	Trainer,
Coyne,	Law,	Rodgers,	Woodward,
Ealy,	Mallery,	Rupp,	Ziesenheim,
Frey,	McClure,	Ruth,	
Gelder,	McCreesh,		
Graff,	McGinnis,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. RICE. Mr. President, I move that the Executive Session do now rise.

Mr. FREY. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 17

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agree to:

In the House of Representatives, June 8, 1936.

Resolved (if the Senate concur); That House Bill No. 17. Printer's No. 90, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such monies may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

be recalled from the Governor for the purpose of amendment.

Ordered. That the Clerk inform the House of Representatives accordingly.

He also presented for concurrence bill of the House of Representatives as follows:

HOUSE BILL No. 83, (Senate Bill No. 63), entitled:

An Act relating to the keeping of animals and birds, wild by nature, in captivity upon any street or highway, or upon land adjoining any street or highway, or in the vicinity of any commercial establishment for the evident purpose of attracting trade; preventing cruel, improper and inhuman treatment of such animals and birds, and protecting the public from injuries thereby; providing for the granting of permits for roadside menageries, as herein defined; conferring powers and imposing duties on the Board of Game Commissioners; and prescribing penalties.

Which was committed to the Committee on Game and Fisheries.

BILL INTRODUCED

Mr. ARON read in his place and presented to the Chair Senate Bill No. 67 entitled:

An act to provide for the public sale by cities of the first class of negotiable tax anticipation certificates representing registered delinquent taxes; and authorizing the appropriaion for current or other purposes funds realized or estimated to be collectible from the sale thereof.

Which was committed to the Committee on Municipal Government.

TIME OF NEXT MEETING

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, June 8, 1936.

Resolved (if the House of Representatives concur) when the Senate adjourns this week it reconvene on Monday evening, June fifteenth, at 9:00 o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening, June fifteenth at 9:00 o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION CONDEMNING THE ORGANIZATION OF THE BLACK LEGION IN PENNSYLVANIA.

Mr. HARRIS offered the following resolution, which was twice read:

In the Senate, June 8, 1936.

Whereas, The people of this country shocked by the revelations from the State of Michigan of the formation of an organization known as the Black Legion, whose principles and purposes are un-American, un-Christian and unholy; whose members have committed crimes of kidnapping, and wanton, coldblooded murder; whose members have terrorized decent, law-abiding citizens, interfered with private business, incited strife between employers and employees, and have engaged men to spy on decent American workmen; and

Whereas, Every decent, law-respecting citizen and every fraternal organization believing in law and order, the sanctity of the home and the protection of the American flag and the principles for which it stands, condemn the Black Legion, its members, and the purposes and principles for which it was formed; and

Whereas, The members of this unlawful organization, prompted by motives of intolerance, greed, avarice and material gain, have flagrantly violated the laws of their state and their nation; and have boasted of their six million membership, indicating that they have established their vicious circle in many states; therefore, be it

Resolved, That the members of the Senate of Pennsylvania request and strongly urge that the sheriff of every county, police forces, and other groups charged with upholding the laws of this state and nation bend every effort toward ferreting out and punishing any man or set of men who have assisted in organizing this unprincipled and un-American organization, or any other organization of a similar kind; and that every effort be directed toward preventing the organization of the Black Legion in our own State of Pennsylvania, and that these agencies join in working for a common cause, namely, to aid and assist in driving out of Pennsylvania any person or group of persons who may be the forerunners of this unlawful group, and that the evidence gathered in these investigations shall be turned over to the district attorney of the county in which such evidence is discovered, and that the district attorney immediately begin prosecutions for any violations of our State laws; and be it further

Resolved, That every Member of the Senate of Pennsylvania pledge his untiring efforts toward driving out of Pennsylvania any dangerous persons who are seeking to promote intolerance, strife and unrest so that our State may truly be a place in which decent American citizens may live in peace, conduct a business without interference, and raise their children in accordance with the ideals of the founders of this great nation.

Mr. HARRIS. Mr. President, I ask unanimous consent that Rule 39 which requires that resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the Resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question.

Will the Senate agree to the Resolution?

It was agreed to.

RESOLUTION GRANTING USE OF THE SENATE CHAMBER FOR PUBLIC HEARINGS

Mr. ARON offered the following resolution, which was twice read, considered and agreed to:

In the Senate, June 8, 1936.

Resolved, That the Senate of Pennsylvania grant per-

mission to the Finance Committee for the use of the Senate Chamber for public hearings on House Bills Numbers 109 and 41 on Tuesday evening, June ninth, at 8:00 o'clock Eastern Standard Time, and be it

Resolved, That the Senate of Pennsylvania grant permission to the Finance Committee for the use of the Senate Chamber for public hearings on House Bill 36 on Tuesday afternoon, June sixteenth at 2:00 o'clock Eastern Standard Time, and be it further

Resolved, That the Senate of Pennsylvania grant permission to the Finance Committee for the use of the Senate Chamber for public hearings on House Bills 26, 27 and 28 on Tuesday evening, June sixteenth at 8:00 o'clock Eastern Standard Time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 17, entitled:

An Act to amend sections seven and eight of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, register of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation;" by changing certain penalties imposed by said act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,	Harris,	Miller,	Salus,
Batchelor,	Harvey,	Pierson,	Scott,
Baumer,	Homsher,	Prince,	Shapiro,
Bean,	Howell,	Pytko,	Staudenmeier,
Buckman,	Huffman,	Reed, (Dauphin)	Thompson, (Centre)
Cavalcante,	Kahle,	Reed, (Washington)	Thompson. (Westmoreland)
Chapman,	Lanius,	Rice,	Trainer,
Coyne,	Law,	Rodgers,	Woodward,
Daly,	Mallery,	Rupp,	Ziesenheim,
Frey,	McClure,	Ruth,	
Gelder,	McCreesh,		
Graff.	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. REED (Dauphin). Mr. President, I ask unanimous consent the Senate Bill No. 39 (House Bill No. 49)

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 42 (House Bill No. 56), entitled:

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from slate quarries and anthracite and bituminous coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred and thirty-six

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, I answered the Governor's telegram asking me to vote for his deficiency appropriations so that the anthracite mines could be pumped free of the flood waters, and I agreed to vote for that deficiency appropriation; but I did not agree to spend public moneys to pump out slate quarries, which I understand is included in this bill. As I understand it, the water in slate quarries is rain water, and to pump that out would violate the spirit of this resolution. I am therefore obliged to vote "No" on this bill.

Mr. HARRIS. Mr. President, on Senate Bill No. 42, House Bill No. 56, I had rather the same objections, in the committee, that Senator Woodward has now; but I was informed by the Secretary of Mines it would only take six or seven days to pump out all the slate quarries in Pennsylvania, and that the equipment is already there so that the expenditure for the slate quarries would amount to only a very few dollars.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Aron,	Harvey,	McGinnis,	Salus,
Baumer,	Homsher,	Miller,	Scott,
Bean,	Howell,	Pierson,	Shapiro,
Buckman,	Huffman,	Pytko,	Staudenmeier,
Cavalcante,	Kahle,	Reed, (Washington)	Thompson, (Centre)
Chapman,	Lanius,	Rice,	Thompson, (Westmoreland)
Coyne,	Law,	Rodgers,	Trainer,
Frey,	Mallery,	Rupp,	
Gelder,	McClure,	Ruth,	
Harris,	McCreesh,		

NAYS—6

Batchelor,	Graff	Reed, (Dauphin)	Woodward,
	Prince,		Ziesenheim,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 29 (House Bill No. 22), entitled:

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board

The first, second and third sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words terms and phrases used in this act are for the purposes hereof defined as follows

"Liquor" Any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic and all drinks or drinkable liquids preparations or mixtures intended for beverage purposes which contain more than one-half of one per centum of alcohol by volume except alcohol and malt or brewed beverages

"Department" The Department of Revenue of this Commonwealth

"Board" The Pennsylvania Liquor Control Board of this Commonwealth

"Fiscal Month" The monthly period established from time to time by the Pennsylvania Liquor Control Board for the purpose of conducting its business

Section 2 Until the first day of June one thousand nine hundred thirty-seven an emergency State tax is hereby imposed and assessed at the rate of ten per centum of the net price of all liquors sold by the board The tax herein imposed shall be collected by the board from the purchasers of the liquor from the board All taxes collected by the board under the provisions of this act shall be paid into the State Treasury through the department in the manner and within the times herein specified and shall be credited to the General Fund

Section 3 It shall be the duty of the board to transmit to the department on or before the fifteenth day of each calendar month a statement of its receipts from sales of liquor and taxes collected during the preceding month and such other information as may be necessary to effectuate the provisions of this act at which time it shall also be the duty of the board to pay to the department the tax imposed upon such liquor by the provisions of this act

The fourth section of the bill was read as follows:

Section 4 This act shall become effective at the expiration of ten days after its final enactment

On the question,

Will the Senate agree to the section?

Mr. HOWELL. Mr. President, I move to amend section 4, page 2, line 27 by striking out after the word "effective" the words "at the ex-" and inserting in lieu thereof the following, "immediately upon"; Amend section 4, page 2, line 28 by striking out the words "piration of ten days after"

Mr. ARON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

ADAMS COUNTY

Miss Mildred A. Widder, Gettysburg, June 27, 1936.

ALLEGHENY COUNTY

Anthony A. Barrante, Pittsburgh, June 27, 1936.
Miss Sylvia L. Breman, Pittsburgh, June 27, 1936.
E. C. Buerkle, Pittsburgh, June 27, 1936.
Miss Marcella Marie Deverson, Pittsburgh, June 27, 1936.
John C. Dunay, Pittsburgh, June 27, 1936.
Miss Edna P. Fisher, McKees Rocks, June 27, 1936.
Elmer H. Fuehr, Pittsburgh, June 27, 1936.
William B. Henninger, Pittsburgh, June 27, 1936.
J. W. Holland, Carnegie, June 27, 1936.
Charles J. Hruby, Pittsburgh, June 27, 1936.
P. J. Hyland, Pittsburgh, June 27, 1936.
Robert E. Langdon, Pittsburgh, June 27, 1936.
Miss Jeanne Levinson, Pittsburgh, June 27, 1936.
R. A. McDonald, Pittsburgh, June 27, 1936.
E. S. McPherson, Pittsburgh, June 27, 1936.
Walter J. Mesing, Brentwood, June 27, 1936.
C. L. Richey, Coraopolis, June 27, 1936.
Elmer R. Schuetz, Sharpsburg, June 27, 1936.
Miss Margaret M. Vensel, Pittsburgh, June 27, 1936.
Miss Margaret Weigand, Pittsburgh, June 27, 1936.
Edgar Wright, Pittsburgh, June 27, 1936.

BEAVER COUNTY

Miss Josephine Lutz, Beaver Falls, June 27, 1936.

BERKS COUNTY

Mrs. Esther W. Fisher, Reading, June 27, 1936.
Lester L. Sands, Reading, June 27, 1936.
Miss Ruth D. Wiest, Reading, June 27, 1936.

BLAIR COUNTY

Martin Goodman, Altoona, June 27, 1936.

BRADFORD COUNTY

Miss Mary A. Bustin, Towanda, June 27, 1936.

BUTLER COUNTY

William O. Cruciger, East Butler, June 27, 1936.

CAMBRIA COUNTY

Mrs. Ruth MacDonald, Ferndale, June 27, 1936.

CLINTON COUNTY

Wilson P. Poorman, Lock Haven, June 27, 1936.

COLUMBIA COUNTY

Mrs. Phyllis Miller, Bloomsburg, June 27, 1936.
Hervey B. Smith, Blomsburg, June 27, 1936.

CRAWFORD COUNTY

Mrs. Alberta Winans Fish, Spartansburg, June 27, 1936.

CUMBERLAND COUNTY

Miss Edna Adams, Carlisle, June 27, 1936.

DAUPHIN COUNTY

Miss Florence Fegley, Lykens, June 27, 1936.
Charles B. Fishel, Harrisburg, June 27, 1936.

DELAWARE COUNTY

Miss Kate A. Beadle, Norwood, June 27, 1936.
Robert L. Headley, Wayne, June 27, 1936.
J. Guy McCormick, Upper Darby, June 27, 1936.
Charles B. Miller, Darby, June 27, 1936.
William J. Vogt, Drexel Hill, June 27, 1936.
Mrs. Margaret D. Wolfe, Eddystone, June 27, 1936.

ERIE COUNTY

Alfred L. Lechner, Erie, June 27, 1936.

FAYETTE COUNTY

Miss Virginia Marshall, Uniontown, June 27, 1936.
John C. Reisinger, Uniontown, June 27, 1936.

FOREST COUNTY

W. J. Phillips, Endeavor, June 27, 1936.

HUNTINGDON COUNTY

Ralph H. Galbraith, Huntingdon, June 27, 1936.

INDIANA COUNTY

Roy E. Penfield, Indiana, June 27, 1936.

LEHIGH COUNTY

Oscar T. Iobst, Emaus, June 27, 1936.

LUZERNE COUNTY

Thomas F. Jacob, Wilkes-Barre, June 27, 1936.
Miss Helen Murray, Wilkes-Barre, June 27, 1936.
Paul J. Schmidt, Wilkes-Barre, June 27, 1936.

MERCER COUNTY

Roy E. Perrine, Greenville, June 27, 1936.

MONTGOMERY COUNTY

Fred A. Clayton, Lansdale, June 27, 1936.
Miss Betty M. Dean, Glenside, June 27, 1936.
Mrs. Florence K. Insley, Norristown, June 27, 1936.
John M. Koser, Ardmore, June 27, 1936.
Francis W. Wack, Schwenksville, June 27, 1936.

MONROE COUNTY

Clarence W. Rubow, East Stroudsburg, June 27, 1936.

NORTHAMPTON COUNTY

Wilbert C. Best, Bethlehem, June 27, 1936.
Ralph Burwell, Easton, June 27, 1936.
Clinton S. Lerch, Easton, June 27, 1936.
Miss Margaret Owen, Easton, June 27, 1936.

NORTHUMBERLAND COUNTY

M. R. Crissinger, Rebuck, June 27, 1936.
T. B. Martin, Shamokin, June 27, 1936.
Miss Florine M. Rhoades, Shamokin, June 27, 1936.

PHILADELPHIA COUNTY

Charles Adams, Philadelphia, June 27, 1936.
Francis W. Ashmore, Philadelphia, June 27, 1936.
Harry Campbell, Philadelphia, June 27, 1936.
Linford B. Cassel, Jr., Philadelphia, June 27, 1936.
Kenneth S. Clark, Philadelphia, June 27, 1936.
Louis Feldman, Philadelphia, June 27, 1936.
John P. Fletcher, Philadelphia, June 27, 1936.
Miss V. E. Fritz, Philadelphia, June 27, 1936.
Robert W. Grisson, Philadelphia, June 27, 1936.
John W. Hartman, Philadelphia, June 27, 1936.
Frank P. Hespell, Philadelphia, June 27, 1936.
J. R. Hindle, Philadelphia, June 27, 1936.
Miss Lillian M. Ingraham, Philadelphia, June 27, 1936.
Miss Nellie S. Leeds, Philadelphia, June 27, 1936.
John J. Methews, Philadelphia, June 27, 1936.
Miss Dorothy C. Mellon, Philadelphia, June 27, 1936.
Bernard Polen, Philadelphia, June 27, 1936.
Mrs. Louise A. Porreca, Philadelphia, June 27, 1936.
Robert B. Reed, Philadelphia, June 27, 1936.
Miss Florence Salmore, Philadelphia, June 27, 1936.
C. P. Smith, Philadelphia, June 27, 1936.
Wm. J. White, Philadelphia, June 27, 1936.
Robert M. Wilson, Philadelphia, June 27, 1936.
Charles H. Woolsey, Philadelphia, June 27, 1936.

SCHUYLKILL COUNTY

Glenn Garvey, Jr., Mahanoy City, June 27, 1936.
Russell J. Moyer, Orwigsburg, June 27, 1936.

TIOGA COUNTY

John I. Christ, Wellsboro, June 27, 1936.

VENANGO COUNTY

Walter D. Frederick, Oil City, June 27, 1936.

WASHINGTON COUNTY

Harry J. Bloyer, Centerville, June 27, 1936.
Antonio Maiello, Washington, June 27, 1936.
F. G. Peterson, Donora, June 27, 1936.
Mrs. Irene G. Steed, Washington, June 27, 1936.

YORK COUNTY

Norman E. Weigard, Dillsburg, June 27, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, June 8, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

BUTLER COUNTY

Leo A. Bloom, Butler, June 27, 1936.

CLEARFIELD COUNTY

Mrs. Thelma B. Cramer, Clearfield, June 27, 1936.

DELAWARE COUNTY

T. P. Davis, Chester, June 27, 1936.

ERIE COUNTY

Orrin M. Hillburg, Corry, June 27, 1936.

LEHIGH COUNTY

Miss Geraldine E. Henninger, Allentown, June 27, 1936.

LUZERNE COUNTY

Miss Winifred L. Curley, Wilkes-Barre, June 27, 1936.

PHILADELPHIA COUNTY

Wm. J. Nellis, Philadelphia, June 27, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, June 8, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. M. C. Anderson, Pitcairn.

BLAIR COUNTY

James Lewis Hatch, Altoona.

COLUMBIA COUNTY

Miss Ceola M. Kishbaugh, Berwick.

DAUPHIN COUNTY

E. S. Nailor, Harrisburg.

ERIE COUNTY

Miss Mary Sheridan, Erie.

LACKAWANNA COUNTY

Miss Ruth Harrity, Scranton.

MERCER COUNTY

S. T. Niece, Grove City.

PHILADELPHIA COUNTY

Albert O. Peterson, 817 Arch St., Philadelphia.

GEORGE H. EARLE.

MEMBERS OF THE BOARD OF TRUSTEES OF THE MANSFIELD STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

George J. Bermingham, of Blossburg, Tioga County, for appointment as a member of the Board of Trustees of the Mansfield State Teachers College, vice Mrs. Myra B. Allen, of Mansfield, resigned, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

Walton B. Geiger, of Williamsport, Lycoming County, for appointment as a member of the Board of Trustees of the Mansfield State Teachers College, vice Edward R. Innes, of Canton, resigned, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

GEORGE H. EARLE.

RESOLUTION RELATIVE TO THE INVESTIGATION OF THE WORKS PROGRESS ADMINISTRATION IN PENNSYLVANIA

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CAVALCANTE offered the following resolution which was twice read:

In the Senate, June 8, 1936.

Whereas, ugly reports are afoot over this Commonwealth, that the Special Committee of this Senate, appointed to investigate the functioning of the Works Progress Administration in Pennsylvania, has exceeded its authority and is being financed with moneys donated to it by a group of individuals some of which reside within and some without this Commonwealth, who are steadily and systematically plotting the overthrow of the Democratic Government of the people, both State and Federal, and

Whereas, these ugly reports charge that said Special Committee of the Senate seek and harbor the finance, counsel and guidance of said group so that it may further its designs, and

Whereas, reports of this character directly undermine the confidence of the people of this Commonwealth in the integrity of this Senate,

Now Therefore Be It Resolved, That said Special Committee of this Senate make report of the truth or falsity of these reports on June 15, 1936, and that thereafter said Committee make a report of its authority, finances, expenditures and findings to this Senate on every Monday until its activities are concluded.

Mr. CAVALCANTE. Mr. President, I ask unanimous consent that Rule 39 which requires that resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the Resolution just read.

The PRESIDENT. Is there objection?

Mr. BUCKMAN. Mr. President, I object.

The PRESIDENT. The Chairs hears objection.

Mr. THOMPSON (Centre). Mr. President, I move that the resolution just read be referred to the Committee on Constitutional Changes.

Mr. CAVALCANTE. Mr. President, I second the motion.

The motion was agreed to.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. BUCKMAN. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his question of parliamentary inquiry.

Mr. BUCKMAN. Mr. President, as I understand the resolution which was just referred to the Committee on Constitutional Changes, it is a somewhat similar but new resolution, and not the resolution which was offered in this Senate last Wednesday. I would like to ask the Chair what becomes of the resolution which was offered last Wednesday and which, I understand, is now on the table.

The PRESIDENT. The resolution referred to is in the memoranda of the presiding officer, and in the hands of the Secretary of the Senate.

MOTION TO REFER PREVIOUSLY OFFERED RESOLUTION TO COMMITTEE ON CONSTITUTIONAL CHANGES

Mr. BUCKMAN. Mr. President, I move that the resolution which was offered on the floor of the Senate last Wednesday, June 3rd, and laid on the table, be referred to the Committee on Constitutional Changes.

Mr. GELDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, may I state that the resolution referred to, by its own terms, is dead, because that resolution provides that this Sepcial Committee should makes its report on Monday, June 8, 1936; therefore the resolution is dead, by its own content.

Mr. BUCKMAN. Mr. President, whether it is dead or alive I move that it be referred to the Committee on Constitutional Changes.

The PRESIDENT. The motion has been seconded. The Chair takes it that the resolution will be referred to Committee for requiem.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

MOTION TO PRINT RESOLUTION CONDEMNING THE BLACK LEGION

Mr. SHAPIRO. Mr. President, I move that the resolution offered by the Senator from Allegheny, Mr. Harris, relative to condemning the Black Legion, be printed.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow at 12:00 o'clock noon.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:09 P. M. until tomorrow June 9, 1936 at 12:00 o'clock noon.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 8, 1936

The House met at 9:00 P. M.

The SPEAKER (ROY E. FURMAN) in the Chair.

PRAYER

Reverend ERNEST WATSON, pastor of the Second Baptist Church, Harrisburg, Pa., offered the following prayer:

Eternal, ever blessed God, in Whom we live and move and have our being, we beseech Thee tonight that Thou wilt incline Thine ear and listen to the voice of our supplications.

We pray that Thou wilt send the light of Thy countenance upon this Assembly Hall, and that Thou wilt give these legislators guidance in order that they may be able to see their way. Help them in their deliberations and in their discussions.

We thank Thee for the glorious past of this great Commonwealth, for all the good that it has done to its many people, and we thank Thee for the blessings and the hopes of the future.

We pray Thee that after we shall have done all that Thou has given us to do, when it is not ours to come into these halls again, that Thou wouldst give us peace and satisfaction that we have allowed Thy countenance to shine and guide us in everything said or done.

These blessings we ask in the name of Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, June 3, 1936.

The Clerk proceeded to read the Journal of Wednesday, June 3, 1936, when, on motion of Mr. BRENNAN the further reading was dispensed with and the Journal approved.

RESOLUTION INTRODUCED AND REFERRED

By Miss BRANCATO. (Concurrent) Resolution No. 21.

In the House of Representatives, June 3, 1936.

Whereas, At the last regular session of the General Assembly of Pennsylvania, there was passed an act entitled "An act requiring cities of the first class to allow members of the fire departments twenty-four consecutive hours of rest each week, except in emergency cases," said act having been approved the tenth day of July one thousand nine hundred and thirty-five (P. L. 639); and

Whereas, The City of Philadelphia has not exercised the powers granted in the above said act; therefore, be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania request and urge the City of Philadelphia to exercise the authority granted to it under the act, approved the tenth day of July, one thousand nine hundred and thirty-five (P. L. 639), and that if a compliance is not possible at this date, that the said City of Philadelphia shall, at the earliest possible moment, give this matter its earnest consideration so that the firemen of the City of Philadelphia shall be enabled to enjoy twenty-four hours a week rest from their public duties.

Referred to the Committee on Rules.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

LOTTERIES

A telegram from the Protestant Ministers Association of Phoenixville protesting passage of lottery legislation.

Referred to the Committee on Ways and Means.

MALT BEVERAGE LEGISLATION

A communication from Ferdinand Schwartz, Philadelphia, urging legislation permitting sale of beer in stores.

Referred to the Committee on Ways and Means.

REPORT OF EMERGENCY RELIEF DIRECTOR

The SPEAKER. Pursuant to House Resolution No. 8 the Chair lays before the House the report as submitted by the Emergency Relief Director.

The report was read by the Clerk.

The SPEAKER. The report will be noted in the Journal and printed in the Appendix to the Legislative Journal.

LEAVES OF ABSENCE

Mr. Francis T. Baker asked and obtained leave of absence for Mr. J. L. SNYDER for the week on account of illness in the family.

Mr. Ominsky asked and obtained leave of absence for Mr. SHEPARD for the week on account of illness.

REPORT FROM COMMITTEE ON RULES

Mr. EBERHARTER offered a report from the Committee on Rules which was read by the Clerk as follows:

In the House of Representatives, June 8, 1936.

Resolved, That Monday, June 15th, 1936, be fixed as the last day for introduction of bills in the House of Representatives during the present Special Session of the Legislature, except bills providing for the raising of revenue, which may be introduced after said date.

ROY E. FURMAN
HERBERT B. COHEN
H. G. ANDREWS
WILLIAM SINWELL
JOSEPH A. SIMON
HERMAN P. EBERHARTER

On the question,

Will the House adopt the report?

It was adopted.

RESOLUTION

RECALLING HOUSE BILL No. 17 FROM THE GOVERNOR.

Mr. COHEN offered the following resolution which was twice read, considered and adopted:

Resolved (if the Senate concur, that House Bill No. 17, Printer's No. 90, entitled "An act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

INFORMATION REQUESTED FROM FISCAL OFFICERS

Mr. CORDIER offered a resolution and asked and obtaincd unanimous consent that it be read for the information of the House.

The resolution was read by the Clerk as follows:

In the House of Representatives, June 8, 1936.

Whereas, Many State-aided hospitals are in dire need of financial aid for the maintenance of indigent patients for the reason that the condition of the State Treasury has caused the fiscal officers to withhold the payment of hospital requisitions because of the unpreferred nature of these appropriations; and

Whereas, Many unemployed persons are in need of free hospitalization, which can only be provided by the State-aid which was appropriated; and

Whereas, At the last Regular Session of the Legislature some $120,000,000 of new revenue was raised, one-half of which was designed to aid in balancing the budget for the fiscal biennium; therefore be it

Resolved, That the Secretary of Revenue be requested to furnish to the House of Representatives by Monday June 15th, 1936, or as soon thereafter as may be, a statement of the estimated revenues to be collected during the remainder of the present fiscal biennium, and that the Auditor General be requested to furnish to the House of Representatives not later than Monday June 15th, 1936, or as soon thereafter as may be, a statement of the total amount of appropriations for the present fiscal biennium which remain unpaid and unrequisitioned, together with the amount of money into the General Fund, and the amounts due, if any, to special funds from the General Fund, and which are payable from such revenues to be collected during the remainder of the fiscal biennium from existing revenue sources:

Resolved, That a copy of this resolution be transmitted to the Secretary of Revenue and the Auditor General by the Chief Clerk of this House.

The SPEAKER. The resolution will be filed with the Clerk under the rules.

CHANGE IN RELIEF ADMINISTRATION

Mr. SURFACE offered a resolution and asked and obtained unanimous consent that it be read for the information of the House.

The resolution was read by the Clerk as follows:

In the House of Representatives, June 8, 1936.

Whereas, The unemployed people need and want work which many are unable to obtain under present conditions; and

Whereas, All needy persons must be given relief by the State and Nation until work for their support can be developed or obtained; and

Whereas, The cost of relief administration under present conditions is $30,000 per day; and

Whereas, It is believed that a less expensive administration of relief can be obtained through the established channels of State and local governments; therefore be it

Resolved, That we the members of the State Legislature, do hereby ask that the plan and method of relief administration be changed from that at present in vogue to a system by which the relief will be given through former existing channels of State and municipal governments to and including local poor boards; and be it further

Resolved, That 25% of the actual money paid for relief be paid by the local relief board or poor board which shall include all payment for poor or indigent and unemployed, excepting for old age pensions and mothers' assistance pensions.

The SPEAKER. The resolution will be filed with the Clerk under the rules.

QUESTION OF PERSONAL PRIVILEGE

Mr. KELSO. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. KELSO. Mr. Speaker, on June 2nd, we voted on House Bill No. 44. In the Legislative Journal of that date I am not recorded as having voted. I wish to make a statement that I voted in favor of that bill.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread in the Journal.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 100, entitled:

An Act to further amend the title, to re-enact and further amend paragraph (c) of section one, to further amend section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (Pamphlet Laws, five hundred twenty-one), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by defining as transfers, and taxing, the right of survivorship in property as to which such rights exists, and providing for the extension of the Commonwealth's lien on real property for a further period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 88, entitled:

An Act imposing and providing for the collection of a tax for State purposes on the gross receipts of persons copartnerships associations and corporations derived from the business of supplying water electric current and natural or artificial gas for domestic and industrial purposes."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 95, entitled:

An Act to further amend section four of the act, approved the thirtieth day of June, one thousand eight hundred eighty-five (P. L. 193), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, one thousand eight hundred and seventy-nine," by requiring all corporations incorporated by or under the laws of any other State, or of the United States, and doing business in this Commonwealth to designate a resident treasurer for certain purposes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 30, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania

The first section was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania is hereby proposed in accordance with the eighteenth article thereof

That article three be amended by adding thereto the following

Section 20.1 The General Assembly may provide for social insurance covering unemployment sickness accident death and maternity make appropriations therefor and require employers or employes or both to contribute thereto

On the question,

Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendment.

The Speaker. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 1, lines 9, 10 and 11, by striking out all of said lines, and insert in lieu thereof the following: "compensation for unemployment, and for benefits or assistance to classes of persons or minors physically or socially handicapped, or without adequate means of support, may require employers or employes, or both, to contribute thereto, and may appropriate moneys for any such purpose. No such legislation and no such appropriations shall be deemed prohibited by any other provision of this Constitution."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 101, as follows:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one article eighteen of the Constitution of Pennsylvania is hereby amended to read as follows

Section 1 (a) Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives and if the same shall be agreed to by at least two-thirds of the members elected to each house such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published three months before the next general or municipal election in at least two newspapers in every county in which such newspapers shall be published and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two houses as the General Assembly shall prescribe and if such amendment or amendments shall be approved by at least a majority of those voting thereon such amendment or amendments shall become a part of the Constitution

(b) Any amendment or amendments that shall be agreed to by less than two-thirds but by at least a majority of the members elected to each house shall be entered on their journals with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published three months before the next general or municipal election in at least two newspapers in every county in which such newspapers shall be published and if in the next session of the General Assembly such proposed amendment or amendments shall be agreed to by at least a majority of the members elected to each house the Secretary of the Commonwealth shall cause the same again to be published in the manner aforesaid and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two houses as the General Assembly shall prescribe and if such amendment or amendments shall be approved by at least a majority of those voting thereon such amendment or amendments shall become a part of the Constitution

(c) When two or more amendments shall be submitted they shall be voted upon separately

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 83, entitled:

An Act relating to the keeping of animals wild by nature, in captivity upon any street or highway, or upon land adjoining any street or highway, or in the vicinity of any commercial establishment for the evident purpose of attracting trade; preventing cruel, improper and inhuman treatment of such animals and protecting the public from injuries thereby; providing for the granting of permits for roadside menageries, as herein defined; conferring powers and imposing duties on the Board of Game Commissioners; and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker and members of the House, I am oposed to this bill. I am not opposed to it because I do not approve of the principle of protecting animals against cruelty. I am not opposed to it because I do not believe in protecting children and women of this Commonwealth from injury from wild animals, but I am opposed to signing a blank contract. I have a great deal of confidence in the Game Commission as it is now constituted but I do not believe in giving them or any other commission or any other governmental body an absolutely blank contract without any idea of what is to be inserted in that contract, and that is exactly what we are doing in this bill.

We are giving the Game Commission authority to make any type of regulation that they desire to make. I think that is a principle in government which we are forgeting. I think that there is a principle in our Constitution and in our form of government that we are forgetting, and that is that laws are enacted by the Legislature. It is our duty, it is our obligation, to enact the laws. If we want to abolish these laws, let us abolish them; let us not pass it on to the Game Commission and ask them to do it. Let us set up rules by which we are to be governed. There are certain kinds of details that can be worked out by commissions to be sure, but I think this type of legislation is bad; I think we are doing it too much, not only in this case but in others, and I think it is time for us to assume the responsibilities of legislators and be legislators.

I do not expect many of you to follow my vote on this. I know that you are going to vote on it from the stand point of whether or not we are opposed to cruelty to animals but as a matter of fact in my opinion there is a principle much deeper involved in this piece of legislation, and I think it is time to call a halt in passing on our duties as legislators to commissions and boards and administrators. It is time for us to act as legislators, and for that reason alone I for one am going to vote against this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156

Achterman,	Duffort,	Lynch,	Scanlon,
Alexander,	Eberharter,	Male,	Schaeffer,
Allen,	Eroe.	Mason,	Schrock,
Andrews,	Falkenstein,	McCreary,	Schrope,
Anthony,	Ferko,	McDermo	Schwab,
Arnold,	Finnerty,	McDevitt,	Shaw,
Atkins,	Fitch,	McElroy,	Shugarts,
Aukerman,	Flanagan,	McHenry,	Siegel,
Baine,	Flinchbaugh,	Melchiorre,	Simon,
Baker, F. T.,	Forrest,	Mentzer,	Simpson,
Baker, J. J.,	Gates,	Moomaw,	Sinwell,
Baldi,	Gerard,	Mooney,	Sloan,
Bernhard,	Gillette,	Moore,	Smith, J. A.,
Boose,	Greenstein,	Moran,	Smith, W. G.,
Boyd, R.,	Haberlen,	Moul,	Sproul,
Boyer,	Hagerty,	Munley,	Stank,
Bradley,	Haluska,	Murrin,	Stevens,
Brancato,	Hamilton, F. P.,	Nagel,	Stockham,
Brennan,	Hamilton, R. S.,	O'Keefe,	Stone,
Brown, H. S.,	Harkins,	Ominsky,	Stott,
Brown, J. E.,	Hartman,	O'Neill,	Sumney,
Brownfield,	Hermansen,	Panton,	Sweeney,
Brumbaugh,	Hetrick,	Parks,	Tahl,
Burke,	Hindman,	Patterson, Cliff,	Tronzo,
Cannon,	Hirsch,	Patterson, J. W.,	Tumelty,
Caputo,	Holland,	Pearson,	Turner,
Carson,	Holstrom,	Peters,	VanAllsburg,
Chervenak,	Hoopes,	Pfaff,	VanSickle,
Coakley,	Kelder,	Piole,	Wall,
Cochran,	Kelso,	Powers,	Weiss,
Cohen,	Kenney,	Reising,	Welliver,
Coleman,	Kilroy,	Reynolds,	Welsh,
Coolahan,	Kinney,	Rhys,	Westrick,
Cordier,	Klingler,	Rinn,	Winner,
Davies,	Kobelak,	Roan,	Witkin,
Decker,	LaRue,	Robinson,	Yourishin,
Dilley,	Linderman,	Root,	Zappala,
Downey, G. E.,	Long,	Ruffennach,	Zimmerman
Downey, J. J.,	Longaker,	Sarraf,	Furman,

NAYS—22

Altenburg,	Horst,	Perry,	Trout,
Barnhardt,	Jones,	Royer,	Weidemann,
Beadman,	Mallen,	Shreiner,	White,
Blumberg,	McKinney,	Snyder, F. E.,	Wickersham,
Denning,	Merrell,	Stewart,	Woodside,
Habbyshaw,	Muir,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING

Mr. BLUMBERG asked and obtained unanimous consent to call up out of order House Bill No. 85, Printer's No. 105, on page 2 of today's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 85, entitled:

An Act to safeguard persons receiving or entitled to public relief from political coercion and to prevent political promises in return for public relief and prescribing penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person directly or indirectly to deny any person relief or to take away or procure the taking away from any recipient thereof or to threaten to take away or threaten to procure the taking away from any recipient thereof any grant of relief for the reason that such person registered or refused to register in a certain political party or voted or refused to vote for the candidate or candidates of a certain political party or directly or indirectly to promise to grant or to promise to secure a grant of relief for any person if such person promises or agrees directly or indirectly to register in a certain political party or to vote the candidate or candidates of a certain political party It shall be unlawful for any person directly or indirectly to promise or agree to register in a certain political party or to vote the candidate or candidates of a certain political party in order to procure or aid in procuring or to prevent the taking away of any relief or to solicit relief by directly or indirectly promising to register in a certain political party or to vote the candidate or candidates of a certain political party Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to suffer imprisonment not exceeding one year or both

The word "relief" as used in this act shall mean any cash or check or any relief order redeemable in mer-

chandise granted or issued or to be granted or issued by any person officer or board through the use of public moneys to a resident of this Commonwealth who is unemployed and without means of support

On the question.

Will the House agree to the section?

Mr. MOOMAW. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, line 5, by striking out the words "any person."

Amend Sec. 1, page 1, line 6, by striking out the words "from any recipient thereof."

Amend Sec. 1, page 1, line 8, by striking out the words "from any recipient thereof."

Amend Sec. 1, page 1, line 8, by inserting after the word "relief" the following: "to or from any person who is lawfully entitled thereto."

Amend Sec. 1, page 1, line 13, by inserting after the word "person" the following "whether or not lawfully entitled thereto."

Amend Sec. 1, page 2, line 3, by inserting after the word "person" the following: "whether or not lawfully entitled to relief."

Amend Sec. 1, page 2, lines 17 to 19, by striking out the words "granted or issued or to be granted or issued" in line 17, and all of lines 18 and 19, and inserting in lieu thereof: "or any merchandise in kind, paid for, paid or payable out of public moneys appropriated or made available for the support of residents of this Commonwealth who are."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed.

An Act to safeguard persons receiving or entitled to public relief from political coercion and to prevent political promises in return for public relief and prescribing penalties.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. BLUMBERG. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman from Philadelphia, Mr. Blumberg, will state his question of personal privilege.

Mr. BLUMBERG. Mr. Speaker and members of the House, on Wednesday June 3d, last week, I was unavoidably absent from the session of this House and at that session this House passed House Bill No. 57, Printer's Number 70, relating to assistance to aged and indigent persons. Because of this absence I was unable to cast my vote in favor of the bill.

Being the sponsor of the original old age assistance act of Pennsylvania passed in 1933, signed by Governor Pinchot, it grieves me deeply that I was not here in order to say a word of tribute for House Bill No. 57. Had I been here I should certainly voted "aye" on the bill.

The SPEAKER. The remarks of the gentleman under the question of personal privilege will be spread upon the Journal.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 61, as follows:

An Act imposing an income tax for State purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons partnerships associations, corporations State officers employes and departments making an appropriation and imposing penalties

ARTICLE I

SHORT TITLE AND DEFINITIONS

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Individual Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Dividend" Any distribution made by a corporation or association subject or not subject to the payment of a tax on capital stock under the laws of the Commonwealth out of its net earnings or profits accumulated after December thirty-first one thousand nine hundred and thirty-five to its stockholders or members whether in cash or in other property or in stock other than stock dividends as hereafter defined

"Fiduciary" A guardian committee trustee executor administrator receiver conservator or any person whether individual or corporate acting in any fiduciary capacity for any person estate or trust

"Individual" A natural person

"Paid" For the purposes of the deductions under this act means "paid or accrued" or "paid or incurred" and the words "paid or accrued" "paid or incurred" and "incurred" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act

"Person" Every natural person fiduciary association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Received" For the purpose of the computation of the net income under this act means "received or accrued" and the words "received or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act

"Resident" As applied to an individual means any person domiciled in the Commonwealth of Pennsylvania and any person who maintains a permanent place of abode within this Commonwealth

"Stock dividends" New stock for surplus or profits capitalized issued to stockholders in proportion to their previous holdings

"Tax year" The calendar year upon the basis of which

the net income of a taxpayer is computed under this act

"Taxpayer" Any individual trust or estate required to pay a tax under the provisions of this act

The singular shall include the plural and the masculine shall include the feminine and neuter

ARTICLE II

IMPOSITION OF TAX

Section 201 Residents and Non-residents A A tax is hereby imposed upon every resident taxpayer of this Commonwealth which tax shall be levied collected and paid annually with respect to his entire net income as herein defined computed at the rate of one per centum of the amount of such net income

B A like tax is hereby imposed and shall be levied and collected and paid annually at the rate specified in this section upon and with respect to the entire net income as herein defined from all property owned and from every business trade occupation or profession carried on in this Commonwealth by natural persons not residents of this Commonwealth

Section 202 Estates and Trusts A The tax imposed by this act shall apply to estates and trusts which tax shall be levied collected and paid annually upon and with respect to the income of estates or of any kind of property held in trust including

(1) Income received by estates of deceased persons during the period of administration or settlement of the estate

(2) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests

(3) Income held for future distribution under the terms of the will or trust

(4) Income which is to be distributed to the beneficiaries periodically whether or not at regular intervals and the income collected by a guardian of an infant to be held or distributed as the court may direct and

(5) Income of an estate during the period of administration or settlement permitted by subsection C of this section to be deducted from the net income upon which the tax is to be paid by the fiduciary

B The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts whether such income be taxable to the estate or trust or to the beneficiaries thereof The net income of an estate or trust shall be computed in the same manner and on the same basis as provided for individual taxpayers and in cases under paragraphs (four) and (five) of subsection A of this section the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income whether or not distributed before the close of the tax year for which the return is made

C In cases under paragraphs (one) (two) and (three) of subsection A of this section the tax shall be imposed upon the estate or trust with respect to the net income of the estate or trust and shall be paid by the fiduciary except that in determining the net income of the estate of any deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee heir or other beneficiary In such cases an estate or trust created by a person not a resident and an estate of a person not a resident shall be subject to tax only to the extent to which individuals other than residents are liable by reason of the limitation as to gross income provided in section three hundred and three subsection C

D In cases under paragraphs (four) and (five) of subsection A of this section if the distribution of income is in the discretion of the fiduciary either as to the beneficiaries to whom payable or as to the amounts to which any beneficiary is entitled the tax shall be imposed upon the estate or trust in the manner provided in subsection C of this section but without the deduction of any amounts of income paid or credited to any such beneficiary In all other cases under paragraphs (four) and (five) of subsection A of this section the tax shall not be paid by the fiduciary but there shall be included in computing the net income of each beneficiary his distributive share whether distributed or not of the net income of the estate or trust for the tax year In such cases the net income of a beneficiary not a resident derived through such estate or trust shall be subject to tax only to the extent to which individuals other than residents are liable by reason of the limitations as to gross income provided in section three hundred and three subsection C

E A trust created by an employer as a part of a stock bonus pension or profit-sharing plan for the exclusive benefit of some or all of his employes to which contributions are made by such employer or employes or both for the purpose of distributing to such employes the earnings and principal of the fund accumulated by the trust in accordance with such plan shall not be taxable under this section but any amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds the amounts paid in by him

F Where any part of the income of a trust other than a testamentary trust is or may be applied to the payment of premiums upon policies of insurance on the life of the grantor or to the payment of premiums upon policies of life insurance under which the grantor is the beneficiary such part of the income of the trust shall be included in computing the net income of the grantor

Section 203 Partnerships Individuals carrying on business in partnerships shall be liable for income tax only in their individual capacity There shall be included in computing the net income of each partner his distributive share whether distributed or not of the net income of the partnership for the tax year Taxpayers who are members of partnerships may be required by the department to make a return stating the gross receipts and net gains or profits of the partnership for any tax year The net income of the partnership shall be computed in the same manner and on the same basis as provided in computing the net income of individuals and the deduction provided for in section four hundred and five shall be allowed only to the individual partners

Section 204 Initial Tax Levy The tax imposed by this article shall first be levied collected and paid in the year one thousand nine hundred thirty-seven upon and with respect to taxable net income for the calendar year one thousand nine hundred thirty-six

ARTICLE III

COMPUTATION OF THE TAX

Section 301 Net Income The term "net income" means the gross income of a taxpayer less the deductions allowed by this article

Section 302 Manner of Computing Net Income The net income shall be computed in accordance with the method of accounting regularly employed in keeping the books of the taxpayer but if no such method of accounting has been so employed or if the method employed does not clearly reflect the income the computation shall be made upon such basis and in such manner as in the opinion of the department does clearly reflect the income

Section 303 Gross Income A The term "gross income" includes gains profits and income derived from salaries wages or compensation for personal service or whatever kind and in whatever form paid or from professions vocations trades businesses commerce or sales or dealings in property whether real or personal growing out of the ownership or use of or interest in such property also from interest rent dividends securities or the transaction of any business carried on for gain or profit and all other income derived from any source whatever including income derived through estates or trusts by the beneficiaries thereof whether as distributed or as distributable shares The amount of all such items shall be included in the gross income for the tax year in which received by the taxpayer

B The term "gross income" does not include the following items

(1) Amounts received under a life insurance contract paid by reason of the death of the insured whether in a single sum or in installments but if such amounts are held by the insurer under an agreement to pay interest thereon the interest payments shall be included in gross income

(2) The amount received by the insured as a return of

premium or premiums paid by him under life insurance endowment or annuity contract either during the term or at the maturity of the term mentioned in the contract or upon surrender of the contract

(3) The value of property acquired by gift bequest devise or descent but the income from such property shall be included in gross income

(4) Interest upon the obligations of the United States or its possessions or the obligations of the Commonwealth of Pennsylvania or of any municipal corporation or political subdivision thereof

(5) Any amount received through accident or health insurance or under workmen's compensation acts as compensation for personal injuries or sickness plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness or through the war risk insurance act or any law for the benefit or relief of injured or disabled members of the military or naval forces of the United States

(6) Salaries wages and other compensation received from the United States by officials or employes thereof including persons in the military or naval forces of the United States

(7) Income received by any officer of a religious denomination or by any institution or trust for moral or mental improvement religious bible tract charitable benevolent fraternal missionary hospital infirmary educational scientific literary library patriotic historical or cemetery purposes or for the enforcement of laws relating to children or animals or for two or more of such puposes if such income be used exclusively for carrying out one or more of such purposes but nothing herein shall be construed to exempt the fees stipends personal earnings or other private income of such officer or trustees

(8) Stock dividends when received by a shareholder but if before or after the distribution of any such dividend the corporation proceeds to cancel or redeem its stock at such time and in such manner as to make the distribution and cancellation or redemption in whole or in part essentially equivalent to the distribution of a taxable dividend the amount so distributed in redemption or cancellation of the stock shall be treated as a taxable dividend and included in gross income Provided That any stock dividend shall be considered in computing gain profit or income upon the sale exchange or other disposition of the stock upon which a stock dividend has been declared or of the stock included in such stock dividend

(9) The principal and income paid by a building and loan association to a member thereof upon the maturity of his or her shares or upon the withdrawal of such member from the association

(10) Any amount received by any person whatever under any law of this Commonwealth the United States or any other state providing for any pension bonus or compensation whatsoever for or in respect to services in the military or naval forces of the United States in any war in which the United States has been engaged

(C) In the case of taxpayers other than residents gross income includes only the gross income from sources within the State but shall not include annuities interest on bank deposits interest on bonds notes or other interest-bearing obligations or dividends from corporations except to the extent to which the same shall be a part of income from any business trade profession or occupation carried on in this State subject to taxation under this act

(D) In the case of taxpayers who regularly sell or otherwise dispose of personal property on the installment plan gross income includes in any tax year only such portion of the total profit realized or to be realized when the payment is completed as the installment payments received in that year bears to the total of all installments payments

E In the case of a casual sale or other casual disposition of personal property or of a sale or other disposition of real property if in either case the payment in cash or property are not completed during the tax year when the sale or disposition was made the income may be returned on the basis and in the manner above described in subsection D of this section for installment sales Evidences of indebtedness of the purchaser or amounts secured by the property sold or disposed of shall not be construed to be payments but in such cases the income shall be returned on the above basis in the tax year when such indebtedness or the amounts secured or any part thereof is paid to the vendor

Section 304 Ascertainment of Gain and Loss A For the purpose of ascertaining any gain included in gross income as herein defined derived or any deductible loss sustained for the sale or other disposition of property real personal or mixed the basis shall be in the case of property acquired on or after January first one thousand nine hundred thirty-six the cost thereof or the inventory value if the inventory is made in accordance with this article

B In case of property acquired prior to January first one thousand nine hundred thirty-six and disposed of thereafter

(1) No profit shall be deemed to have been derived if either the cost or the fair market price of value on on January first one thousand nine hundred thirty-six exceeds the value realized

(2) No loss shall be deemed to have been sustained if either the cost or the fair market price or value on January first one thousand nine hundred thirty-six is less than the value realized

(3) Where both the cost and the fair market price or value on January first one thousand nine hundred thirty-six are less than the value realized the basis for computing profit shall be the cost or the fair market price or value on January first one thousand nine hundred thirty-six whichever is higher

(4) Where both the cost and the fair market price or value on January first one thousand nine hundred thirty-six are in excess of the value realized the basis for computing loss shall be the cost or the fair market price or value on January first one thousand nine hundred thirty-six whichever is lower

Section 305 Exchange of Property Upon the sale or exchange of property in transactions the gain or profit from which is included in gross income as herein defined the entire amount of the gain or loss determined under section three hundred four of this act shall be recognized except as hereinafter provided in this section

(A) No gain or loss shall be recognized if property held for productive use in trade or business or for investment (not including stock in trade or other property held primarily for sale nor stocks bonds notes choses in action certificates of trust or beneficial interest or other securities or evidences of indebtedness or interest) is exchanged solely for property of a like kind to be held either for productive use in trade or business or for investment or if common stock in a corporation is exchanged solely for common stock in the same corporation or if preferred stock in a corporation is exchanged solely for preferred stock in the same corporation

(B) No gain or loss shall be recognized if stock or securities in a corporation a party to a reorganization are in pursuance of the plan of reorganization exchanged solely for stock or securities in such corporation or in another corporation a party to the reorganization

(C) No gain or loss shall be recognized if property is transferred to a corporation by one or more persons solely in exchange for stock or securties in such corporation and immediately after the exchange such person or persons are in control of the corporations but in the case of an exchange by two or more persons this subsection shall apply only if the amount of the stock and securities received by each is substantially in proportion to his interest in the property prior to the exchange

(D) If property (as a result of its destruction in whole or in part theft or seizure or an exercise of the power of requisition or condemnation or the threat or imminence thereof) is compulsorily or involuntarily converted into property similar or related in service or use to the property so converted or into money which is forthwith in good faith under regulations proscribed by the department expended in the acquisition of other property similar or related in service or use to the property so converted or in the acquisition of control of a corporation owning such other property or in the establishment of a replacement fund no gain or loss shall be recognized If any part of the money is not so expended the gain if

any shall be so recognized but in an amount not in excess of the money which is not so expended

(E) If there is distributed in pursuance of a plan of reorganization to a shareholder in a corporation a party to the reorganization stock or securities in such corporation or in another corporation a party to the reorganization without the surrender by such shareholder of stock or securities in such a corporation no gain to the distributee from the receipt of such stock or securities shall be recognized

(F) If an exchange would be within the provisions of subsections A B or C of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subsection to be received without the recognition of gain but also of other property or money then the gain if any to the recipient shall be recognized but in an amount not in excess of the sum of such money and the fair market value of such other property

(G) If an exchange would be within the provisions of subsections A B or C of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subsection to be received without the recognition of gain or loss but also of other property or money then no loss from the exchange shall be recognized

(H) As used in this section the term "reorganization" means (1) a merger or consolidation (including the acquisition by one corporation of at least a majority of the total number of shares of all other classes of stock of another corporation or substantially all the properties of another corporation) or (2) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its stockholders or both are in control of the corporation to which the assets are transferred or (3) recapitalization or (4) a mere change in identity form or place of organization however effected

The term "a party to a reorganization" includes a corporation resulting from a reorganization and includes both corporations in the case of an acquisition by one corporation of at least a majority of the voting stock and at least a majority of the total number of shares of all other classes of stock of another corporation

As used in this section "control" means the ownership of at least eighty per centum of the voting stock and at least eighty per centum of the total number of shares of all other classes of stock of the corporation

Section 306 Inventory Whenever in the opinion of the department the use of inventories is necessary in order clearly to determine the income of any taxpayer inventories shall be taken by such taxpayer upon such basis as the department may prescribe conforming as nearly as may be to the best accounting practice in trade or business of such taxpayer

Section 307 General Deductions In computing net income there shall be allowed as deductions

A All the ordinary and necessary expenses paid or incurred during the tax year in carrying on any trade or business or in the production of income required to be included in gross income under this article including a reasonable allowance for salaries or other compensation for personal service actually rendered and including rentals or other payments required to be made as a condition to the continued use or possession for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he has no equity

B All interest paid or accrued during the taxable year on indebtedness

C Taxes paid or accrued within the tax year imposed by (1) the authority of the United States or of any of its possessions (2) by the Commonwealth of Pennsylvania (except the net income tax imposed by this act and taxes on liquid fuels) (3) by any city borough town township school district or poor district of this Commonwealth or (4) by the authority of any other state country or territory

D Losses sustained during the tax year and not compensated for by insurance or otherwise if incurred in trade or business

E Losses sustained during the tax year not compensated for by insurance or otherwise if incurred in any transaction entered into for profit through not connected with the trade or business No deduction shall be allowed under this clause for any loss claimed to have been sustained in any sale or other disposition of shares of stock or security where it appears that within thirty days before or after the date of such sale or other disposition the taxpayer has acquired (otherwise than by bequest or inheritance) or has entered into a contract or option to acquire substantially identical property and the property so acquired is held by the taxpayer for any period after such sale or disposition If such acquisition or the contract or option to acquire is to the extent of part only of substantially identical property then only a proportionate part of the loss shall be disallowed

F Losses sustained during the tax year of property not connected with the trade or business (but in case of a taxpayer other than a resident only of real property or tangible personal property having an actual situs within the State) if arising from fires storms shipwrecks or other casualty or from theft and not compensated for by insurance or otherwise

G Debts ascertained to be worthless and charged off within the tax year and when satisfied that a debt is recoverable only in part the department may allow such debt to be charged off in part In the case of a debt existing on January first one thousand nine hundred thirty-six no more than its fair market value on that date shall be deducted A worthless debt arising since January first one thousand nine hundred thirty-six from unpaid wages salary rent or any similar item of taxable income is not an allowable deduction unless the income which such item represents has been included as income by the taxpayer in a return rendered under this act

H A reasonable allowance for the exhaustion wear and tear of property the income from which is required to be included in gross income under this article used in the trade or business including a reasonable allowance for obsolescence In case of property held by one person for life with remainder to another person the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust or in the absence of such provisions on the basis of the trust income allocable to each

I In the case of mines oil and gas wells other natural deposits and timber a reasonable allowance for depletion and for depreciation or improvement according to the peculiar conditions in each case such reasonable allowance in all cases to be made under rules and regulations to be made by the department The department may apportion such deductions equitably between the lessor and lessee

J In the case of a taxpayer other than a resident of the State the deduction allowed in this section shall be allowed only if and to the extent that they are connected with income arising from sources within the State and taxable under this act to a nonresident taxpayer and the proper apportionment and allocation of the deductions with respect to sources of income within and without the State shall be determined under rules and regulations to be prescribed by the department.

Section 308 Items Not Deductible In computing net income no deduction shall in any case be allowed in respect of

A Personal living or family expenses

B Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate

C Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made or

D Premiums paid on any life insurance policy covering the life of any officer or employe or of any person financially interested in any trade or business carried on by the taxpayer when the taxpayer is directly or indirectly a beneficiary under such policy

Section 309 Credit for Taxes in Case of Taxpayers Other than Residents of the Commonwealth Whenever a

taxpayer other than a resident of the Commonwealth has become liable to income tax to the state county or city where he resides upon his net income for the tax year derived from sources within this Commonwealth and subject to taxation under this act the department shall credit the amount of income tax payable by him under this act with such proportion of the tax so payable by him to the state county or city where he resides as the income subject to taxation under this act bears to his entire income upon which the tax so payable to such other state county or city was imposed Provided That such credit shall be allowed only if the laws of said state county or city (1) grant a substantially similar credit to residents of this Commonwealth subject to income tax under such laws or (2) impose a tax upon the personal incomes of its residents derived from sources in this Commonwealth and exempt from taxation the personal income of residents of this Commonwealth No credit shall be allowed against the amount of the tax of any income taxable under this act which is exempt from taxation under the laws of such other state county or city.

Section 310 Certain Gifts not Taxable In case any taxpayer in any tax year shall give or contribute and has given or contributed in each of the ten preceding calendar years ninety per centum or more of his net income in each year to any corporation or trust or community trust fund or foundation organized and operated exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation such net income so given or contributed shall not be subject to any tax under the provisions of this act

ARTICLE IV

RETURNS AND PAYMENT

Section 401 Taxpayers' Returns Time and Place of Filing Payment A Every taxpayer regardless of the amount of his net income shall make under oath or affirmation a return as hereinafter provided stating specifically the items of his gross income and the deductions and credits allowed by this act If the taxpayer is unable to make his own return the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer A taxpayer other than a resident shall not be entitled to the deductions authorized by section three hundred and seven unless he shall make under oath or affirmation a complete return of his gross income both within and without the State

B Returns shall be in such form and shall contain such information as the department may from time to time prescribe and shall be filed with the department at its main office or at any branch office which it may establish on or before the fifteenth day of May in the year one thousand nine hundred thirty-seven and in each year thereafter for the preceding calendar year The department is authorized to prepare and furnish such return forms but the failure of any taxpayer to receive or procure a return form shall not excuse him from making a return

C The department may upon application made to it in such form as it may prescribe on or prior to the last day for filing any report and upon proper cause shown grant a reasonable extension of time for the filing of any return within which time such return may be filed without penalty except as herein provided and shall keep a record of every such extension and the reason therefor Except in the case of taxpayers who are abroad no such extension shall be granted for more than six months

D Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making any return or report required by this act for the taking of which oath or affirmation no charge shall be made Any such agent who shall make any charge for administering such oath or affirmation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

E Each taxpayer shall or in cases where an agent guardian committee fiduciary or other person makes the return for the taxpayer then such agent guardian fiduciary committee or person shall at the time of filing the return pay to the department the amount of tax payable under this act as the same shall appear from a calculation made on the face of the return If the time for filing the return shall have been extended by the department the taxpayer shall pay in addition interest thereon at the rate of six per centum per annum from the time when the return was originally required to be filed to the time of payment

Section 402 Returns in Cases of Changed Residence If a taxpayer during the tax year changes his status from that of resident to that of non-resident or from that of non-resident to that of resident he shall file two returns One as a resident covering the fraction of the year during which he was a resident and one as a taxpayer other than a resident covering the fraction of the year during which he was a non-resident In case two returns for one year are filed as aforesaid the taxes due thereon shall not be less than would be payable if the total net income shown by the two returns were included in a single return

Section 403 Partnership Returns Every partnership shall make a return for each tax year stating specifically the items of its gross income and the deductions allowed by this act and shall include in the return the names and addresses of the persons who would be entitled to share in the net income if distributed and the amount of the distributive share of each person The return shall be sworn to or affirmed by any one of the partners

Section 404 Fiduciary Returns Every fiduciary (except receivers appointed by authority of law in possession of part only of the property of a taxpayer) shall make under oath or affirmation a return for the individual estate or trust for whom he acts as follows

A If he acts for an individual whose entire income from whatever source derived is in his charge

B If he acts (a) for an estate of a deceased person during the period of administration or settlement whether or not the income of such estate during such period of administration or settlement is properly paid or credited to any legatee heir or other beneficiary (b) for an estate or trust the income of which is accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests or (c) for an estate or trust the income of which is held for future distribution or is distributable in the discreton of the fiduciary under the terms of the will or trust

C If he acts (a) for an estate or trust the income of which is to be distributed to the beneficiaries periodically or (b) as the guardian of an infant whose income is to be held or distributed as the court may direct The return made by a fiduciary shall state specifically the items of the gross income and the deductions and credits allowed by this act Under such regulations as the department may prescribe a return made by one of two or more joint fiduciaries shall be sufficient compliance with the above requirement

D The fiduciary shall make oath or affirmation that he has sufficient knowledge of the affairs of the individual estate or trust for whom or which he acts to enable him to make the return and that the same is to the best of his knowledge and belief true and correct Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to taxpayers

Section 405 Deduction for Making Return or Statement Keeping Records and Accounts Verification Penalty Every taxpayer shall be allowed an allowance compensation or deduction from the income tax payable on net income under this act of twenty dollars ($20) for his or her work labor and services and the work labor and services of others in and about the making of the accounting computation and figuring necessary to be made and done to comply with this act and the keeping of a record of his or her gross income and allowable deductions as provided in this act during the taxable year and the said allowances or deductions shall not be construed to be and are not meant to be and are not an exemption of the taxpayer from the payment of the tax in whole or in part but is made only and solely for encouraging the taxpayer to keep proper accounts of his gross income and his net income and the proper deductions allowable by law and if after making

such accounting and computation no money is actually payable under this act the taxpayer may in lieu of the return file a statement with the department setting forth his name age net income and precise residence certifying that after deducting the amount allowed for making and preparing the computation and return no money is actually due and payable by him or her to the Commonwealth and that he or she verifies the truth of such statement and upon conviction of making a false statement in any court of quarter sessions shall be subject to the penalties provided by the laws of the Commonwealth for perjury No deduction from the tax shall be allowed unless the statement or report or return is filed according to law and the tax paid when due according to law Should the compensation payable to the taxpayer for performing his or her duties as herein above set forth be more than the amount of money required to be paid by the taxpayer then the taxpayer may for the following year or years deduct from the taxes due under this act the sum or sums not deducted retained held or paid to him or her by deduction from the tax due by him or her in the following year or years and until he or she has been fully or partly compensated as provided by this act for making the accounting and keeping the records herein set forth

ARTICLE V

PROCEDURE

Section 501 Department of Revenue to Administer The Department of Revenue shall administer and enforce the tax herein imposed for which purpose it may divide the State into districts in each of which a branch office of the department may be maintained

Section 502 Examination of Returns Assessment of Tax Refunds A As soon as practicable after the return is filed the department shall examine it and assess the tax

B If the amount of tax as assessed shall be greater than the amount theretofore paid the additional assessment shall be paid by the taxpayer to the department within ten days after a notice of the amount of such additional tax as assessed shall be mailed to the taxpayer by the department In such case if the return is made in good faith and the understatement of the amount in the return is made in good faith there shall be no interest or penalty because of such understatement provided the deficiency be paid or notice of an intention to file a petition for a reassessment or to appear and be heard as herein provided shall be given within ten days after notice of the amount is mailed to the taxpayer If payment is not made within ten days and if no notice of an intention to file a petition for a reassessment or to appear and be heard is given to the department within ten days as herein provided there shall be added to the amount of the deficiency five per centum thereof and in addition interest at the rate of one per centum per month for each month or fraction thereof from the date of such notice to the date of payment If the understatement is false or fraudulent with intent to evade the tax the tax on the additional income discovered to be taxable and assessed by the department shall be double and an additional one per centum shall be added to the amount so due for each month or fraction of a month from the date the tax was originally due to the date of payment

C If the amount of tax as assessed by the department shall be less than the amount paid by the taxpayer the excess shall be refunded upon written application by the department with the approval of the Board of Finance and Revenue Estimates of the amounts to be expended for refunds from time to time by the department shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition of the department for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

Section 503 Estimated Assessments A If any individual or fiduciary believed by the department to be liable for a tax under the provisions of this act shall have failed to file a return in accordance with and within the time prescribed by the provisions of this act or any extension thereof granted by the department if the department should deem it more conducive to the public interest because of the supposed smallness of the tax or for any other reason not to proceed to compel the exhibition of such individual's or fiduciary's accounts it may make an estimated assessment of the probable amount of the tax owing by such individual or fiduciary but in every such case it shall add to every such estimated assessment a penalty of fifty per centum to include any losses which might otherwise accrue to the Commonwealth from such neglect or refusal to file a return or statement and the department shall proceed to recover money so due the Commonwealth as in other cases if not paid when due as hereinafter provided

B The amount thus determined together with penalties and interest at the rate of one per centum per month or fractional part thereof shall be due and payable ten days after notice of such settlement shall be mailed by the department

Section 504 Assessments Made at any Time Within Five Years An additional assessment or estimated assessment as heretofore provided shall be made by the department at any time within five (5) years after any net income of any taxpayer should have been returned by him for taxation any such additional assessment or estimated assessment may be made at any time during said period notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the department shall have made previous additional or estimated assessments against such taxpayer In any such care no credit shall be given for any penalty formerly assessed and paid

Section 505 Petition for Reassessment Appeal A Any taxpayer against whom any estimated or additional assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department prior to the time the amount becomes due and payable to wit within ten (10) days after notice of such estimated or additional assessment is given or sent by the department to the taxpayer as provided in this act The department shall hold such hearings in each county as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the estimated or additional assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

B If such petitioner is dissatisfied with the action of the department on his petition for reassessment he shall have the right to appeal to the court of common pleas of the proper county at any time within thirty (30) days after notice of such action or refusal is given to him by the department If any resident shall fail to give due notice of an intention to petition for a reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein get forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as aforesaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section 506 Enforcement Rules and Regulations Inquisitorial Powers of the Department A The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regula-

tions relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

B The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any taxpayer or supposed taxpayer in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by this act Every such taxpayer or supposed taxpayer is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized The department is hereby authorized to examine any person under oath concerning any income which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such income The procedure for such hearing or examination shall be the same as that provided by The Fiscal Code relating to inquisitorial powers of fiscal officers

C Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act shall be confidential except for official purposes and except in accordance with proper judicial order or as otherwise provided by law and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars ($500) and costs of prosecution or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

Notwithstanding the provisions of subsection C of this section the department may permit the commissioner in internal revenue of the United States or the proper officer of any state imposing an income tax upon the incomes of individuals or the authorized representative of either such officer to inspect the income tax returns of any individuals or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return or disclosed by the report of any investigation of the income or return of income of any individual but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state as the case may be grant substantially similar privileges to the proper officer of this State charged with the administration of the personal income tax law thereof

Section 507 Information at the Source Every person in whatever capacity acting including lessees or mortgagors of real or personal property fiduciaries employers and all officers and employes of the Commonwealth or of any municipal corporation or political subdivision of the Commonwealth having the control receipt custody disposal or payment of interest (other than interest coupons payable to bearer) rent salaries wages premiums annuities compensations remunerations emoluments or other fixed or determinable annual or periodical gains profits and income shall on or before the fifteenth day of May make a return under oath or affirmation to the department containing complete information concerning the amount of all such interest rent salaries wages premiums annuities compensations remunerations emoluments or other fixed or determinable annual or periodical gains profits and income of any individual partnership or fiduciary under such regulations and in such form and manner and to such extent as may be prescribed by the department The return shall be in such form as the department shall prescribe and shall contain a statement that the individual officer or employe of the Commonwealth political subdivision thereof or corporation or member or partner of the association making the return verifies the information contained in the return Upon conviction of making a false statement in such return the person making the same shall be subject to the penalties provided by the laws of the Commonwealth for perjury

Every person who fails refuses or neglects to file a return in accordance with the provisions of this section shall be liable to a penalty of not more than five hundred dollars to be imposed assessed and collected in the same manner as is provided in this act with regard to taxes

Section 508 Lien of Taxes A All taxes imposed by this act together with all penalties and interest shall be considered a public account after being assessed in the manner prescribed in this act and as such shall be a lien upon the franchise and property both real and personal of the taxpayer against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchise or property are situated

B The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgement and execution in the same manner as such writs are ordinarily employed

Section 509 Collection of Unpaid Taxes Whenever the taxes penalties or interest imposed by this act are not paid and no petition for reassessment thereof has been filed or if such taxes interest and penalties are not paid after all appeals have finally been disposed of the department shall call upon the Department of Justice to collect the same in like manner as is provided by law for the collection of other Commonwealth taxes

ARTICLE VI

VIOLATIONS

Section 601 Violations Penalties Any person who shall fail neglect or refuse to make any report required by this act or any taxpayer who shall refuse to pay the tax penalties and interest imposed by this act or any person who shall refuse to permit the department or any agent appointed by it in writing to examine his or her books records and papers or who shall knowingly make any incomplete false or fraudulent report or who shall attempt to do anything whatever to avoid the full disclosure of the amount of net income to avoid the payment of the whole or any part of the tax shall be guilty of a misdemeanor and shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and costs of prosecution or undergo imprisonment not exceeding three (3) years or both in the discretion of the court

Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

Section 602 Costs Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

ARTICLE VII

DISPOSITION AND USE OF TAX

Section 701 Disposition and Use of Tax All taxes interest and penalties received recovered paid or collected under the provisions of this act shall be paid by the department into the State Treasury and shall be used only for the payment of appropriations made to the State Emergency Relief Board for unemployment relief purposes excepted that two per centum of such monies shall be added and credited to the current biennial maintenance appropriation of the department and shall be available and is hereby appropriated for the same purposes for which such current biennial appropriation is available ninety-eight per centum of such moneys is hereby specifically appropriated to the Department of Public Instruction for reimbursing school districts upon the salaries of members of the staffs of elementary schools and junior high schools in accordance with the provisions of law

ARTICLE VIII

MISCELLANEOUS

Section 801 Saving Clause Nothing contained in this act shall be construed to repeal any other law of this

Commonwealth imposing any tax for State or local purposes

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. REISING. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading.

Mr. REISING. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 701, page 37, lines 19, 20 and 21, by striking out the words "shall be used only for the payment of ap-" in line 19, the whole of line 20, and the words "unemployment relief purposes except that" in line 21.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 70, as follows:

An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for assessment of benefits against property benefited and against municipalities counties and townships and for their collection providing for appeals conferring certain powers on municipalities counties and townships and the Department of Highways and making an appropriation

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Definitions The word "board" as used in this act means the Water and Power Resources Board of the Department of Forests and Waters

The phrase "Flood Control Fund" means the fund provided for in section twenty-seven of this act

The word "person" as used in this act shall include individuals associations partnerships and corporations

The word "plans" as used in this act shall mean plans maps profiles estimates of costs descriptions of public and private property and of municipalities to be benefited and other data and descriptions prepared by the Water and Power Resources Board to establish the area and boundaries of a proposed flood control district to locate adequate proposed flood control works to determine the cost of the erection and construction of the same to determine property to be taken damaged or benefited by the construction of such works and to make preliminary estimates of benefits to private property and shall also be construed to include similar plans prepared by any agency of the Federal Government

The word "municipality" as used in this act shall include counties cities boroughs incorporated towns and townships

Section 2 Surveys and Preliminary Plans The Water and Power Resources Board shall have power on its own motion or upon the petition of at least three municipalities or upon the petition of at least three hundred persons who are freeholders in any drainage area to make appropriate surveys and to prepare suitable preliminary plans for any proposed flood control district in such drainage area or any part thereof in order to control store preserve and regulate the flow of rivers and streams and diminish or eliminate floods inimical to the public health and safety and destructive to public and private property and works

Section 3 Notice and Public Hearing Objections When such surveys and preliminary plans have been completed the board shall give notice in at least two newspapers in each county wholly or partially within such proposed flood control district if so many are published therein once a week for two consecutive weeks which notice shall state the place where such preliminary plans may be inspected and the time and place when and where such preliminary plans may be discussed at a public hearing before the board and written objections thereto filed by any person or municipality

The board may in its discretion have such preliminary plans printed and furnish copies thereof to persons interested upon request made

Section 4 Detailed Official Plans Notice When such hearing or hearings on the preliminary plans have been completed the board shall proceed to consider all objections filed to the preliminary plans and shall affirm revise modify or change said plans as in its judgment is deemed just and proper and shall then prepare detailed official plans for the proposed flood control district The board shall give public notice of the adoption of such official plan in the same newspapers and by the same number of insertions as hereinbefore provided for the preliminary plans Such official plans may be printed and distributed in the same manner as the preliminary plans

Section 5 Appeals Procedure Any person or municipality aggrieved by the action of the board in the adoption of the official plans shall have a right to appeal from the action of the board to the Superior Court at any time within thirty days after the date of the last publication of the notice of the adoption of the official plans and not thereafter Such appeal shall be by petition against the board officially as defendant filed with the Superior Court alleging therein in brief detail the action complained of and praying for a modification or reversal thereof Such petition shall specify the petitioners objections to the action of the board and no objection not so specified shall be considered by the court

A copy of such appeal shall be filed with the board on the same day it is filed with the Superior Court Thereupon the board shall file with the Superior Court at least ten copies of the official plans The board shall not later than fifteen days after the filing of the appeal petition file with the Superior Court an answer thereto and send a copy thereof by registered mail to the person filing the appeal petition or his counsel of record The answer shall deny or admit the allegations in the petition and the grounds for its action

The Superior Court shall fix a time and place of hearing of which due notice shall be given to the appellant and his counsel and to the board in such manner as the Superior Court shall prescribe

After hearing the Superior Court shall make such order affirming the official plans of the board or modifying or changing the same as to it appears just and proper

The Superior Court shall have power to consolidate any and all appeals taken from the action of the board and hear them in the same proceeding

Section 6 When Official Plans Effective Official plans shall become effective for a flood control district and the district shall be deemed established when the period for appeal has expired if no appeal has been taken or if an appeal has been taken then when all appeals have been finally adjudicated

The board may proceed with the exercise of the powers granted by this act whenever an official plan has become effective and shall not be estopped in the exercise of its powers by reason of the fact that benefits assessable under this act have not been determined and that the amount of money accruing to the Flood Control Fund has not been ascertained but no contract shall be let or agreement executed requiring expenditures exceeding the amount of moneys in said fund or to become available to said fund by the time such contract or agreement is completed or concluded

Section 7 General Powers of Board In order to carry into effect the official plans for any flood control district the board shall have power to clean out widen alter deepen or change the course current or channel of any river or stream to fill up any abandoned canal or water course to contruct and maintain levees dikes walls revertments dams lakes reservoirs and other works and improvements deemed necessary to prevent floods and to control preserve and regulate the flow of rivers and streams to construct or enlarge bridges and viaducts to construct relocate and elevate public highways to construct any of said works and improvements across through or over any public highway canal railroad right of way or track to remove or change the location of any fence building railroad canal or other improvement to acquire by donation lease purchase or condemnation and own or hold in the name of the Commonwealth real and personal property and easements and the public works erected and contructed under the authority of this act

Section 8 Board Designated As Agency To Receive Federal Moneys The Board is authorized to receive on behalf of the Commonwealth of Pennsylvania any and all Federal moneys grants contributions gratuities and loans available or hereafter made available by the government of the United States or any of its agencies or instrumentalities for State flood control works and improvements under such rules and regulations as may be prescribed by law of the Congress of the United States or any Federal agency or instrumentality and to pay the same over to the State Treasurer through the Department of Revenue for deposit and safe keeping All such moneys shall be paid into the Flood Control Fund created by this act

Section 9 Powers and Duties in Connection With Federal Works and Improvements In addition to the powers hereinbefore granted in connection with the creation of flood control districts the adoption of official plans in connection therewith and the carrying into effect of such official plans the board is hereby empowered and directed for and in behalf of the Commonwealth and its subdivisions to aid assist and cooperate in the carrying out of any Federal flood control program or plans and for such purposes shall have all of the powers conferred by this act with respect to the State created flood control districts and the execution of the official plans for such districts and all other powers whatsoever necessary or required in order to enable the Commonwealth to participate in and receive the benefits of any Federal flood control program or plans in this Commonwealth It shall have power among others to enter into and execute any and all contracts and agreements with agencies of the Federal Government and to do and perform all acts necessary in connection therewith and to assist and cooperate in the construction erection financing maintaining using and operating any Federal public flood control works and improvements and to enter into and execute such contracts as may be deemed necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act It shall have power to obligate the Commonwealth to pay a portion of the cost of such Federal flood control works and improvements not however exceeding amounts of money made available or to become available for such purposes

The board is authorized and directed to conform and comply with all rules regulations and requirements of the Federal Government and its agencies and instrumentalities

Section 10 Contracts All work of any character whatever performed under the authority of this act in connection with any state public flood control works and improvements involving an expenditure of more than one thousand dollars shall be performed under written contract let by the board to the lowest responsible bidder after due advertisement as prescribed by the board

Section 11 Power of Eminent Domain The board shall have power to acquire any property easements rights of way and water courses deemed necessary for the construction of any of its public works or improvements provided for in this act by the right of eminent domain and shall have power to enter upon injure or destroy any property deemed necessary The proceedings for the condemnation of property and for the assessment of damages for property taken injured or destroyed shall be in accordance with the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred seventy-six) entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor" and its amendments and supplements

The board shall have like powers of eminent domain as hereinbefore granted in this section and in accordance with the same procedure provided by this section to acquire property easements rights of way and water courses deemed necessary by the board to enable the Federal Government or any of its agencies or instrumentalities to erect and construct suitable public flood control works and improvements in this Commonwealth in the construction and erection of which the board has been authorized by this act to aid assist and cooperate

The board shall have the power to authorize the Federal Government or any of its instrumentalities or agencies to acquire outside the Commonwealth such property easements rights of way and water courses as are deemed necessary for the construction of any public works or improvements provided for in this act and to order the payment therefor out of the Flood Control Fund to the Federal Government or its instrumentality or agency not however exceeding amounts of money made available or to be made available in the flood control fund

Section 12 United States Not to be Liable Federal Rules and Regulations All lands rights in lands rights of way and water courses acquired under the authority of this act for State or Federal flood control works and improvements shall be acquired without cost to the United States and no moneys made available for flood control in this Commonwealth by the United States shall be used for such purposes unless in either event the Government of the United States or any of its agencies or instrumentalities shall first consent thereto nor shall the Government of the United States be deemed liable for any damages by reason of its contribution arising in connection with the construction of any State or Federal public works or improvements The Commonwealth hereby agrees that after such state public works and improvements are constructed where the Federal Government has contributed the same will be operated and maintained in accordance with all rules and regulations prescribed by the Secretary of War of the United States or any other agency or instrumentality of the United States

Section 13 Contracts and Agreements With Municipalities and Persons The board shall have power to enter into contracts and other agreements with municipalities and persons for cooperation and assistance in constructing financing maintaining using and operating any State or Federal public flood control works or improvements and to enter into and execute such contracts and agreements as may be necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act

Section 14 Relocation of Roads Streets and Bridges The Department of Highways and municipalities may enter into agreements with the board of relocate roads streets bridges and viaducts necessitated by the construction of any State or Federal flood control works and improvements and may agree therein to construct new roads streets bridges and viaducts and pay the cost of the same or any part thereof from the Motor License Fund or municipal moneys without any charge or only part of the cost charged against the moneys in the Flood Control Fund The board may consent in any such agreement to pay the whole or any part of the cost of constructing such relocated roads streets bridges and viaducts from the moneys in the Flood Control Fund Such relocated roads streets bridges and viaducts may be constructed by the Department of Highways or by contract let by said department or the municipality or by the board as may be agreed upon

Section 15 Acceptance of Completed Federal Works and Improvements The board shall have power to accept on behalf of the Commonwealth all Federal flood control works and improvements after the same have been completed and to agree with the Federal Government to maintain and operate such works and improvements for the primary purpose of flood control in accordance with the rules and regulations of any agency or instrumentality of the Government of the United States

Section 16 Water Power and Supply The rights of landowners municipalities and persons to the waters in a flood control district or in waters affected by any State or Federal flood control works or improvements for domestic use water supply industrial purposes water power or for any other lawful purposes shall extend only to such rights as are owned or possessed by them prior to the establishment of the flood control district or the construction of such flood control works and improvements and to such use as could be made of such waters if the public improvements and works herein authorized had not works make possible a greater better or more convenient use of or benefit from the waters in a flood control district the right of such greater better or more convenient use of or benefit from such waters shall be the property of the Commonwealth saving the rights of the Federal Government as to navigation Such rights may be leased sold or assigned as the Legislature may hereafter provide but at all times the primary purpose of flood control shall be preserved

Section 17 Source of Finances The cost and expenses of making the surveys hereinbefore provided the preparation of preliminary and official plans all advertising the erection and construction of public works and improvements and of all other work of any kind and character authorized by this act the acquisition of any and all property in connection therewith and of all other necessary and incidental costs and expenses including the expenses of the members of the board salaries and expenses of engineers experts workmen clerks assistants and other employes all court and viewers' costs assessed against the Commonwealth and all other proper and necessary expenses of any kind and character deemed necessary by the board to carry into effect the provisions of this act shall be paid from appropriations made by the Commonwealth to the Flood Control Fund from Federal moneys available or made available to this Commonwealth as grants contributions gratuities and loans for flood control works and improvements from gifts and donations received from persons from appropriations and contributions made to the board by municipalities from contributions by other states and their political subdivisions and from moneys arising from benefits assessed under the authority of this act against private property and against municipalities benefited or to be benefited by the construction of such public works and improvements to protect public and private property and improvements from damage and destruction by floods All moneys so made available shall likewise be available for expenditure by the board to aid and assist in the erection and construction of Federal public flood control works and improvements beneficial to the people of this Commonwealth

Section 18 Appointment of Viewers After the official plan has been finally adopted and has become effective or whenever the Federal Government has adopted a plan for Federal flood control works and improvements in the construction and erection of which the board has agreed to aid and assist financially and otherwise the court of common pleas of each county wholly or partially within a flood control district as established by the official plan or of any county lying wholly or partially within any drainage area for which Federal flood control works and improvements are to be erected and constructed may on its own motion and shall on the application of the board appoint a board of three viewers from the county board of viewers whose duty it shall be to assess all benefits to private property and to municipalities to be occasioned by the erection and construction of the State or Federal public works and improvements or both It shall be the duty of the board to furnish to each board of viewers so appointed a complete set of the State Official plans showing the private property and the municipalities within the county which will be benefited by the proposed public works and improvements and also of any Federal plans if the same are available

Section 19 Swearing Viewers Assessment of Benefits Notice Hearings The viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters before them or to be submitted to them and relation to which they are authorized to inquire and having viewed each parcel of private property and each municipality which according to the official State plan or Federal plan or program is to be benefited shall hear all parties and their witnesses and shall determine the benefits if any to accrue to each such parcel of private property and to each municipality and shall prepare a schedule of such property and a municipal schedule and the amount of benefits assessed against each piece of private property and against each municipality

No assessment of benefits shall be made against public property No assessment of benefits shall be made against any private property unless in the opinion of the board of viewers such property will be benefited by the prevention or lessening of future flood damage No assessment shal be made against any municipality unless in the opinion of the board of viewers the municipality will be benefited because its buildings roads streets parks water supply plants and other public property and works will be protected from flood damage The fact that public and private property and works have been damaged by flood shall be deemed conclusive evidence that benefit will accrue to such property or municipality by reason of the public works and improvements authorized by this act or provided by the Federal Government or its agencies or instrumentalities No exemption from assessment of benefits shall exist for any private property or any municipality by reason of the fact that the same does not abut on any improvement or on the river or stream carrying the flood waters

The viewers shall give notice to all persons and municipalities against whose properties or against which benefits have been assessed of a time when and place where the viewers will meet and exhibit their schedules and hear all exceptions thereto Such notice shall be given by registered mail addressed to the last known post office address of the owner or reputed owner of the property and to the corporate authorities of each municipality and by publication once a week for two weeks in at least two newspapers of general circulation in the county where so many are published in the county The failure of an owner or municipality to receive the registered mail notice shall not be deemed to invalidate the proceedings but in such cases the notice by publication shall be deemed sufficient

Section 20 Revision of Schedules Filing and Notice Thereof After hearing all parties and after making whatever changes are deemed necessary the viewers shall prepare a revised schedule of benefits to private property and a revised schedule of benefits assessed against municipalities and file a copy of each in the court of common pleas of the county When the reports of the viewers are filed they shall be confirmed nisi When the reports are filed notice thereof shall immediately be given by the board of viewers by publication once in the newspapers in which the notice of the hearings before the viewers was

published Such notice shall state the date of the filing of the reports shall contain the schedules of the benefits assessed and shall state that unless exceptions are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the reports will be confirmed absolutely

Section 21 Filing of Exceptions and Appeals Within thirty days after the filing of the report of viewers any person or municipality interested may file exceptions to the same or may appeal to the court of common pleas and demand a jury trial

Each person or municipality filing exceptions or taking an appeal shall except to or appeal from so much of the report only as affects property in which he has an interest or as affects the municipality and the part of the report of the viewers not excepted to or appealed from shall be confirmed absolutely after said thirty day period

Section 22 Procedure on Exceptions and Appeals Where exceptions to a report of the viewers are filed the court shall proceed to hear and determine the same in the manner exceptions to the reports of viewers are generally proceeded with within the county Where an appeal is taken it shall state the grounds upon which the appeal is taken and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Upon the trial of any appeal or the hearing of any exceptions in case the appellant or party excepting does not obtain a verdict or decree more favorable than was the report of the viewers he or it shall not recover any costs

The court of common pleas shall order what notices shall be given in connection with such proceedings by exceptions or by appeals and may by rule or otherwise prescribe the form of the pleadings

The court may also in proper cases consolidate proceedings by exceptions or appeals into a single proceeding but exceptions or appeals involving municipalities shall not be consolidated with those involving private property

Section 23 Appeals to Superior and Supreme Courts Any person or municipality aggrieved by an order of court on exceptions filed or determination of the case where a jury trial was demanded may within thirty days after such final order or determination and not thereafter appeal to the Supreme or Superior Court as the case may be

Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same or involve the same questions the Superior Court may certify such appeal to the Supreme Court to be heard with other appeals from the same report

The Supreme or Superior Court shall consolidate all appeals coming before it from the same report and hear them as one case except that cases arising from exceptions shall not be consolidated with those arising from appeals and demands for a jury trial and those involving municipalities shall not be consolidated with those involving benefits to private property

Where any appeal is taken to the wrong court such court shall certify the same to the court to which it should have been taken

Section 24 Due Date for Payment of Benefits Discounts for Prompt Payment Interest All assessments of benefits shall become due and payable to the board when the State or Federal public flood control works and improvements have been completed which date shall be fixed by the official order of the board notice of which order shall be published by the board in the newspapers in which notice of the preliminary and final plans were published by one insertion

Any person or municipality may pay any part or all of the benefits assessed against him or it to the board before the due date thereof If such payment is made within six months after the amount of the benefits have been finally ascertained a discount of ten per centum of the amount thereof paid shall be allowed All benefits or any part thereof paid after such six months' period and within one year from the time the benefits are finally ascertained shall be subject to a discount of five per centum of the amount paid All assessments of benefits or parts thereof remaining unpaid when the improvements are completed shall bear interest at the rate of six per centum per annum from the date of the completion of the improvements until paid

The board shall send by registered mail addressed to the last known post office address a statement of the amount due by each person and municipality after the same has been finally ascertained together with notice of the discounts allowed by this act for prompt payment and when interest will be added to the amount due

Section 25 Liens and Filing Thereof Procedure Thereon to Collect All assessments for benefits against private property shall remain a lien thereon from the time report of the viewers is filed in court until paid unless the lien thereof be lost by failure to revive the same It shall be the duty of the board within six months after its order that the public works and improvements have been completed to file through the Department of Justice in the name of the Commonwealth of Pennsylvania in the office of the prothonotaries of the proper counties liens for all benefits assessed which remain unpaid by persons and municipalities But no such lien shall be filed unless the board shall first notify by mail addressed to the last known post office address of the owner or reputed owner of the property or the municipality against which an assessment has been made of its intention to have said lien filed if payment of the amount due is not made before a time prescribed by the board Such liens shall be filed in the same manner as is provided by law for the filing of municipal claims and shall have priority over all other liens except taxes and municipal claims or liens and except also mortgages and judgments of record prior to the time the report of the viewers was filed in court

Such liens shall be revived prosecuted to judgment executed and collected by the board through the Department of Justice in the same manner in all respects as is provided by law in the case of municipal claims except that in the case of municipalities judgments recovered on such liens shall be collected in the same manner as judgments are collectible by law against municipalities

Section 26 Increase of Municipal Debts Appropriations Any municipality may incur or increase its indebtedness in the manner provided by law for the purpose of appropriating moneys to the board to assist in carrying out the purpose of this act and for the purpose of paying benefits assessed against it by the report of viewers or as finally adjudicated and may make appropriations from current funds for such purposes

Section 27 Flood Control Fund Created Appropriation of Moneys therein A special fund to be known as the Flood Control Fund is hereby established in the State Treasury into which shall be paid all moneys appropriated by the Commonwealth and received from the Federal Government and other states and their political subdivisions for flood control work and projects and all moneys arising from gifts or donations from persons and municipalities and recovered from benefits assessed against persons and municipalities under the provisions of this act

All moneys in the Flood Control Fund from time to time are hereby specifically appropriated to the board for the payment of any and all costs and expenses properly payable under the provisions of section seventeen of this act for repayment to the General Fund of excess appropriations made by the Commonwealth pending the collection of assessments of benefits and for payments on account of any moneys which the board may have agreed to contribute to aid and assist in the erection and construction of any Federal flood control works and improvements and in the erection and construction of flood control works and improvements under compacts and agreements with other states

Where more than one flood control district is created separate accounts shall be kept for each district and payments from the Flood Control Fund for or on account of any one district shall not exceed the amount credited to such district in said fund.

Section 28 Additional Appropriations to Cover Delayed Payment of Assessments If in the construction and erection of the public works and improvements authorized by this act it becomes necessary for the Commonwealth to advance additional State moneys

by appropriation to the Flood Control Fund because of a failure of owners of property and municipalities to pay benefits assessed within the time and in the amount estimated by the board then and in that event the General Fund shall be reimbursed by the board from future moneys collected from assessments of benefits to the extent of such additional appropriations The General Assembly shall in its appropriations to carry into effect the provisions of this act state the amount or amounts of appropriations so made which shall be so repaid to the General Fund

Section 29 Cooperation With Other States The Water and Power Resources Board is hereby designated as the agency of the Commonwealth with power to enter into reciprocal compacts and agreements with other states in developing flood control projects and works and shall have authority to expend moneys made available and appropriated by this act for interstate flood control works and improvements located within or without this Commonwealth on rivers and streams entering into or flowing out of or along the borders of this Commonwealth and to receive for payment into the Flood Control Fund from other states and their political subdivisions any moneys to aid and assist in the construction of flood control works and and improvements located in this State which are deemed beneficial to the inhabitants of other states Payments on account of such interstate works and improvements may be made by the board direct to the contractor or to the agency of such other state which let the contract or is performing the work of constructing such works or improvements or to the Federal Government or any of its instrumentalities or agencies supervising the construction of such works or improvements

The board is further authorized to empower the Federal Government or any of its instrumentalities or agencies to supervise the construction of such interstate flood control works and improvements

Section 30 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions had not been included therein

Section 31 Appropriation The sum of two million dollars ($2,000,000) or so much thereof as may be necessary is hereby specifically appropriated from the General Fund into the Flood Control Fund created by this act for the purpose of carrying into effect the provisions of this act.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker and members of the House, when this bill was before the House a few days ago, I raised the question as to the appropriation of five hundred dollars to the Department of Forests and Waters. I said at that time, as I recall it, that I felt that we should not at this time further burden the budget of the State by appropriations of this size for the purposes of studies of flood conrol, because the Federal Government was undertaking such studies. I said that I felt that we should wait until the next regular session of the Legislature, until we saw just what was to be done with the Federal program and with the moneys that were to be expended and with the surveys made.

I also called the attention of the House to the fact that there were under way in other agencies of the Government already such studies. I have in my hand a copy of "The Patriot" of Harrisburg of today, and I desire to read to the House this little news item:

STUDIES BILL CALLING FOR SURVEY IN STATE

"Washington, June 7.—President Roosevelt has under consideration a bill to authorize preliminary flood control surveys of parts of the Allegheny and Susquehanna Rivers in Pennsylvania.

"The Senate approved the bill yesterday and sent it to the White House.

"His approval would order that preliminary surveys be made on tributaries, sources and headwaters of the two rivers where no such surveys previously have been made.

"Streams to be surveyed include the Clarion River, Red Bank Creek, Mahoning Creek, Pine Creek, Kiskimentas River, Loyalhanna Creek, Conemaugh River, Black Lick Creek, Stony Creek, Clearfield and Chest Creeks."

All are in the western part of the State, and therefore I again rise to oppose this bill on the same grounds. I feel that it is premature, that we should await for a time, that we should not rush into the appropriation. I think the total is about eight hundred housand dollars of money in different bills that we have had before this Legislature appropriating to the Department of Forests and Waters money to make these studies, money which in the end can only be a duplication of work that the Federal Government already has under way and which it contemplates.

Mr. WEISS. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware, Mr. Turner, permit himself to be interrogated?

Mr. TURNER. Mr. Speaker, I will.

Mr. WEISS. Mr. SPEAKER, does the gentleman from Delaware, Mr. Turner, believe that the surveys made by the United States Government at this time have been adequate enough to take care of the situation so that we can conform the legislation of this Commonwealth to the Flood Omnibus Central Bill?

Mr. TURNER. Mr. Speaker, I would like to answer that question by saying that I do not believe that I am familiar enough with all the studies made by the Federal Government, nor do I believe that my learned opponent on the other side or any other member of this House is familiar enough with all the vast data which has been gathered by the Army engineers and by the engineers of our Sanitary Water Board and other authorities in the State and Federal Government on this question to determine whether the studies are adequate.

Mr. WEISS. Mr. Speaker, doesn't the gentleman from Delaware believe that this flood control matter is an emergency measure due to the devastating flood that visited this Commonwealth a few months ago?

Mr. TURNER. Will the gentleman kindly repeat his question, Mr. Speaker?

Mr. WEISS. Mr. Speaker, doesn't the gentleman think that flood control is an emergency measure now, in view of the devastation caused by the recent flood just a matter of a few months ago?

Mr. TURNER. Mr. Speaker, I believe that the flood control question is a very important question before the people of Pennsylvania. I believe that the people of Pennsylvania and that every member of this Legislature is interested in that question. I believe that in that sense it might be termed an emergency measure, but in the development of a program of this kind it is not of such an emergency character, because of the length of time that will be necessary, that the waiting period of a few months, about six months now until the coming of the next session of the Legislature, will in any way keep back or retard any study and development of the program.

Mr. WEISS. Mr. Speaker, does the gentleman from

Delaware wish to inform this House or make this House believe that he is opposed to flood control.

Mr. TURNER. Mr. Speaker, I certainly would think that the gentleman from Allegheny would know me well enough to know that I am not opposed to any study or any program of flood control in this Commnwealth.

Mr. WEISS. Mr. Speaker, doesn't the gentleman from Delaware County know that the two million dollars appropriated in this bill is not to be used for surveys?

Mr. TURNER. Mr. Speaker, I do not so understand the measure.

Mr. WEISS. Mr. Speaker, doesn't the gentleman know that under the provisions of this bill the Department of Forests and Waters under the Water Power and Resources Board as its agency has the right on its own initiative to give a public flood control program?

Mr. TURNER. Mr. Speaker, I believe it has.

Mr. WEISS. Mr. Speaker, didn't the gentleman from Delaware vote in 1925, in 1929 and 1935 sessions to appropriate approximately two million dollars to the Pymatuning Dam project?

Mr. TURNER. Mr. Speaker, I cannot remember whether I voted for or against those measures at that time.

Mr. WEISS. Mr. Speaker, and members of the House, I believe House Bill No. 70 is one of the important measures of this kind introduced to regulate flood control in the State of Pennsylvania, and for the benefit of the members of the House I will refresh the recollection of the gentleman from Delaware by referring to the Legislative Journal record of how he voted on bills appropriating money for the Pymatuning Dam project.

On April 6, 1925 House Bill No. 53 was introduced by Mr. Stevenson, providing for the erection of a dam at the outlet of Pymatuning Swamp. The bill carried an appropriation of four hundred and fifty thousand dollars, and I might say that besides the gentleman from Delaware, Mr. Turner, the gentleman from Philadelphia, Mr. Baldi, Mr. Blumberg, Mr. Long, Mr. Greenstein, Mr. Flynn and my esteemed friend from Philadelphia, Mr. Witkin, all voted aye on this bill.

On April 1, 1929, the gentleman from Delaware voted aye on a similar bill.

On March 18, 1931, the gentleman from Delaware voted aye on a bill appropriating one million five hundred thousand dollars outright from the Commonwealth of Pennsylvania to erect a dam in the Pymatuning region that would regulate the flow of waters in the Shenango and Beaver rivers with the inevitable result that the disastrous floods which visited this Commonwealth on the 17th of March, 1936, this entire area avoided the damages that visited all other sections of the Commonwealth. In 1933 the gentleman from Delaware brought in an additional appropriation of four hundred fifty thousand dollars to finish the construction of a dam or a spill-way at the Pymatuning outlet.

House Bill No. 70 is an agency created by this Commonwealth to be able to obtain funds from the United States Government on its Omnibus Flood Control Bill.

I might inform the members of the House that none of the members of the Board created under this act are salaried members of the Board, for the present Board consists of the Secretary of Forests and Waters, the Commissioner of Fisheries, the Secretary of Health, a member of the Public Service Commission, and an engineer appointed by the Secretary of Forests and Waters and paid a salary of three thousand dollars, and that is set up in the administrative code.

I say to the members of the House unless we pass this House Bill No. 70 we will be prevented from receiving the benefits of the Coleman Omnibus Flood Control Bill.

I was informed by the Junior Senator from Pennsylvania that if we increase the appropriation of this bill a reasonable amount, make it similar to New York, where they increased the original appropriation from two to four million, we can receive additional benefits to immediately begin the construction of reservoirs at the head waters of the Ohio and Delaware River water sheds, and in the construction of reservoirs on the Conemaugh to prevent if possible the raging torrents that came down the Conemaugh and damaged the city of Johnstown.

I say to the members of this House the Flood Control Bills proposed by the administration are just as important as the relief bill. When you take into consideration that there was over two hundred million dollars loss in property, and over two hundred lives lost, we certainly should not quibble about an appropriation of two million dollars when we have the possibility of getting ten million dollars from the Federal government. The money appropriated under this bill is for the payment of land damages only. The construction of the Public Works program, artificial dikes or reservoirs is to be paid for out of moneys allocated by the United States Government.

I respectfully ask not only the members on this side of the House, but my Republican friends whose districts were visited by the floods of the past two months to vote "aye" on this measure.

Mr. TURNER. Mr. Speaker, I would not arise to answer the gentleman from Allegheny as to the reading of my record vote on the Pymatuning dam project where it not that I do not believe that the argument is germain to the issue here. I voted for the Pymatuning project. I evidently thought at that time it was a good project. There was no question of appropriation of Federal money. There was no appropriation at that time on the part of the Federal government. It was entirely a Pennsylvania project, and if it has done something of good to the western part of the State, prevented the flood I am very happy that I voted for it and I have no apologies to offer.

The question I am raising here, and I noticed after I sat down that while I talked about five hundred thousand dollars, that the bill had already been amended to the sum of two million dollars. I do not know, and I doubt if any of the members of this House know how it would be possible to secure two million dollars in Pennsylvania at the present time. If the Federal government has a program of flood control, and if it has the moneys which it will appropriate to the State of Pennsylvania, if the State of Pennsylvania is willing to raise those moneys, I think that that question should be determined by this House after we have seen the program and after we may have had an opportunity to determine the value of the program and the works that are to be performed, but to give two million dollars to the Secretary of Forests and Waters,—and he is from my own county and I have a great deal of respect for him,—to give to that Department a blanket sum of two million dollars which they can expend for surveys, which it can expend in cooperation with the Federal government on projects to me is the wrong way to go about it, especially at a time like this

when within six months we are going to have a Regular Session of the Legislature, and if the plans that have been developed are worthy plans, if they are proper plans, if the project is submitted to the Legislature, the appropriations Committee has had an opportunity to go over them and to determine if they can appropriate that amount of money, then I certainly would be in favor of doing that which the State of Pennsylvania can do to eliminate floods in the western part of the State or any other part of the State of Pennsylvania in relieving us from the burdens we have had cast upon us by this recent flood, but I say it is highly improper to appropriate the sum of two million dollars when the Federal Government, as this news item says, has already passed an act providing for the survey; when we know that for years the Army Engineers have been making surveys; when we know that the Department of the Interior through the Board of Natural Resources is already in the field making such studies, it seems to me that it would be a useless expenditure of money and would be wrong for us at this time when we need money so badly in the Commonwealth for unemployment relief, for our hospitals, for our homes; when we need money to make the necessary repairs in many of our institutions, when there is a crying need for appropriations in other parts of the Commonwealth, I say again it is highly improper, to appropriate two million dollars and thus cast a further burden on every taxpayer n Pennsylvania. We ought to find some way of cutting down our present cost of Government. It seems to me it would be the wrong way to go about it and highly improper at this time.

HOUSE BILL NO. 44 SPECIAL ORDER

The SPEAKER. The hour of 10:00 o'clock having arrived the Chair lays before the House the special order of business fixed for this hour, House Bill No. 44, Printer's No. 101, on final passage.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 44, entitled:

An Act to amend section two hundred and one of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred fifty-three) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" making the real estate of public service companies with certain exceptions subject to taxation for school purposes

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. WITKIN. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—104

Achterman,	Downey, G. E.,	LaRue,	Ruffennach,
Alexander,	Eberharter,	Long,	Sarraf,
Andrews,	Eroe,	Lovett,	Scanlon,
Anthony,	Falkenstein,	Lynch,	Schaeffer,
Arnold,	Ferko,	Male,	Schrock,
Baine,	Finnerty,	McCreary,	Schrope,
Baker, J. J.,	Fitch,	McDermott,	Schwab,
Bernhard,	Flanagan,	McElroy,	Shaw,
Boyer,	Flinchbaugh,	Melchiorre,	Siegel,
Bradley,	Gerard,	Mentzer,	Sinwell,
Brancato,	Haberlen,	Moomaw,	Smith, J. A.,
Brown, H. S.,	Hagerty,	Mooney,	Smith, W. G.,
Brown, J. E.,	Haluska,	Moran,	Stank,
Brownfield,	Harkins,	Moul,	Stevens,
Brumbaugh,	Harmuth,	Murrin,	Stone,
Burke,	Hartman,	Nagel,	Sumney,
Cannon,	Hetrick,	O'Keefe,	Surface,
Caputo,	Hindman,	Ominsky,	Tronzo,
Carson,	Hirsch,	Patterson, Cliff,	Tumelty,
Chervenak,	Holland,	Patterson, J. W.,	VanSickle,
Coakley,	Holstrom,	Pearson,	Weiss,
Cochran,	Hoopes,	Pfaff,	Welliver,
Cohen	Kelso,	Piole,	Welsh,
Coolahan,	Kilroy,	Powers,	Westrick,
Dent,	Kinney,	Reising,	Zappala,
Dilley,	Klingler,	Robinson,	Furman,

NAYS—78

Altenburg,	Habbyshaw,	Nothnagle,	Stewart,
Atkins,	Hamilton, R. S.,	Panton,	Stockham,
Baker, F. T.,	Hermansen,	Parks,	Stott,
Baldi,	Hoffner,	Perry,	Sweeney,
Barnhardt,	Horst,	Peters,	Tahl,
Beadman,	Jackson,	Reynolds,	Terry,
Boose,	Jones,	Rhys,	Trout,
Boyd, R.,	Kelder,	Rinn,	Turner,
Brennan,	Kenney,	Roan,	VanAllsburg,
Coleman,	Linderman,	Rooney,	Wall,
Condon,	Longaker,	Royer,	Wasserman,
Cooper,	Mallen,	Serrill,	White,
Cordier,	Mason,	Shreiner,	Wickersham,
Davies,	McDevitt,	Simon,	Winner,
Denning,	McHenry,	Simpson,	Witkin,
Duffort,	McKinney,	Sloan,	Wood,
Forrest,	Merrell,	Snyder, F. E.,	Woodside,
Gates,	Moore,	Sowers,	Yeakel,
Gillette,	Muir,	Sproul,	Yourishin,
Greenstein,	Munley,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON FINAL PASSAGE (HOUSE BILL No. 70)

The SPEAKER. The House will resume consideration on final passage of House Bill No. 70.

On the question recurring,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, the gentleman from Delaware in discussing House Bill No. 70 unfortunately overlooked the essential feature of the measure. There are Federal funds almost immediately available for flood control projects. There is not, however, a single dollar available for use for the condemnation of the property. Without the passage of this bill or some similar measure nothing could be done in this case were there twenty millions of Federal funds immediately available. I will admit that if it was simply a matter of making preliminary surveys, that there would be no urgency as far as House Bill No. 70 is concerned, but the gentleman from Delaware has pointed out that in a great many instances adequate surveys of headwaters of various streams have been made, and sufficient data has been acquired so that the Federal Government is willing and able, and has appropriated money for immediate action, but Pennsylvania cannot get a dollar of that money unless it can finance the property damages incident to the erection of flood control projects, and therefore I hope that all of the members of this House will vote "aye" on this measure.

Mr. STOCKHAM. Mr. Speaker and members of the

House, I arise to give you some facts relative to this very stupenduous program that is involved in this bill and in two other bills which have already passed this House relative to flood control. We have heard a great deal of the five-fold value of these measures, of conservation, of power, of flood control, of navigation and irrigation. It has been well said by some of the gentlemen on the other side of the House that irrigation is not a part of this problem with us in the East, and so I would substitute the word "recreation," because in the ultimate analysis of all of this development there will be opportunity for the recreation of many people in this Commonwealth who otherwise have no opportunity to have such privileges as are had in other sections, and particularly along the Atlantic seaboard. But I want to direct your attention to certain facts. The other day a report on the Ohio River Watershed was read in which General Markham suggested that certain surveys be made. I believe, Mr. Speaker, that so far as the Federal feature of all of this work is concerned, the Federal Government does provide those surveys; the Federal Government does take care of all of its own work, and the Federal Government does have control of these streams.

A few years ago,—and I have been interested in the development of the Delaware Valley for a grat many years, and I have been an officer of the Atlantic Deeper Waterway Association, and I secured simply through my Congressman an act that calls for a survey of the Upper Delaware and the Lehigh. Now, that survey includes all five of those features as I have outlined them. I believe that this legislation is in the whole good legislation. I believe that this legislation looks forward to a very fine development, and as Mr. Witkin said a few days ago on the floor, that certain surveys have set forth why certain things should be done to control the waters in the upper regions of our great rivers against floods, and in this respect we have to begin now and take action that shall look to the time when such construction, engineering developments might take place so as to avoid these disastrous floods.

In my home town we suffered severly, and I have in this House a bill for certain protection along the Delaware River at Morrisville, and so in the whole this subject should be approached with care. I believe, and I want to emphasize this one factor, I do not think that it is necessary for the Commonwealth of Pennsylvania to appropriate moneys for surveys. I believe acts of Congress directed possibly by this House should provide for all of these great rivers,—and God has given to Pennsylvania some wonderful rivers,—the appropriate development for all of this five-fold development such as this House Document No. 219 of the Seventy-third Congress, Second Section,—all of these facts, that is a survey and the data necessary to develop the Delaware and the Lehigh have been had and provided to the Congress without any cost whatsoever to us.

Now, as to the need for funds that shall direct such protective measures as shall be needed against such recurrence of floods until this whole program is consummated, I have no word against them, so, Mr. Speaker and members of the House, just for a few facts that we might better understand our situation.

I believe that Senator Copeland had a comprehensive bill in the United States Senate that called for three hundred fifteen millions for flood control. The allocation of those moneys were so fixed that twenty-five percent of this money would come to those states in the East that were so devastated as no other states were. And of income to the Federal Treasury over 40 per cent of that income comes from these states that were devastated, and there have been no other floods elsewhere comparable to those floods in Pennsylvania.

I believe, Mr. Speaker, that in view of the fact that this Commonwealth is one of the greatest industrial states in the Union and because of the fact that so many millions are appropriated to other sections of the country, and that because of the fact in the past we of the East have given so little attention to these grave facts, that regardless of party lines we should be a unit in seeking the development of these great streams within this great Commonwealth, because there are many things at stake. Our great steel industry, our cement, our coal industries are all at stake, and I like to believe that there are three great coordinating features that apply, and such as we should look upon in all lines that should govern the welfare of our State, and that those three features are the three R's of transportation, the rail, the road and the river.

We know that our steel industries are seeking points along deep water, and in some instances in other states. We know that our great coal industry has suffered a tremendous and a devastating shrinkage in the last ten years, and we know that all of these great industries have a great deal at stake, and we in turn have a tremendous interest in these industries because they are the very life blood of the welfare of this Commonwealth.

Now, I point out these things and these items that refer to the general fund and to the need of our standing together for those rights that are ours in the East, and particularly in this Commonwealth, that we should look forward to very constructive legislation that shall ultimately enable the development of all that is set forth in these bills.

I do, as I said before, and I repeat, question the advisability of surveys on the part of any State department to give to the Federal Government, because in the final analysis they do it themselves in their own way anyway and although I deplore those features that are in this bill, I rise, if you please, Mr. Speaker, to express my interest and my desire to see such constructive legislation put upon our books that shall place us in the position in which we belong, and that shall insure to our State those industries that are so vital to our survival.

Mr. WITKIN. Mr. Speaker and members of the House, on Monday, May 25th, upon a bill similar in character, I took the floor and pointed out to the members of the House the derelictions of the Federal Administration at Washington in connection with flood control. You may or may not vote for this bill; that is immaterial. I do not blame the gentleman from Allegheny, Mr. Weiss, for introducing it, because in his district great devastation and destruction of life and property was caused by reason of these floods. I feel, however, that the record ought to show the facts. The facts very simply are these; this is a flood control bill, raised from five hundred thousand dollars to two million. Ten million dollars is not enough if it is going to stop the loss of life, the destruction of property and the loss of billions of dollars in the State of Pennsylvania. Personally I intend to vote "Aye" on

this bill, and I am going to vote "Aye" because of the fact that I am cognizant of the fact that the Federal Administration at Washington was most derelict in its duties and I think the members of this House are entitled to know the facts as they are in the face of the floods that occurred in March of 1936. It was pointed out by the War Department through its engineers back in 1933 that for a maximum construction cost of thirty-five million one hundred seventy-five thousand seven hundred dollars, plus an equal sum of approximately thirty-five million dollars, or a total of seventy million dollars, every important community along the Susquehanna River, along the Allegheny and Monongahela Rivers, where the greatest amount of life and property was destroyed, that these floods could have been avoided. I think that the House ought to know that the Roosevelt Administration that spent millions, no, billions of dollars upon a great many boondoggles knew in 1932 from these completed plans of the Army engineers, which dated back until that time, and referred particularly to the town of Johnstown, from which my good friend, Mr. Andrews, comes, that all this could have been avoided had the United States Government taken proper advantage of the fact that the Army engineers reported that there ought to be flood control in these districts.

What are the facts? The facts were covered in a very extensive report for the House of Representatives at Washington, House Document No. 306 of the Seventy-fourth Congress, the First Session, a book of one hundred ninty-four pages containing all the facts. What do they show? They show that the entire basic report was sent and forwarded by the district engineers of the United States Government back in October 31, 1933. What happened to this report? It lay dead, it lay dormant, it was not included in the "must" program of the Roosevelt Administration. All of us are cognizant of the fact that all the Roosevelt Administration had to say, was that this was a "must" bill and it would have come out, but two years, six months, twenty-five days later, to-wit, on April 25, 1936, after more than two hundred lives had been lost and half a billion dollars of damages had been sustained and people suffered all kinds of deprivations, then the Senate Commerce Committee for the first time reported this bill out, after the flood had occurred and after the great loss and damage had occurred in the State of Pennsylvania. This report that was submitted in 1933 by the United States Army Engineers was specific.

Back in 1933 they pointed out that the long list of disastrous floods that came to the city of Pittsburgh and the city of Johnstown and to the area that was encircled by the Monongahela and the Allegheny Rivers were subject to floods. These things were pointed out specifically and definitely to the United States Congress and to the Roosevelt Administration. Eighty per cent of the money, to-wit the seventy million dollars that would have been expended, would have been expended upon labor. These reports on December 8, 1934, were slightly amended and gave them a little more particulars concerning the possibilities of flood in western Pennsylvania. They were given the Board's approval on March 25, 1934, one full year before the flood occurred. And what was the result? Did the Democratic Administration include these in their "must" program? No, they did not. House Bill No. 8455, in the United States Congress, introduced on June 14, 1935, by Representative Wilson of Louisiana, in which he said this: "The Committee on Flood Control—" He was chairman of the committee, and he made a report known as Report 1223, 74th Congress, 1st Session, and I quote from that report: "The Committee on Flood Control, to which was referred the bill, House Bill No. 8455, authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, having considered the same, report it to the House of Representatives with the recommendation that it do pass.

"The projects selected in this measure have been approved by the Corps of Army Enginers as the most meritorious of a great number of undertakings upon which studies and examinations have been made. Each project has been selected only after having been subjected to intensive study looking closely into the cost, the economic justification of each project, relative merit, and benefits to be derived upon completion of the work.

"The Committee on Flood Control recommend the projects approved in this bill as important contributing factors in reducing flood heights and consequently the elimination of flood disasters throughout the Nation." And that includes Pennsylvania.

What happened to that report? What did the Roosevelt administration do with that report? The answer is they did nothing. I do not blame the gentleman from Allegheny County, Mr. Weiss, for endeavoring at this late stage, after the floods have occurred, and after all the loss of life took place, I do not blame him for endeavoring to ingratiate himself with his constituents in Allegheny County at all. This is a perfectly proper bill; even if he did it for the purposes of ingratiating himself with the citizens, it is a proper flood control bill, but I want to say, as I did on May 25, 1936, that the greatest indictment against the Roosevelt Administration insofar as Pennsylvania was concerned, is the failure on the part of the Democratic administration at Washington to act upon a clear cut, concise, definite report that was submitted to it back in 1933, and every life that was lost, and every dollar that was lost and every bit of anguish that was caused to the citizens in every part of Pennsylvania, in Sunbury, in York and in other parts of Pennsylvania, is directly attributable to the fact that the Roosevelt administration was more interested in political propaganda, in the expending of billions of dollars than it was in passing upon proper flood measures.

POINT OF ORDER

Mr. WEISS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny, Mr. Weiss, will state his point of order.

Mr. WEISS. Mr. Speaker, the gentleman is talking on a matter entirely foreign to the issue before the House.

The SPEAKER. The gentleman from Philadelphia will confine his remarks to the bill before the House.

Mr. WITKIN. Mr. Speaker, I think this bill ought to pass, because the reports of the engineers of the Army showed away back in 1933 that had they spent six million five hundred thousand dollars upon the City of Williamsport, one million one hundred eighty thousand dollars, Harrisburg eighty thousand dollars, then it went down to Sunbury, seventy-two thousand dollars, and I think the citizens of Sunbury are anxious to have House Bill No. 70 passed because they realize that had we spent seventy-two thousand dollars back in 1933, the great amount of trouble would never have occurred, or if in

the City of York, from which my good friend, Mr. Cohen, comes, there had been spent the sum of one million seven hundred thousand dollars they would not have had any trouble in York at all.

POINT OF ORDER

Mr. JOHN J. BAKER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny, Mr. Baker, will state his point of order.

Mr. BAKER. I would like to inquire, Mr. Speaker, whether this is the Cleveland convention or the Legislature at Harrisburg.

The SPEAKER. The Chair is unable to tell.

Mr. WITKIN. Mr. Speaker, I will answer that question because in the Cleveland convention the next president of the United States will be nominated, and I am not nominating him here. However, leaving the Cleveland convention out of it for just a few minutes, in Lock Haven, two million two hundred thousand dollars, Muncy two hundred seventy-seven thousand five hundred dollars,—and I have already referred to York with one million seven hundred thousand dollars. Mr. Weiss, the gentleman from Allegheny, says that we ought to spend two millions of dollars. I agree, but as the gentleman from Delaware has said, where are we going to get the two million dollars? The gentleman from Allegheny doesn't seem to want to answer that question, but irrespective of where we are going to get it, I am for appropriating it. I am for spending two million dollars, because it is my firm belief that we ought to study flood control, and then if we make a useless investigation, we ought to make it, but I do say this, that every fact and every substance that we want in this bill is already before us. It is an effort on the part of my Democratic friend to endeavor to curry favor with the people in the Western part of Pennsylvania, and I want to say to the people in the Western part of Pennsylvania that the flood that occurred in March of 1936 never would have occurred had the report that was recommended in the House of Representatives, and subsequently approved by the Senate committee, had that been adopted there never would have been a flood, and I want to say to the gentleman from Allegheny that he is doing a noble thing, because he is endeavoring to correct now the mistake, and the greatest indictment that can be found against a government and that is the indictment that caused these floods because had we spent seventy millions of dollars instead of wasting the time on a great many useless projects that we do not want investigated,—at least you don't want them investigated at this time, if they had spent that, then we would not have needed these two million dollars, but if it is necessary to burden the people of Pennsylvania with two million dollars more, I am for it, because I am for taking care of the mistakes of the Roosevelt Administration that is now seeing its last days.

Mr. WEISS. Mr. Speaker and members of the House, I was rather reluctant to rise to respond to some of the questions and propaganda raised by my friend from Philadelphia. He must have his political good time and holiday every Monday night and I don't know where he goes or comes from before he comes to the House. I want to say to my good friend from Philadelphia he has evidently been reading some quotations from studying "Billions for Boondoggling but Nothing for Flood Control" written by the Pennsylvania Protective Union, Warren F. Doane, who is evidently interested in flood control in this State and the United States Government for the last twenty-five years. This Pennsylvania Protective Union is a subsidiary or affiliate of the Republican Party. I do not want to read to my good friend on the other side of the House any words from "Billions for Boondoggling but Nothing for Flood Control" nor any words from the Pennsylvania Protective Union, but I want to read him something from a Congressional Report, and I read from the 71st Congress, 2nd Session, Document No. 370, April 25, 1930. This is a statement made during the Hoover regime by the Chief of the Army Engineers. Here is what they think of the possibility of floods in the State of Pennsylvania, and I quote on page 8, paragraph 8, of the Engineers' reports on the probability of future floods as follows: "The normal annual rainfall on the drainage basin of the West Branch of the Susquehanna River is about 40 inches. The mean annual run-off, as determined from the flow records at Williamsport from 1896 to 1926, is 21.4 inches. The nature of the floods on the Susquehanna is such that it is difficult to predict accurately the future probability of floods of various magnitudes. During the 34 years for which continuous records are available at Williamsport, the highest stage reached was 21.7 feet. In the previous 34 years, there were 6 floods which reached a higher state. Two of these reached 30 feet or over, and the discharge was over twice as large as any in the last 34 years. Considering the last 34 years only, the indications are that destructive floods (except those due to ice) come very infrequently. Considering the past 68 years, however, the frequency curve of stages plotted from past records indicates the probability of a recurrence of the 1889 flood once in 75 years; of the 1894 flood once in 45 years; and of the occurrence of a flood high enough to do some damage in Williamsport once in 15 years. According to a formula devised by Lieut. Col. C. R. Pettis the 1889 flood would occur on the average, once in 100 years. Using the Fuller formula, based on the size of floods in the past 68 years, a flood equal to that in 1889 would occur once in 230 years, and one as great as the 1894 flood once in 63 years. Thus we may predict that a flood, as large as that of 1889 might be expected about once in 125 years, and one as large as that of 1894 once in 55 years."

There you are, my friend from Philadelphia. That is your own record, by your own engineers, submitted to the Congressional Record in 1930, saying there is no probability of a flood. We took those records as correct, and Hoover and Harding and Coolidge had reports submitted by Army Engineers for twelve solid years, and no action was taken.

We don't say that the Democrats are infallible, free from error, but we are here now, rectifying those errors. We profit by those mistakes even if the Republicans don't.

Mr. SIMON. Mr. Speaker and members of the House, the gentleman from Allegheny don't know the facts that I want to state here, that evidently some people were misled by the remarks by the gentleman from Philadelphia, Mr. Witkin. He tried to make mention that this report is the first sent to the United States government since the Roosevelt administration is in office. I happen to know something of the flood conditions. Coming from

the city of Lock Haven which has been visited by floods. I was on two or three different committees that went to Washington before the Roosevelt administration. The last time we thought we were going to get somewhere. We had a very influential Congressman with us. He told us that the decision was that we could not expect much for Pennsylvania because it was not a "doubtful" State.

Mr. WITKIN. Mr. Speaker, may I first answer the gentleman from Clinton, Mr. Simon, from Lock Haven, referring to the fact that he spoke about Lock Haven. Apparently my Democratic friends pay a lot of attention to the figures of the Hoover Administration that suit them and ignore the figures of the Roosevelt administration that don't suit them. I want to call his attention to the fact—and I refer to the particular little town of Lock Haven on which he served on a lot of committees and seems to know much, and point out to him that though he professes to know very much, he really knows very little. House Bill No. 8455 of the United States Congress, of June 14, 1935, Representatives Wilson of Louisiana in Report No. 1223, 74th Congress, First Session, says this: "That if you spend two million two hundred thousand dollars in the City of Lock Haven you will avoid a subsequent flood," so that whether or not the administration of Hoover in 1930 was wrong, the Democratic Administration in June of 1935, less than one year before the flood hit Lock Haven, had we spent prior to that time two million two hundred thousand dollars, then the gentleman from Clinton would have been able to go back to the citizens of Lock Haven and have told them that the Roosevelt Administration by spending these two million dollars would stop the flood from hitting the city of Lock Haven. But apparently they didn't spend it and didn't stop the disastrous flood that hit that and other cities.

So much for the gentleman from Clinton. I am really amazed at the gentleman from Allegheny who seems to rely very much upon the report of the Hoover Administration. He tells you facts about floods occurring once in seventy-five years, once in forty years and once in thirty years. If he believes in what he says, then there is no use appropriating two million dollars right now, because according to the figures there will be no more flood for forty years from now, and it can wait until the 1937 session, so there is no use worrying about that two million dollars in this session.

But if he does not believe in the figures of the Hoover Administration and he believes the Hoover Administration is wrong when they said something about floods occurring once in seventy-five years, once in sixty years, once in seventy years, and he will pay a little attention to the report of the Democratic Administration, because after all I have a conviction that we ought to pay attention to the Seventy-fourth Congress of 1935 and not to the Seventy-first Congress of 1930 because I believe that with the advance of five years—we have had five years to study the situation—we ought to know and the Democrats ought to be able to discern more in that report than they did in the report of 1930. What is the use of going back to the report of 1930 when we have an up-to-date, wide awake Democratic Administration that has information from a report as late as June 14, 1935, and I am asking him if he has no confidence or lacks the confidence in the report of the Democratic House Committee on Flood Control in 1935. In that bill, House Bill No. 8455, they definitely and advisedly say, "The Committee on Flood Control—" and that is the whole committee, and I assume that if they follow the way that is done in this House, they are all Democrats and no Republicans,—"The Committee on Flood Control recommend the projects approved in this bill as important contributing factors in reducing flood heights and consequently the elimination of flood disasters throughout the nation."

I don't care whether Mr. Doane of the Pennsylvania Protective Union prepared this report or not, because I have not expressed his opinion, I have not expressed his conclusion, I have not expressed his thought, I have not expressed his argument. The only thing I have taken from his report are the facts, and the only facts I have referred to are the facts from the Congressional Record. If the gentleman says that the facts I have quoted from the Congressional Record are wrong, then I am going to admit to him that it is improper to refer to the report, but the facts I have given to him are from the Congressional Record and the Congressional Record shows that had we spent this seventy millions of dollars back in 1933, the floods in the early part of 1936 in Pennsylvania would not have occurred. And for all the persons who died in that flood, and for all the property that was lost in your County of Allegheny, and in the city of Lock Haven, in Sunbury, and in Harrisburg, I say is laid at the door step of the failure of Roosevelt to include the flood control in his "must" budget. He was able to get through Congress by putting down on a "must" list everything he wanted and I say that the indictment and the plea of guilty to that indictment against the Roosevelt Administration and the Democratic Administration is that they did not force through the Congress of the United States those bills that would have prevented those floods in your districts and mine. (The gentleman from Westmoreland aspires to be a Senator.) I say that those things would not have occurred, so, gentlemen, let us go back to the Hoover Administration. He told us that Hoover's Administration was all wet. Some day I will tell you about the next administration, just as soon as they nominate him at Cleveland, and then we will take care of flood control when we do away with boondoggling and wasting the taxpayers money and get back to sensible government, but on this bill you can vote "Aye" if you want to, but remember that when you do, you are voting only to do that which the Federal Government at Washington has utterly failed to do.

They have been derelict in their duty to the people of Pennsylvania, and that is just one of the hundred reasons why Pennsylvania is going to repudiate in November the Democratic Administration, and whether or not I go into a restaurant on Monday before I come here, whether or not I take a drink, no matter what the gentleman from Allegheny may assume I had before I come to the House, may I say to the gentleman from Allegheny just that which I am asking,— I am just asking one fact, and that is that the Democratic Administration at Washington, insofar as the people of Pennsylvania are concerned, are guilty of murder in the loss of two hundred lives in the flood of March, 1936.

Mr. DENT. Mr. Speaker and members of the House, this is the gentleman from Westmoreland who aspires to be a Senator. This is the first time that we have ever been accused of being murders, but the gentleman from Philadelphia has kind of let himself out a little this evening

and stepped beyond the portals of decency, and stated that the Democratic Administration were murderers. You probably wouldn't say that inasmuch as you couldn't, but it seems so ridiculous to have a one-man indictment of an administration, nearly every Monday night based on nothing, no facts.

The thing that appealed to me is the fact that they tell us if we had spent two million dollars at Lock Haven, and a few million dollars here and a few million dollars there, we would have stopped the flood of 1936. And if Noah had built a bigger ark there would have been more people left on earth. You know if we had built these dams, built the locks that were recommended under the Hoover Administration by the army engineers, and we wouldn't have had the flood of 1936, we would have been condemned for boondoggling more than we are tday. If you understand what I am driving at—I didn't expect you to understand, inasmuch as most of you are reading your fraternal paper, "The Inquirer," you couldn't listen. But just imagine this evening, if this Democratic Administration in Washington had accepted the recommendations as provded by the Army engineers, and had proceeded to spend the millions of dollars as recommended by these Army Engineers, to build the so-called dams. and the locks, and so forth—and you notice I separated the dams and the locks—if they had spent that money and then we had not had the floods, God help us in here this evening; we would have been accused of boondoggling all the rest of our days.

The gentleman well prefaces his remarks this evening by saying that he will vote for this bill, inasmuch as he realizes that the State of Pennsylvania necded the flood control program, but he accuses us of not accepting the report of the Army Engineers. I for one will not take the blame for committing murder, inasmuch as I am a part or member of the Roosevelt Administration. I do not believe that our act in not accepting the report of the Army Engineers, is as guilty as the act of bombing and gassing American veterans of wars in Washington by the Hoover Administration. I say to you that the indictment of the Hoover Administration—I almost said "whooier" Administration, and probably I should have said "whooier" Administration, but the indictment of the Hoover Administration is the fact that we have a majority in the House of Representatives in Harrisburg, and I for one am entirely fed up with the proposition of coming here every Monday night and listening to someone who admits that he is wrong in his statement by saying sotto voce, "He is all wet." You know, Mr. Speaker, I think it is about time that someone would call to the attention of the gentleman from Philadelphia—

POINT OF INFORMATION

Mr. WITKIN. Mr. Speaker, I arise to a point of information.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, will state his point of information.

Mr. WITKIN. Mr. Speaker, what do those words "sotto voce" mean?

The SPEAKER. I believe the gentleman from Westmoreland did explain the meaning of those words.

Mr. DENT. I will explain it, Mr. Speaker—in Yiddish it means, "under your voice". I mean this, that it is entirely out of proportion that we should come here and listen every Monday night to the ravings of somebody who is particularly peeved because we have a majority in the House of Representatives. I am not to blame that we have a majority in the House. You are to blame, because you not only trifled with flood control, but you trifled with all the sentiments that belong to decency; you trifled with the well-being of the citizens of Pennsylvania, and they defeated you. Likewise they will defeat you in the coming election, and you say that the next President of the United States—

POINT OF ORDER

Mr. DENNING. Mr. Speaker. I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia, Mr. Denning, will state his point of order.

Mr. DENNING. Mr. Speaker, I insist that the gentleman —where does he come from?—I insist that the gentleman from Westmoreland at least confine himself to the question or else go back to Westmoreland on Monday night.

Mr. DENT. Mr. Speaker and gentlemen of the House, when the gentleman from Philadelphia stated that the next president of the United States would be named in Cleveland, no one objected. I say to the same gentleman from Philadelphia and his colleague who didn't know where I came from, they might be interested to know that you are not the selector of the President. If you over on the other side of the House will give me as much respect as I gave you, you will listen for a minute. I want to say in plain words that you are not the selector of the President of the United States, that if you had your say, the convention naturally would name the President, but it happens to be the one stumbling block, that the people will elect the President, therefore, Roosevelt will be the President.

Mr. DIEHL. Mr. Speaker, I can not see why the gentlemen on the other side of this House would take the report or any reports of the Hoover Administration seriously. I remember some reports that came from the Hoover Administration. One of them was that there would be a chicken in every pot. Another one was, two cars in every garage. Another one, prosperity is just around the corner; and another, prosperity will be here in sixty days.

Now, in the light of those reports I can not see why anybody should criticise the Roosevelt administration for not taking those Army reports seriously.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Achterman,	Downey, J. J.,	Male,	Shaw,
Alexander,	Duffort,	Mallen,	Shortz,
Allen,	Eberharter,	Mason,	Shreiner,
Andrews,	Eroe,	McCreary,	Shugarts,
Anthony,	Falkenstein,	McDermott,	Siegel,
Arnold,	Ferko,	McDevitt,	Simon,
Atkins,	Finnerty,	McElroy,	Simpson,
Baine,	Fitch,	McHenry,	Sinwell,
Baker, F. T.,	Flanagan,	Melchiorre,	Sloan,
Baker, J. J.,	Flinchbaugh,	Mentzer,	Smith, J. A.,
Baldi,	Forrest,	Moomaw,	Smith, W. G.,
Barnhardt,	Gates,	Mooney,	Snyder, F. E.,
Beadman,	Gerard,	Moore,	Sowers,
Bernhard,	Gillette,	Moran,	Sproul,
Blumberg,	Greenstein,	Moul,	Stank,
Boose,	Habbyshaw,	Munley,	Stevens,
Boyd, R.,	Haberlen,	Murrin,	Stewart,
Boyer,	Hagerty,	Nagel,	Stockham,
Bradley,	Haluska,	O'Keefe,	Stone,

Brancato,	Hamilton, F. P.,	Ominsky,	Stott,
Brennan,	Hamilton, R. S.,	O'Neill,	Sumney,
Brown, H. S.,	Harkins,	Panton,	Surface,
Brown, J. E.,	Harmuth,	Parks,	Sweeney,
Brownfield,	Hartman,	Patterson, C.,	Tahl,
Brumbaugh,	Hermansen,	Patterson, J. W.,	Terry,
Burke,	Hetrick,	Pearson,	Tronzo,
Cannon,	Hindman,	Perry,	Trout,
Caputo,	Hirsch,	Pfaff,	Tumelty,
Carr,	Holland,	Piola,	Van Allsburg,
Carson,	Holstrom,	Powers,	VanSickle,
Castor,	Hoopes,	Reising,	Wall,
Chervenak,	Horst,	Reynolds,	Wasserman,
Coakley,	Jackson,	Rhys,	Weidemann,
Cochran,	Jones,	Rinn,	Weiss,
Cohen,	Keiser,	Roan,	Welliver,
Coleman,	Kelso,	Robinson,	Welsh,
Condon,	Kenney,	Rooney,	Westrick,
Coolahan,	Kilroy,	Root,	Wickersham,
Cooper,	Kinney,	Royer,	Winner,
Cordier,	Klingler,	Ruffennach,	Witkin,
Davies,	Kobelak,	Sarraf,	Woodside,
Decker,	LaRue,	Scanlon,	Yeakel,
Denning,	Linderman,	Schaeffer,	Yourishin,
Dent,	Long,	Schrock,	Zappala,
Diehl,	Longaker,	Schrope,	Zimmerman,
Dilley,	Lovett,	Schwab,	Furman,
Downey, G. E.,	Lynch,		

NAYS—10

Altenburg,	Merrell,	Peters,	Turner,
Hoffner,	Muir,	Serrill,	White,
McKinney,	Nothnagle,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FLINCHBAUGH asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

RESOLUTION

CONGRATULATING HON. ALBERT E. RINN.

Mr. JAMES W. PATTERSON offered the following resolution which was twice read, considered and unanimously adopted by a rising vote:

In the House of Representatives, June 8, 1936.

Whereas, It is reliably reported by unprejudiced witnesses that the Honorable Albert E. Rinn attained on Saturday, June 6th, his seventy-second birthday, and

Whereas, The Honorable Albert E. Rinn is a leader in this House and one whose quiet, modest influence is a power for good government in this House, therefore be it

Resolved, That the House of Representatives extend its heartiest congratulations to the Honorable Albert E. Rinn on the occasion of his seventy-second birthday with the wish that he may celebrate seventy-two more.

BILL ON FINAL PASSAGE

Mr. WEISS. Mr. Speaker, I desire to call up at this time House Bill No. 71, Printer's No. 94, on page 5, of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WEISS.

The House resumed the consideration on final passage of House Bill No. 71, entitled:

An Act to promote the construction of flood control works and improvements by providing for the appropriation of certain water of the Commonwealth to the Commonwealth and incidental thereto to secure the use thereof for the benefit of the people declaring void certain condemnations and appropriations of waters by municipalities corporations copartnerships or persons providing for ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities corporations copartnerships or persons and appeals therefrom conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto providing for future condemnations and appropriations of waters by municipalities corporations copartnerships or persons and compensation therefor and conferring powers and imposing duties upon the Water and Power Resources Board.

Whereas The recent floods in this Commonwealth and elsewhere have awakened the people to the necessity of developing appropriate plans and constructing adequate flood control works and improvements to prevent periodic recurrences of such calamities and

Whereas The construction of adequate flood control works and improvements will aid materially in providing an adequate supply of water which is a matter of primary concern affecting the life health and comfort of the people of this Commonwealth and will also permit the supervision and equitable allocation of water which is an essential part of the police power of the Commonwealth which no Legislature should impair or barter away and

Whereas All of the flowing water of the Commonwealth by right belongs to the Commonwealth in trust for the benefit of all of the people thereof and all uses of such flowing water must be regarded as subject to this sovereign right and the right so vested must be regarded also as vesting in the Commonwealth a duty to control the flow of water so as to prevent loss of life and destruction of property and

Whereas The increase of the population of the Commonwealth makes it obligatory on the Commonwealth to control and regulate the flow of our rivers and streams and thereby to secure also an equitable allocation for the best interests of all concerned.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. WEISS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. WEISS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 4 by inserting after the word "the" and before the word "water" the word: "flowing"

Amend section 1, page 3, line 4 by inserting after the word "water" and before the word "of" the following: "other than private springs or private water supplies"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Mr. DILLEY. Mr. Speaker, I desire to call up at this time House Bill No. 76, Printer's No. 67, on page 4, of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. DILLEY.

The House resumed the consideration on final passage of House Bill No. 76, entitled:

An Act to amend section eight of the act approved the nineteenth day of January one thousand nine hundred thirty-four Special Session of one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws two hundred eighty-six) entitled "An act making appropriations out of the State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of Certain State departments by imposing a time limit within which counties cities boroughs incorporated towns townships school districts and poor districts may obtain reimbursements for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects

On the question recurring,

Shall the bill pass finally?

Mr. HOMER S. BROWN. Mr. Speaker, in view of the fact that so many members are out attending a meeting of the Ways and Means Committee, I am going to ask the sponsor if he will allow this bill to go over?

The SPEAKER. The Chair was informed that there was no opposition to the bill. For that reason the bill was called up.

Mr. DILLEY. Mr. Speaker, I understood there was no opposition to the bill, at least none has come to my attention.

Mr. HOMER S. BROWN. Mr. Speaker, I don't raise the question because I thought of opposition, but I was at a committee meeting not so long ago and missed my vote in the House, and I was questioning whether or not the members would miss voting on this bill because of being absent serving on a committee during a session.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows: viz:

YEAS—196

Achterman,	Eberharter,	Mason,	Serrill,
Alexander,	Eroe,	McCreary,	Shaw,
Allen,	Falkenstein,	McDermott,	Shortz,
Altenburg,	Ferko,	McDevitt,	Shreiner,
Andrews,	Finnerty,	McElroy,	Shugarts,
Anthony,	Fitch,	McHenry,	Siegel,
Arnold,	Flanagan,	McKinney,	Simon,
Atkins,	Flinchbaugh,	Melchiorre,	Simpson,
Baine,	Forrest,	Mentzer,	Sinwell,
Baker, F. T.,	Gates,	Merrell,	Sloan,
Baker, J. J.,	Gerard,	Moomaw,	Smith, J. A.,
Baldi,	Gillette,	Mooney,	Smith, W. G.,
Barnhardt,	Greenstein,	Moore,	Snyder, F. E.,
Beadman,	Habbyshaw,	Moran,	Sowers,
Bernhard,	Haberlen,	Moul,	Sproul,
Blumberg,	Hagerty,	Muir,	Stank,
Boose,	Haluska,	Munley,	Stevens,
Boyd, R.,	Hamilton, F. P.,	Murrin,	Stewart,
Boyer,	Hamilton, R. S.,	Nagel,	Stockham,
Bradley,	Harkins,	Nothnagle,	Stone,
Brancato,	Harmuth,	O'Keefe,	Stott,
Brennan,	Hartman,	O'Neill,	Sumney,
Brown, H. S.,	Hefferon,	Ominsky,	Surface,
Brown, J. E.,	Hermansen,	Panton,	Sweeney,
Brownfield,	Hetrick,	Parks,	Tahl,
Brumbaugh,	Hindman,	Patterson, C.,	Terry,
Burke,	Hirsch,	Patterson, J. W.,	Tronzo,
Cannon,	Hoffner,	Pearson,	Trout,
Caputo,	Holland,	Perry,	Tumelty,
Carson,	Holstrom,	Peters,	Turner,
Castor,	Hoopes,	Pfaff,	Van Allsburg,
Chervenak,	Horst,	Piole,	Van Sickle,
Coakley,	Jackson,	Powers,	Wall,
Cochran,	Jones,	Reising,	Wasserman,
Cohen,	Kelder,	Reynolds,	Weidemann,
Coleman,	Kelso,	Rhys,	Weiss,
Condon,	Kenney,	Rinn,	Welliver,
Coolahan,	Kilroy,	Roan,	Welsh,
Cooper,	Kinney,	Robinson,	Westrick,
Cordier,	Klingler,	Rooney,	White,
Davies,	Kobelak,	Root,	Wickersham,
Decker,	LaRue,	Royer,	Winner,
Denning,	Linderman,	Ruffennach,	Witkin,
Dent,	Long,	Sarraf,	Woodside,
Diehl,	Longaker,	Scanlon,	Yeakel,
Dilley,	Lovett,	Schaeffer	Yourishin,
Downey, G. E.,	Lynch,	Schrock,	Zappala,
Downey, J. J.,	Male,	Schrope,	Zimmerman,
Duffort,	Mallen,	Schwab,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. EROE. Mr. Speaker, I desire to call up at this time House Bill No. 25, Printer's No. 97, on page 5, of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. EROE,

The House resumed the consideration on final passage of House Bill No. 25, entitled:

An Act imposing a temporary State excise tax on electric power and current generated, manufactured and sold within this Commonwealth; providing for the collection of the tax and the disposition of the revenue derived therefrom; imposing certain costs on the Commonwealth conferring powers and imposing duties on certain persons, associations, partnerships, corporations, and State departments; and imposing penalties.

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. EROE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. EROE. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study and possible amendment.

The motion was agreed to.

RESOLUTION

MEMORIAL SERVICES

Mr. LARUE asked and obtained unanimous consent to offer the following resolution which was twice read, considered and adopted:

Resolved, That Tuesday, the sixteenth day of June, one thousand nine hundred and thirty-six, at three o'clock in the afternoon, be set apart by the House of Representatives for Memorial Services on the lives of the Honorable Wilson G. Sarig of Berks County, late Speaker of this House, and the Honorable Samuel B. Hart of Philadelphia County, the Honorable Edwin R. Spangler of Lancaster County, and the Honorable Alexander R. Wheeler of Forest County, late Representatives of this House; and be it further

Resolved, That the Speaker appoint a Committee of four to conduct these services.

APPOINTMENT ON COMMITTEE

The SPEAKER. Pursuant to the resolution just adopted the Chair appoints as a Committee Messrs. LaRue, Trout, McDevitt and Serrill.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, June 8, 1936.

Resolved (if the Senate concur), That House Bill No. 17, Printer's No. 90, entitled "An act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act", be recalled from the Governor for the purpose of amendment.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 56.

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from slate quarries and anthracite and bituminous coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred thirty-six.

With the information that the Senate has passed the same without amendment.

TIME OF NEXT MEETING

The Clerk of he Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 8, 1936.

Resolved (if the House of Representatives concur), when the Senate adjourns this week it reconvene on Monday evening, June fifteenth, at 9:00 o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening June fifteenth, at 9:00 o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ANNOUNCEMENTS

COMMITTEE MEETINGS

The Committee on Cities will meet tomorrow at 10.00 A. M. in Room 325.

The Committee on Counties will meet tomorrow at 10.00 A. M. in Room 324.

The Committee on Municipal Corporations will meet at 10.15 A. M. in Room 326.

The Committee on Ways and Means will hold a public hearing on House Bill No. 105 on Tuesday, June 16, 1936, at 1.30 P. M. in the House Caucus Room.

ADJOURNMENT

Mr. SWEENEY. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12.00 o'clock noon.

The motion was agreed to, and (at 11:33 P. M.) the House adjourned until Tuesday, June 9, 1936, at 12:00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., TUESDAY, JUNE 9, 1936. No. 18.

SENATE

TUESDAY, JUNE 9, 1936

The Senate met at 12 o'clock noon.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Oh Thou great Jehovah, creator of all things, preserver of all things, in whom we live, move and have our being, we would worship before Thy throne. Thou art our Father and our God. Without Thee we can do nothing. Thou knowest the beginning and the end of all earthly and heavenly things. Thine eye beholdest all mankind, even fathoming the purposes of human hearts.

We would submit our plans and ideals to Thy scrutiny, asking for Thy approval. May the proposals of this Senate be sanctioned by Thee before they are publicly declared. Only thus can any enactment here made become permanent and beneficial to all our people.

During the present hour lead and guide these Thy servants in their deliberations. We ask it all in the name of Jesus our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BAUMER, the further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Margaret Winkler, 100 E. Ohio St., Pittsburgh.

LACKAWANNA COUNTY

Miss Dorothy A. Miller, Scranton.

LANCASTER COUNTY

Charles R. Case, Lancaster.

PHILADELPHIA COUNTY

Frederick D. Conard, 2215 Snyder Ave., Philadelphia.
Arthur M. Saunders, 15th and Chestnut Sts., Philadelphia.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

BERKS COUNTY

M. R. Leeser, Topton, June 27, 1936.

BLAIR COUNTY

Miss Evelyn Kane, Altoona, June 27, 1936.

BUCKS COUNTY

Arthur H. Stackhouse, Yardley, June 27, 1936.

CAMBRIA COUNTY

Miss Zola K. Rodkey, Spangler, June 27, 1936.

LACKAWANNA COUNTY

Michael Bakowski, Scranton, June 27, 1936.
Miss Gretchen R. Davies, Scranton, June 27, 1936.

PHILADELPHIA COUNTY

William H. Backhausen, Philadelphia, June 27, 1936.
Miss Kathryn E. Burgess, Philadelphia, June 27, 1936.

GEORGE H. EARLE

JUSTICF OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Jereb, of Beaverdale, Cambria County, for appointment as Justice of the Peace in the Township of Summerhill, Cambria County, until the first Monday in January, 1938, to compute from the date of confirmation.

GEORGE H. EARLE.

COMMUNICATION FROM THE STATE EMERGENCY RELIEF BOARD.

The Chair cleared his table and laid before the Senate the following communication:

Commonwealth of Pennsylvania,
State Emergency Relief Board,
Harrisburg, June 8, 1936.

The Honorable Thomas C. Kennedy,
Lieutenant Governor
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania

Dear Mr. Kennedy:

House Concurrent Resolution No. 3 of the Special Session of 1936, approved May 13, 1936, made available the sum of $3,630,000.00 to the State Emergency Relief Board for unemployment relief, but omitted any provision for the State Veterans' Commission. This resolution will be superseded by House Bill No. 17, upon final enactment, in which Section 4 provides for the allocation of $55,000.00 to the State Veterans' Commission.

Since the total funds made available by House Concurrent Resolution No. 3 have been allocated for unemployment relief purposes, it is necessary that we withdraw $55,000.00 from previous allocations and reallocate this amount to the State Veterans' Commission, subject to the final enactment of House Bill No. 17, in accordance with Section 4 of said Bill.

Sincerely yours,

KARL de SCHWEINITZ,
Executive Director.

HOUSE MESSAGES

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, June 8, 1936.

Resolved (if the House of Representatives concur) when the Senate adjourns this week it reconvene on Monday evening, June fifteenth, 9:00 o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening, June fifteenth, at 9:00 o'clock Eastern Standard Time.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 70 (Senate Bill No. 68), entitled:

An Act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for assessment of benefits against property benefited, and against municipalities, counties and townships, and for their collection; providing for appeals; conferring certain powers on municipalities, counties and townships, the Public Service Commission and the Department of Highways; and making an appropriation.

Which was committed to the Committee on Judiciary General.

House Bill No. 76 (Senate Bill No. 69), entitled:

An Act to amend section eight of the act, approved the nineteenth day of January, one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three—one thousand nine hundred thirty-four, Pamphlet Laws, two hundred eighty-six), entitled "An act making appropriations out of The State Stores Fund to the State Emergency Relief Board for direct relief, work relief, and expenses, including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments," by imposing a time limit within which counties, cities, boroughs, incorporated towns, townships, school districts and poor districts may obtain reimbursement for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects.

Which was committed to the Committee on State Government.

REPORT FROM COMMITTEE

Mr. THOMPSON (Westmoreland), from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 66 (House Bill No. 83), entitled:

An Act relating to the keeping of animals wild by nature, in captivity upon any street or highway, or upon land adjoining any street or highway, or in the vicinity of any commercial establishment for the evident purpose of attracting trade; preventing cruel, improper and inhuman treatment of such animals and protecting the public from injuries thereby; providing for the granting of permits for roadside menageries, as herein defined conferring powers and imposing duties on the Board of Game Commissioners and prescribing penalties

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 29 (House Bill No. 22), as follows:

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words terms and phrases used in this act are for the purposes hereof defined as follows

"Liquor" Any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic and all drinks or drinkable liquids preparations or mixtures intended for beverage purposes which contain more than one-half of one per centum of alcohol by volume except alcohol and malt or brewed beverages

"Department" The Department of Revenue of this Commonwealth

"Board" The Pennsylvania Liquor Control Board of this Commonwealth

"Fiscal Month" The monthly period established from time to time by the Pennsylvania Liquor Control Board for the purpose of conducting its business

Section 2 Until the first day of June one thousand nine hundred thirty-seven an emergency State tax is hereby imposed and assessed at the rate of ten per centum of the net price of all liquors sold by the board The tax herein imposed shall be collected by the board from the purchasers of the liquor from the board All taxes collected by the board under the provisions of this act shall be paid into the State Treasury through the department in the

manner and within the times herein specified and shall be credited to the General Fund

Section 3 It shall be the duty of the board to transmit to the department on or before the fifteenth day of each calendar month a statement of its receipts from sales of liquor and taxes collected during the preceding fiscal month and such other information as may ge necessary to effectuate the provisions of this act at which time it shall also be the duty of the board to pay to the department the tax imposed upon such liquor by the provisions of this act

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. TRAINER. Mr. President, I do not notice the Senator from Fayette, Mr. Cavalcante, being here this morning, so that I should not be called for the fact that I am talking on the subject that perhaps I am interested in.

When one comes into this beautifully decorated room and looks at the paintings on the wall—and to think that America was established for the purpose of freedom and justice and independence, and how well we are being treated, and then when we gaze on the front of it and think of the gentleman on horseback, and the early days in Boston, when the Boston Tea Party started from unjust taxation—before you vote on this bill I just want to call your attention to a few facts.

Mr. WOODWARD. Mr. President, but not about the Tea Party!

Mr. TRAINER. Mr. President, it is a little stronger than tea if you take enough of it. I understand in England they have tea drunks, too; but we have never got that far here.

There is an internal revenue tax of $2.00 a gallon put on whiskey. When you rectify whiskey there is another additional tax of thirty cents. There is also four cents a gallon tax for stamps, to say nothing of your State stamps. The average cost of a gallon of whiskey—and I am very liberal in the profits—is fifty cents, which figures out the taxation on a gallon of whiskey at 468%, plus an additional tax of 60% in our State liquor stores, which brings it up to 528%. And then we take in another 10%, which brings it up to 538% of tax on one article.

The Boston Tea Party led to one thing, and in all probability we are going to keep on taxing the people of Pennsylvania—those, at least, who do happen to enjoy a drink, —and where are we going to stop? It is true, as the Department will tell you, that the outlying States are selling liquor at a greater cost than we are in Pennsylvania, and perhaps Pennsylvania is doing good business because of that; but I just want to call your attention this morning that when you are going to put on a 538% tax on an article, the people feel they are pretty well taxed already.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Batchelor,	Graff,	McCreesh,	Rupp,
Baumer,	Harris,	McGinnis,	Ruth,
Bean,	Harvey,	Prince,	Scott,
Buckman,	Homsher,	Pytko,	Shapiro,
Cavalcante,	Howell,	Reed,	Staudenmeier,
Chapman,	Huffman,	(Dauphin)	Thompson,
Coyne,	Kahle,	Reed,	(Centre)
Daly,	Lanius,	(Washington)	Thompson,
Frey,	Mallery,	Rice,	(Westmoreland)
Gelder,	McClure,	Rodgers,	Woodward,

NAYS—4

Aron,	Pierson,	Trainer,	Ziesenheim,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. REED (Dauphin). Mr. President, I ask unanimous consent that Senate Bill No. 39 (House Bill No. 49), on third reading, entitled:

An Act to amend sections four and five of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisors and assistants; defining the powers and duties of boards of trustees including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended," by providing for the payment to newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium

go over in its order.

The PRESIDENT. Is there objection?

Mr. THOMPSON (Centre). Mr. President, I do not think we can well afford to allow any of this social security legislation to go over on the calendar this week. We were informed last night that the dead line on applications of Pennsylvania to get the benefit of some of this social security legislation in the three months beginning July 1st would be the 20th of June. I have verified that since that time and find that it is not the 20th of June, but the last time for the Commonwealth to file application with the Federal Government is the 15th of June. We must act on this social security legislation to get the benefit of these three months beginning July 1st, we must act this week.

Mr. PRESIDENT. I wish to object to any further delay in the social security legislation, or action being deferred.

The PRESIDENT. The Chair hears objection.

MOTION TO RECOMMIT

Mr. REED (Dauphin). Mr. President, I move that Senate Bill No. 39 (House Bill No. 49), on third reading, be recommitted to the Committee on State Government.

Mr. HOWELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. REED (Dauphin). Mr. President, I desire to state, as I have stated before, that I have no intention of unduly delaying this bill, or the other bills that were referred to the Committee on State Government, commonly known as the social security bills. It is my intention to call a meeting of the Committee next Monday night to consider this bill if it is returned, and the other bill bearing on that subject.

I desire to correct one impression which has been given here, and that is that all this social security legislation has been in the Senate for some time. It was only last evening that one of the bills came over from the House. I think these bills should be carefully considered. When they were put out it was the understanding that amendments would be submitted, and amendments will be submitted. That was my purpose. This is simply a companion bill of the Brancato bill. They should all be considered together, and I will give the assurance that they will be considered next Monday evening by the Committee on State Government.

Mr. WOODWARD. Mr. President, if the Senator from Centre, Mr. Thompson, is correct, that June 15th is the latest date, and not June 20th, then, it seems to me, we are in a very embarrassing position. The Chairman of the Committee on State Government has an important case in court this week; but, even so, it seems to me that the Committee ought to take some action, if the Senator from Centre is correct in his statement. Otherwise we are putting the Legislature of Pennsylvania into a very unintelligent position.

You have got to take your stand either for or against social security. As I understand it, the State that turns down the social security bills is cutting off its nose to spite its face; but, even so, the hook is so baited that you cannot resist it.

Now, it is logical to oppose social security, and it is logical to support it; but certainly it is not logical or intelligent to fall between the two stools; and I therefore, from the floor, ask the Chairman of the Committee on State Government to hold a meeting this week. The most controversial bill is the bill on unemployment insurance, and that is not in the Committee on State Government—I do not know what Committee that is in; but the other matters are not controversial, and I dislike very much to see the Senate drifting into a very illogical position.

Mr. THOMPSON (Centre). Mr. President, while I was talking to other parties interested in social security legislation in a telephonic communication with Washington, and while the instructions which were sent out definitely said that the 15th of June was the last time to file an application, the parties in Washington agreed, just while I was speaking a few moments ago, that the 20th would be satisfactory to have the applications on file, we could go until the 20th in spite of the instructions that had been mailed out to the Department of Welfare. So with this information I would defer to the request of my colleague from Dauphin and not oppose this bill being recommitted. I would suggest, however, that he renew his first request and let the bill go over in its order.

MOTION TO RECOMMIT WITHDRAWN

Mr. REED (Dauphin). Mr. President, I will withdraw my motion to recommit, if the seconder agrees to withdraw his second.

Mr. HOWELL. Mr. President, I will agree to withdraw my second.

BILL OVER IN ORDER

The PRESIDENT. The motion to recommit is withdrawn, and also the objection to the original request is withdrawn, and the Chair rules that there is no objection to the bill going over in its order.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 56, entitled:

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from anthracite coal mines which have been flooded, directly or indirectly, by the high waters during March, one thousand nine hundred thirty-six.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., June 8, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. M. C. Anderson, Pitcairn.

BLAIR COUNTY

James Lewis Hatch, Altoona.

COLUMBIA COUNTY

Miss Ceola M. Kishbaugh, Berwick.

DAUPHIN COUNTY

E. S. Nailor, Harrisburg.

ERIE COUNTY

Miss Mary Sheridan, Erie.

LACKAWANNA COUNTY

Miss Ruth Harrity, Scranton.

MERCER COUNTY

S. T. Niece, Grove City.

PHILADELPHIA COUNTY

Albert O. Peterson, 817 Arch St., Philadelphia.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., June 8, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

BUTLER COUNTY

Leo A. Bloom, Butler, June 27, 1936.

CLEARFIELD COUNTY

Mrs. Thelma B. Cramer, Clearfield, June 27, 1936.

DELAWARE COUNTY

T. P. Davis, Chester, June 17, 1936.

ERIE COUNTY

Orrin M. Hillburg, Corry, June 27, 1936.

LEHIGH COUNTY

Miss Geraldine E, Henninger, Allentown, June 27, 1936.

LUZERNE COUNTY

Miss Winifred L. Curley, Wilkes-Barre, June 27, 1936.

PHILADELPHIA COUNTY

Wm. J. Nellis, Philadelphia, June 27, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., June 8, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

ADAMS COUNTY

Miss Mildred A. Widder, Gettysburg, June 27, 1936.

ALLEGHENY COUNTY

Anthony A. Barrante, Pittsburgh, June 27, 1936.
Miss Sylvia L. Breman, Pittsburgh, June 27, 1936.
E. C. Buerkle, Pittsburgh, June 27, 1936.
Miss Marcella Marie Deverson, Pittsburgh, June 27, 1936.
John G. Dunay, Pittsburgh, June 27, 1936.
Miss Edna P. Fischer, McKees Rocks, June 27, 1936.
Elmer H. Fuehr, Pittsburgh, June 27, 1936.
William B. Henninger, Pittsburgh, June 27, 1936.
J. W. Holland, Carnegie, June 27, 1936.
Charles J. Hruby, Pittsburgh, June 27, 1936.
P. J. Hyland, Pittsburgh, June 27, 1936.
Robert E. Langdon, Pittsburgh, June 27, 1936.
Miss Jeanne Levinson, Pittsburgh, June 27, 1936.
R. A. McDonald, Pittsburgh, June 27, 1936.
E. S. McPherson, Pittsburgh, June 27, 1936.
Walter J. Mesing, Brentwood, June 27, 1936.
C. L. Richey, Cortopolis, June 27, 1936.
Elmer R. Schuetz, Sharpsburg, June 27, 1936.
Miss Margaret M. Vensel, Pittsburgh, June 27, 1936.
Miss Margaret Weigand, Pittsburgh, June 27, 1936.
Edgar Wright, Pittsburgh, June 27, 1936.

BEAVER COUNTY

Miss Josephine Lutz, Beaver Falls, June 27, 1936.

BERKS COUNTY

Mrs. Esther W. Fisher, Reading, June 27, 1936.
Lester L. Sands, Reading, June 27, 1936.
Miss Ruth D. Wiest, Reading, June 27, 1936.

BLAIR COUNTY

Martin Goodman, Altoona, June 27, 1936.

BRADFORD COUNTY

Miss Mary A. Bustin, Towanda, June 27, 1936.

BUTLER COUNTY

William O. Cruciger, East Butler, June 27, 1936.

CAMBRIA COUNTY

Mrs. Ruth MacDonald, Ferndale, June 27, 1936.

CLINTON COUNTY

Wilson P. Poorman, Lock Haven, June 27, 1936.

COLUMBIA COUNTY

Mrs. Phyllis Miller, Bloomsburg, June 27, 1936.
Hervey B. Smith, Bloomsburg, June 27, 1936.

CRAWFORD COUNTY

Mrs. Alberta Winans Fish, Spartansburg, June 27, 1936.

CUMBERLAND COUNTY

Miss Edna Adams, Carlisle, June 27, 1936.

DAUPHIN COUNTY

Miss Florence Fegley, Lykens, June 27, 1936.
Charles B. Fishel, Harrisburg, June 27, 1936.

DELAWARE COUNTY

Miss Kate A. Beadle, Noorwood, June 27, 1936.
Robert L. Headley, Wayne, June 27, 1936.
J. Guy McCormick, Upper Darby, June 27, 1936.
Charles B. Miller, Darby, June 27, 1936.
William J. Vogt, Drexel Hill, June 27, 1936.
Mrs. Margaret D. Wolfe, Eddystone, June 27, 1936.

ERIE COUNTY

Alfred L. Lechner, Erie, June 27, 1936.

FAYETTE COUNTY

Miss Virginia Marshall, Uniontown, June 27, 1936.
John C. Reisinger, Uniontown, June 27, 1936.

FOREST COUNTY

W. J. Phillips, Endeavor, June 27, 1936.

HUNTINGDON COUNTY

Ralph H. Galbraith, Huntingdon, June 27, 1936.

INDIANA COUNTY

Roy E. Penfield, Indiana, June 27, 1936.

LEHIGH COUNTY

Oscar T. Iobst, Emaus, June 27, 1936.

LUZERNE COUNTY

Thomas F. Jacob, Wilkes-Barre, June 27, 1936.
Miss Helen Murray, Wilkes-Barre, June 27, 1936.
Paul J. Schmidt, Wilkes-Barre, June 27, 1936.

MERCER COUNTY

Roy E. Perrine, Greenville, June 25, 1936.

MONTGOMERY COUNTY

Fred A. Clayton, Lansdale, June 23, '936.
Miss Betty M. Dean, Glenside, June 27, 1936.
Mrs Florence K. Insley, Norristown, June 27, 1936.
John M. Koser, Ardmore, June 27, 1936.
Francis W. Wack, Schwenksville, June 27, 1936.

MONROE COUNTY

Clarence W. Rubow, East Stroudsburg, June 27, 1936.

NORTHAMPTON COUNTY

Wilbert C. Best, Bethlehem, June 27, 1936.
Ralph Burwell, Easton, June 27, 1936.
Clinton S. Lerch, Easton, June 27, 1936.
Miss Margaret Owen, Easton, June 27, 1936.

NORTHUMBERLAND COUNTY

M. R. Crissinger, Rebuck, June 27, 1936.
T. B. Martin, Shamokin, June 27, 1936.
Miss Florine M. Rhoades, Shamokin, June 27, 1936.

PHILADELPHIA COUNTY

Charles Adams, Philadelphia, June 27, 1936.
Francis W. Ashmore, Philadelphia, June 27, 1936.
Harry Campbell, Philadelphia, June 27, 1936.
Linford B. Cassel, Jr., Philadelphia, June 27, 1936.
Kenneth S. Clark, Philadelphia, June 27, 1936.
Louis Feldman, Philadelphia, June 27, 1936.
John P. Fletcher, Philadelphia, June 27, 1936.
Miss Ve. Fritz, Philadelphia, June 27, 1936.
Robert W. Grissom, Philadelphia, June 27, 1936.
John W. Hartman, Philadelphia, June 27, 1936.
Frank P. Hespell, Philadelphia, June 27, 1936.
J. R. Hindle, Philadelphia, June 27, 1936.
Miss Lillian M. Ingraham, Philadelphia, June 27, 1936.
Miss Nellie S. Leeds, Philadelphia, June 27, 1936.
John J. Mathews, Philadelphia, June 27, 1936.
Miss Dorothy C. Mellon, Philadelphia, June 27, 1936.
Bernard Polen, Philadelphia, June 27, 1936.
Mrs. Louise A. Porreca, Philadelphia, June 27, 1936.
Robert B. Reed, Philadelphia, June 27, 1936.
Miss Florence Salmore, Philadelphia, June 27, 1936.
C. P. Smith, Philadelphia, June 27, 1936.
Wm. J. White, Philadelphia, June 27, 1936.
Robert M. Wilson, Philadelphia, June 27, 1936.
Charles H. Woolsey, Philadelphia, June 27, 1936.

SCHUYLKILL COUNTY

Glenn Garvey, Jr., Mahanoy City, June 27, 1936.
Russell J. Moyer, Orwigsburg, June 27, 1936.

TIOGA COUNTY

John I. Christ, Wellsboro, June 27, 1936.

VENANGO COUNTY

Walter D. Frederick, Oil City, June 27, 1936.

WASHINGTON COUNTY

Harry J. Bloyer, Centerville, June 27, 1936.
Antonio Maiello, Washington, June 27, 1936.
F. G. Peterson, Donora, June 27, 1936.
Mrs. Irene G. Steed, Washington, June 27, 1936.

YORK COUNTY

Norman E. Weigard, Dillsburg, June 27, 1936.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. RICE,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. RICE,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Aron,	Harris,	Pierson,	Salus,
Batchelor,	Harvey,	Prince,	Scott,
Baumer,	Homsher,	Pytko,	Shapiro,
Bean,	Howell,	Reed,	Staudenmeier,
Buckman,	Huffman,	(Dauphin)	Thompson,
Cavalcante,	Kahle,	Reed,	(Centre)
Chapman,	Lanius,	(Washington)	Thompson,
Coyne,	Law,	Rice,	(Westmoreland)
Ealy,	Mallery,	Rodgers,	Trainer,
Frey,	McClure,	Rupp,	Woodward,
Gelder,	McCreesh,	Ruth,	Ziesenheim,
Graff,	McGinnis,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Goveror be informed accordingly.

Mr. RICE. Mr. President, I move that the Executive Session do now rise.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until four o'clock this afternoon.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 30 (Senate Bill No. 70), entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

House Bill No. 101 (Senate Bill No. 71), entitled:

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

REPORT FROM COMMITTEE

Mr. ARON. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Municipal Government reported as committed, Senate Bill No. 67, entitled:

An Act to provided for the public sale by cities of the first class of negotiable tax anticipation certificates representing registered delinquent taxes; and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof.

BILL INTRODUCED

Mr. HARRIS, Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS, read in place and presented to the Chair Senate Bill No. 72, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen.

Which was committed to the Committee on Constitutional Changes.

COMMITTEE APPOINTED PURSUANT TO HOUSE RESOLUTION NO. 1

The PRESIDENT. The President Pro Tempore announces the appointment of the following, under the provisions of House Resolution No. 1, providing for a Joint Legislative Committee to call the attention of the President of the United States and the Congress of the United States to the importance of flood control legislation. The Committee on the part of the Senate: The Senator from Allegheny, Mr. Harris; the Senator from Lycoming, Mr. Sones; and the Senator from Allegheny, Mr. Rodgers.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 22

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 22, entitled:

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicily read as follows:

House Bill No. 22, entitled:

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. HOWELL. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on Municipal Government reported as committed, Senate Bill No. 64 (House Bill No. 109), entitled:

An Act to authorize and empower municipalities and townships separately or jointly to erect and construct flood control works and improvements within or without their territorial limits and to expend moneys and incur indebtedness for such purposes.

MOTION TO READ BILLS THE FIRST TIME

Mr. HOWELL. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. RODGERS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 64 (House Bill No. 109), entitled:

An Act to authorize and empower municipalities and townships separately or jointly to erect and construct flood control works and improvements within or without their territorial limits and to expend moneys and incur indebtedness for such purposes.

And said bill having been read at length the first time, Ordered to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 66 (House Bill No. 83), entitled:

An Act relating to the keeping of animals wild by nature in captivity upon any street or highway or upon land adjoining any street or highway or in the vicinity of any commercial establishmeent for the evident purpose of attracting trade preventing cruel improper and inhuman treatment of such animals protecting the public from injuries thereby providing for the granting of permits for roadside menageries as herein defined conferring powers and imposing duties on the Board of Game Commissioners and prescribing penalties.

And said bill having been read at length the first time, Ordered to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 67, entitled:

An Act to provide for the public sale by cities of the first class of negotiable tax anticipation certificates representing registered delinquent taxes; and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof.

And said bill having been read at length the first time, Ordered to be laid aside for second reading.

MOTION TO ADJOURN

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn.

Mr. GELDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Mr. THOMPSON (Centre). Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Centre, Mr. Thompson, will state his point of order.

Mr. THOMPSON (Centre). Mr. President, as the godfather of my good friends to the right used to say, "What is the Constitution among friends?"—but Article II, Section 14, of the Constitution of Pennsylvania provides "Neither House shall, without the consent of the other, adjourn for more than three days nor to any other place than that in which the two Houses shall be sitting."

I [illegible] that it is entirely out of order [illegible] House to adjourn on Tuesday evening. Certainly, we are not in a position to adjourn. We have been down all afternoon listening to a discussion on the social security legislation, and it seems to me we can well stay over this evening and have a meeting of the Committee on State Government, to which this legislation has been committed, and get to work and dispose of some of these things, particularly when it is in direct defiance of the Constitution for this Senate to adjourn.

Mr. BUCKMAN. Mr. President, in reply to the point of order raised by the Senator from Centre, Mr. Thompson, I submit that there is nothing to it, for the reason that we did have the consent of the House that when we adjourn this week we shall adjourn until next Monday evening.

Mr. THOMPSON (Centre). Mr. President, we do not have consent from the House that we shall adjourn this evening; its consent is only as to the time of reconvening next week.

Mr. BUCKMAN. Mr. President, and for adjourning this week.

Mr. THOMPSON (Centre). Mr. President, there is no consent to the time of our adjourning this week.

Mr. BUCKMAN. Mr. President, I ask that the resolution be read.

The concurrent resolution on Time of Next Meeting was read as follows:

In the Senate, June 8, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, June 15th, at 9 o'clock, Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene Monday evening, June 15th, at 9 o'clock, Eastern Standard Time.

The PRESIDENT. The resolution was concurred in by the House of Representatives last evening.

Mr. THOMPSON (Centre). Mr. President, I submit that there is no consent on the part of the House of Representatives, contained in that resolution, for our adjourning this evening.

The PRESIDENT. The Chair is of the opinion that the point of order raised by the Senator from Centre, Mr. Thompson, is well taken, and that the resolution, in itself, does not set aside that particular part of the Constitution. The point of order is sustained.

APPEAL FROM DECISION OF CHAIR

Mr. BUCKMAN. Mr. President, I appeal from the decision of the Chair, and ask for time to write out the appeal.

After the appeal was written it was read as follows:

In the Senate, June 9, 1936.

To the President of the Senate:

We, the undersigned, respectfully appeal from the decision of the Chair, wherein you sustained the point of order raised by Senator Thompson, from Centre, on the question of adjournment until Monday, June 15th.

Respectfully submitted,

CLARENCE J. BUCKMAN,
CHARLES H. EALY,
LEROY E. CHAPMAN,
JOHN J. McCLURE.

Mr. HUFFMAN. Mr. President, I expect this is a little irregular, but I would like to say what I have in mind with respect to this resolution. This is a concurrent resolution passed by both Houses. If I may be permitted, it reads as follows:

In the Senate, June 8, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, June 15, at 9 o'clock, Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene Monday evening, June 15th, at 9 o'clock, Eastern Standard Time."

Now, I think that that means, as far as the Senate is concerned, that the House is giving the Senate permission to adjourn. That is implied in the thought, or statement that when we do adjourn we shall reconvene next week. It follows, of course, that we cannot reconvene next week, next Monday night unless we adjourn in the meanwhile; and I think it is implied clearly that we were given permission, at the time they passed that resolution—at the moment they passed that resolution, to adjourn at any time, with the provision that we come back here next Monday night.

If it were a resolution passed by the Senate, and a separate resolution had been passed by the House, perhaps the same reasoning or conclusion could not be reached; but, being a concurrent resolution—in other words, both Houses consented to the same thing.

It is impracticable, it seems to me for the House to say the Senate shall adjourn, say, at five o'clock today and reconvene next Monday night; but when they say, when we do adjourn this week we must come back next Monday night, it clearly, in my mind, gives us permission to adjourn any time after the resolution has been passed by the House.

I do not think that this point of order should have been raised, for I know of no other practical way to do it. I have been through these discussions in the past—I have been here a good many years, and I have never been able to find anybody who could place this resolution in better shape than that, and I have never heard of anybody questioning the intent of the House to give us permission to adjourn at any time we see fit after we have passed the resolution.

Mr. THOMPSON (Centre). Mr. President, I have to disagree with my colleague, the Senator from Monroe County, Mr. Huffman, but I think if such is the practice, and the decision he refers to is correct, the same would

have been included in the list of decisions that is printed on page 189 of the Pennsylvania Manual, which, so far as I know, is the only list of decisions which is used to guide us.

If you will refer to the very first decision that is contained therein, under "Adjournment," you will see that a similar point was raised, and that the Senate adjourn from Tuesday until Friday, which, as far as the decisions are concerned, bears out the only decision on the point—the point I have raised here. I fail to see how by any stretch of the imagination you can imply any concurrence by the House of Representatives in this decision to adjourn. This decision on adjournment, the first decision printed in our Pennsylvania Manual here, of course, is not exactly in point, but you will observe that the House, or the Senate, when it adjourned, if it saw fit, under the constitutional point of order raised, adjourned from Tuesday until Friday and not from Tuesday until Monday.

Mr. GELDER. Mr. President, I think that the contention of the Senator from Centre would be well taken if the House had refused to adopt the resolution that was sent over by the Senate. In that case the Senate then could not adjourn, or could only recess for the three calendar days, but it certainly would appear that when they had given us consent it is implied that we will adjourn when our business is concluded. Only last week the House adjourned before the Senate did. They did not send over and ask any special permission from the Senate to adjourn, they adjourned when their business was completed for the week, and I cannot see that there is any violation of the Constitution in our proceeding to adjourn when our business is concluded for the week under that resolution.

The PRESIDENT. The Chair wishes to supplement its ruling with this statement, that the Chair doubts that the implications referred to, as such, in the resolution could in reality set aside by implication, a clear cut section of the Constitution itself, which reads: "neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses will be sitting." The Chair is of the opinion when it made the ruling that implications in the resolution cannot set that clear clause aside. Appeal has been taken from the decision of the Chair. The Secretary will read the appeal.

The appeal was read as follows:

In the Senate, June 9, 1936.

To the President of the Senate:

We, the undersigned, respectfully appeal from the decision of the Chair wherein you sustained the point of order raised by Senator Thompson, Centre, on the question of adjournment until Monday, June 13th.

Respectfully submitted,

CLARENCE J. BUCKMAN,
CHARLES H. EALY,
LEROY E. CHAPMAN,
JOHN J.McCLURE.

Mr. SHAPIRO. Mr. President, I rise to a point of information.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his point of information.

Mr. SHAPIRO. Mr. President, in voting on this resolution I will have to be guided, of course, whether or not the House did consent in a joint resolution to the adjournment. That would depend upon whether or not the resolution read "when the Senate and House adjourn," or that the resolution reads, "the House shall adjourn." The resolution was re-read as follows:

In the Senate, June 8, 1936.

Resolved (if the House of Representatives concur), that when the Senate adjourns this week, it reconvene on Monday evening, June 15th, at nine o'clock. Eastern Standard Time, and when the House of Representatives adjourns this week, it reconvene on Monday evening, June 15th, at nine o'clock (Eastern Standard time).

Mr. SHAPIRO. Mr. President, I think there is no implication that we shall adjourn at any time, and that the resolution means that whenever we do adjourn, whatever that means, adjournment shall be until next week. In other words, it is a reconvening resolution and not an adjournment resolution.

The PRESIDENT. Of course, the implication has been carried on by long usage, which was never challenged; that implication is now challenged. It is a question of whether usage or the Constitution applies and the Chair has ruled that the implication in the resolution does not set aside that Constitution provision of three days limit. An appeal has been taken.

POINT OF ORDER

Mr. CAVALCANTE. Mr. President, I rise to a point of information on the point of order appealed from.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his point of order.

Mr. CAVALCANTE. Mr. President, the point of order being on the Constitutional question whether or not the resolution is in violation of the Constitution, what is the number voting required to overcome the decision of the Chair? In other words, I would like to know whether it requires a Constitutional majority, this involves a Constitutional question.

The PRESIDENT. The Chair is of the opinion, without looking up the rule, that a majority of those present, assuming that there is a quorum present, decides the question. The Chair calls the President Pro Tempore of the Senate to preside.

The PRESIDENT PRO TEMPORE (John G. Homsher) in the Chair.

The PRESIDENT. The question is shall the decision of the Chair stand as the judgment of the Senate? Those who vote "aye" vote to sustain the decision of the Chair, those who vote "no" not to sustain the decision of the Chair.

The yeas and nays were required by Mr. THOMPSON (Centre) and Mr. FREY and were as follows, viz:

YEAS—13

Baumer,	McCreesh,	Reed,	Shapiro,
Cavalcante,	McGinnis,	(Washington)	Thompson,
Frey,	Miller,	Rodgers,	(Centre)
Harris,	Pytko,	Ruth,	

NAYS—21

Aron,	Gelder,	Mallery,	Thompson,
Batchelor,	Graff,	McClure,	(Westmoreland)
Bean,	Harvey,	Pierson,	Woodward,
Buckman,	Howell,	Reed,	Ziesenheim,
Chapman,	Huffman,	(Dauphin)	Homsher,
Ealy,	Lanius,	Staudenmeier,	Pres. Pro. Tem.

So the question was determined in the negative.

The PRESIDENT. The decision of the Chair is not sustained, the appeal stands.

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the Chair.

MOTION TO ADJOURN

Mr. BUCKMAN. Mr. President, I renew my former motion, to adjourn until next Monday evening at nine o'clock.

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, there being some question about whether or not the Senate can adjourn, I now offer an amendment to the motion, which is that the House consent to the Senate adjourning.

Mr. BUCKMAN. Mr. President, I object to the amendment.

The PRESIDENT. The Chair thinks that the amendment is hardly in accord with parliamentary practice and rules that the amendment is out of order.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. SHAPIRO and Mr. THOMPSON (Centre) and were as follows, viz:

YEAS—20

Aron,	Gelder,	Huffman,	Staudenmeier,
Batchelor,	Graff.	Mallery,	Thompson,
Bean,	Harvey,	McClure,	(Westmoreland)
Buckman,	Homsher,	Pierson.	Woodward,
Chapman,	Howell,	Reed,	Ziesenheim,
Ealy,		(Dauphin)	

NAYS—15

Baumer,	Lanius,	Miller,	Rodgers,
Cavalcante,	Law,	Pytko,	Ruth,
Frey,	McCreesh,	Reed,	Shapiro.
Harris,	McGinnis,	(Washington)	Thompson,
			(Centre)

So the question was determined in the affirmative.

ADJOURNMENT

The Senate adjourned at 6:05 P. M. until Monday evening, June 15, 1936, at 9 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 9, 1936

The House met at 12.00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Rev. E. M. HONAMAN, pastor of Saint Andrew's church, Harrisburg, offered the following prayer:

O Eternal God, whose glory is in all the world, whose statutes are good and gracious, and whose light is truth, we beseech Thee to direct and prosper the consultations of the House of Representatives of this Commonwealth, to the advancement of Thy glory, the safety, honor and welfare of Thy people, that all things may be so ordered and settled by their endeavors upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety may be established among us for all generations.

Through Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Miss BRANCATO the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. BURKE. HOUSE BILL No. 123

An Act to provide for the public sale by cities of the first class of negotiable tax anticipation certificates representing registered delinquent taxes; and authorizing the appropriation for current or other purposes of funds realized or estimated to be collectible from the sale thereof.

Referred to the Committee on Cities.

By Messrs. MENTZER and HABERLIN, HOUSE BILL No. 124.

An Act making an appropriation to the Department of Property and Supplies for the purpose of erecting constructing and equipping new buildings or additions to existing buildings at the Torrance State Hospital.

Referred to the Committee on Appropriations.

By Mr. BALDI. HOUSE BILL No. 125.

An Act to enable cities of the first class and taxing authorities of other political subdivisions within or coextensive with such cities to recover in part delinquent taxes levied on dilapidated, unrented property by providing for the adjustment, revision and reduction of assessments thereon and the payment of delinquent taxes on the basis of such new assignments.

Referred to the Committee on Cities.

By Mr. TERRY. HOUSE BILL No. 126.

An Act imposing an income tax for State purposes on trust estates; defining taxable income, and requiring filing or returns thereof; providing for the assessment, collection and lien of said tax; providing for administration and enforcement of the act by the Department of Revenue; conferring powers and imposing duties on certain persons, partnerships, associations, corporations, State and county officers, employes and departments; making an appropriation; and imposing penalties.

Referred to the Committee on Ways and Means.

By Mr. JOHN A. SMITH. HOUSE BILL No. 127.

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees,

and miscellaneous receipts; making an appropriation; and providing for refunds," by requiring extra fees for the assignment of special registration plates for motor vehicles.

Referred to the Committee on Highways.

By Mr. DENT. HOUSE BILL No. 128.

An Act making an appropriation to the Department of Property and Supplies for the purpose of erecting, constructing and equipping new buildings or additions to existing buildings at the Torrance State Hospital.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 17 (HOUSE BILL No. 129).

An act to amend sections seven and eight of the act approved the twenty-second day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred and fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by changing certain penalties imposed by said act.

Referred to the Committee on Ways and Means.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. CORDIER. RESOLUTION No. 22.

In the House of Representatives, June 8, 1936.

Whereas, Many State-aided hospitals are in dire need of financial aid for the maintenance of indigent patients for the reasons that the condition of the State Treasury has caused the fiscal officers to withhold the payment of hospital requisitions because of the unpreferred nature of these appropriations; and

Whereas, Many unemployed persons are in need of free hospitalization, which can only be provided by the State-aid which was appropriated; and

Whereas, At the last Regular Session of the Legislature some $120,000,000 of new revenue was raised, one-half of which was designed to aid in balancing the budget for the fiscal biennium; therefore be it

Resolved, That the Secretary of Revenue be requested to furnish the House of Representatives by Monday June 15, 1936, or as soon thereafter as may be, a statement of the estimated revenues to be collected during the remainder of the present fiscal biennium, and that the Auditor General be requested to furnish to the House of Representatives not later than Monday June 15, 1936, or as soon thereafter as may be, a statement of the total amount of appropriations for the present fiscal biennium which remain unpaid and unrequisitioned, together with the amount of money in the General Fund, and the amounts due, if any, to special funds from the General Fund, and which are payable from such revenues to be collected during the remainder of the fiscal biennium from existing revenue sources;

Resolved, That a copy of this resolution be transmitted to the Secretary of Revenue and the Auditor General by the Chief Clerk of this House.

Referred to the Committee on Rules.

By Mr. SURFACE. RESOLUTION No. 23.

In the House of Representatives, June 8, 1936.

Whereas, The unemployed people need and want work which many are unable to obtain under present conditions; and

Whereas, All needy persons must be given relief by the State and Nation until work for their support can be developed or obtained; and

Whereas, The cost of relief administration under present conditions is $30,000 per day; and

Whereas, It is believed that a less expensive administration of relief can be obtained through the established channels of State and local governments; there be it

Resolved, That we the members of the State Legislature, do hereby ask that the plan and method of relief administration be changed from that at present in vogue to a system by which the relief will be given through former existing channels of State and municipal governments to and including local poor boards; and be it further

Resolved, That 25% of the actual money paid for relief be paid by the local relief board or poor board which shall include all payment for poor or indigent and unemployed, excepting for old age pensions and mothers' assistance pensions.

Referred to the Committee on Rules.

By Mr. SOWERS. RESOLUTION No. 24.

In the House of Representatives, June 8, 1936.

Resolved, That the Department of Highways be requested to furnish to the House of Representatives estimates of the cost of constructing a three lane State highway known as Route No. 230 from the City of Harrisburg to the City of Lancaster including relocations of the present State highway so as to eliminate at least seven of its most dangerous curves.

Resolved, That a copy of this resolution be transmitted to the Department of Highways by the Chief Clerk of this House.

Referred to the Committee on Rules.

COMMITTEE MEETING

The following announcement was read by the Clerk:

There will be a very important meeting immediately after this session in the House Caucus Room of all ex-service men who are members of this House.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 56.

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from slate quarries and anthracite and bituminous coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred thirty-six

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

Mr. RINN asked and obtained leave of absence for himself for the remainder of the week.

Mr. MENTZER asked and obtained leave of absence for himself for the remainder of the week.

Mr. LYNCH asked and obtained leave of absence for himself for the remainder of the week.

Mr. Sumney asked and obtained leave of absence for Mr. STONE for the remainder of the week.

Mr. STANK asked and obtained leave of absence for himself for the remainder of the week.

Mr. Witkin asked and obtained leave of absence for Mr. FLYNN for the remainder of the week.

Mr. TURNER asked and obtained leave of absence for himself for the remainder of the week.

Mr. Simpson asked and obtained leave of absence for Mr. PARKS for the remainder of the week.

Mr. McCREARY asked and obtained leave of absence for himself for the remainder of the week.

Mr. Jackson asked and obtained leave of absence for Mr. REYNOLDS for the remainder of the week.

REPORTS FROM COMMITTEES

Mr. JOHN J. BAKER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 122, entitled:

An Act to suspend the laws of this Commonwealth authorizing the collection of local taxes by distress and sale of goods and chattels.

Mr. JOHN J. BAKER, from the Committee on Cities, reported as committed, House Bill No. 81, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of April, one thousand nine hundred and thirty-five (P. L. 82), entitled "An act requiring certain cities to allow members of the fire department twenty-four consecutive hours of rest each week and fourteen days vacation each year, except in emergency cases," by providing that the provisions of said act shall be mandatory; and prohibiting any diminution of salary or compensation.

Mr. MOONEY, from the Committee on Cities, reported as committed, House Bill No. 82, entitled:

An Act to amend section one of the act, approved the thirtieth day of March, one thousand nine hundred and fifteen (P. L. 34), entitled "An act to promote the health and efficiency of firemen, in cities of the second class, by providing for a two-platoon system for firemen in the department of public safety of such cities," as amended, by changing the hours of the day and night shifts.

Mr. CLIFF S. PATTERSON, from the Committee on Counties, re-reported as committed, House Bill No. 77, entitled:

An Act to further amend the act, approved the seventeenth day of June, one thousand nine hundred thirteen (Pamphlet Laws, five hundred seven), entitled, "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by permitting the taxation, for State purposes, of property taxable for county purposes; by making further provision with regard to penalties; and by making certain information confidential and imposing penalties.

RESOLUTION

Mr. HOMER S. BROWN offered a resolution which was filed with the Clerk under the rules.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 110, as follows:

An Act providing that no person shall be denied refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person shall be ineligible for or be denied or refused direct relief or work relief from any agency authorized by law to distribute or furnish such relief out of any moneys appropriated in whole or in part by the Commonwealth or by any subdivision or agency thereof for the reason that such person has received payment of or owns or possesses any money or thing of value derived from the payment of a World War adjusted service certificate under the provisions of the Federal Adjusted Compensation Payment Act of one thousand nine hundred and thirty-six

Section 2 It shall be unlawful for any person directly or indirectly to deny or refuse or discontinue any direct or work relief or to deny work relief to or discharge any person from any work relief authorized by law for the reason that such person received or possesses the proceeds of the payment of such a World War adjusted service certificate Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or suffer imprisonment for not more than three mnoths or both in the discretion of the court

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective the fifteenth day of June One thousand nine hundred and thirty-six

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 100, as follows:

An Act to further amend the title to reenact and further amend paragraph (e) of section one and to further amend section thirty-nine of the act approved the twentieth day of June one thousand nine hundred nineteen (Pamphlet Laws five hundred twenty-one) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by defining as a transfer and taxing the right of survivorship in property as to which such right exists and providing for the extension of the Commonwealth's lien on real property for a further period of time

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and in is hereby enacted by the authority of the same That the title of the act approved the twentieth day of June one housand nine hundred nineteen (Pamphlet Laws five hundred twenty-one) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this

Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until he tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws six hundred ninety) is hereby further amended to read as follows

An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer has been paid and providing penalties and citing certain acts for repeal

Section 2 That paragraph (e) of section one of the said act as last amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws six hundred ninety) is hereby reenacted and further amended to read as follows

(e) Whenever any property real or personal is held in the joint names of two or more persons except as tenants by the entirety or is deposited in banks or other institutions or depositories in the joint names of two or more persons except as husband and wife [and payable to either or the survivor upon the death of one of such persons the right of the surviving person or persons entitled to the immediate ownership or possession and enjoyment of such property shall be deemed prima facie a transfer of one-half or other proper fraction thereof taxable under the provisions of this act in the same manner as though this part of the property to which such transfer relates belonged to joint tenants or point depositors as tenants in common and had been bequeathed or devised to the surviving person or persons by such deceased joint tenant or joint depositor by will] so that upon the death of one of them the survivor or survivors have a right to the immediate ownership or possession and enjoyment of the whole property the accrual of such right by the death of one of them shall be deemed a transfer taxable under the provisions of this act of a fractional portion of such property to be determined by dividing the value of the whole property by the number of joint tenants in existence immediately preceding the death of the deceased joint tenant Subject to the provisions of paragraph (c) of this section the provisions of paragraph (e) shall apply regardless of when such joint estate was first created

Whenever personal property is deposited in banks or other institutions or depositories in the joint names of two or more persons except by a husband and wife as tenants by entireties and one of the parties to such deposit shall die it shall be the duty of such band or other institution or depository within ten days after knowledge of such death to notify the Department of Revenue of such death giving the name of such deceased person the date of creation of the joint deposit the amount [deposited] on deposit at date of death with such bank or other institution or depository and the name and address of the survivor or survivors to such account Any bank or other institution or depository which after knowledge of any such death shall fail immediately to notify the Department of Revenue as herein required shall be liable to a penalty of one hundred dollars ($100.00) to be recovered by the said department as debts of like amount are by law recoverable

Section 3 That section thirty-nine of the said act as amended by the act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred ninety-five) is hereby further amended to read as follows

Section 39 The lien of all taxes imposed by this act shall continue until the tax is settled and satisfied and shall be limited to the property chargeable herewith All such taxes shall be sued for within five years after they are due otherwise they shall be presumed to have been paid and cease to be a lien as against any purchasers of real estate Provided however At any time within said five year period if the inheritance taxes on the realty appraised are not paid the Department of Revenue shall have power to file a certificate under its seal certifying to such non-payment which when filed in the prothonotary's office of the county where such real estate is situated shall become a lien against decedent's real estate for a further period of five years from the date of such filing and such lien shall be indexed in the judgment index in the name of the decedent as defendant If the inheritance taxes on the realty appraised are not paid within said further period of five years the Department of Revenue shall have power to extend the lien for an additional period of five years by filing a certificate in the manner aforesaid

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 88, entitled:

An Act imposing and providing for the collection of a tax for State purposes on the gross receipts of persons copartnerships associations and corporations derived from the business of supplying water electric current and natural or artificial gas for domestic and industrial purposes

The first to the eighth sections inclusive were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "company" as used in this act shall be construed to include persons copartnerships associations and corporations but shall not include municipal and quasi-municipal corporations.

Section 2 Every company engaged in the business of supplying water electric current natural or artificial gas or any admixture of natural and artificial gas which imposes and collects a fine or penalty upon delinquent accounts shall be assessed and be liable to pay a tax for State purposes of fifty per centum upon each dollar of the gross receipts of such fines and penalties received by said company upon the business done wholly within this State

Section 3 For the purpose of ascertaining the amount of the tax it shall be the duty of every person or the treasurer or other proper officer or member of every copartnership association and corporation to transmit to the Department of Revenue on or before the first days of January and July of each year a report under oath or affirmation of the amount of gross receipts of the said company derived from fines and penalties imposed and collected by said company upon the business done wholly within this State during the period of six months immediately preceding the first days of December and June of each year

The time for filing reports may be extended by the Department of Revenue as is now provided for by the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assess-

ment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" (Commonly known as "The Fiscal Code") and its amendments in the case of taxes on gross receipts of corporations associations copartnerships and individuals from business done wholly within this Commonwealth

Section 4 The taxes imposed by this act shall be settled by the Department of Revenue on reports filed and shall be collected in the same manner and subject to the same procedure in all respects as is provided by the said Fiscal Code for the settlement and collection of taxes on gross receipts from business done wholly within this Commonwealth Promptly after the date of any settlement the Department of Revenue shall send by mail or otherwise a copy thereof to the company with which the settlement was made

Section 5 If the Department of Revenue is not satisfied with the report filed by any company it is hereby authorized to make a settlement and determine the tax due based upon facts contained in the report or upon any information within its possession or that shall come into its possession and send such settlement promptly as hereinbefore required

Section 6 If no report has been filed as required by this act within the time prescribed by law or any extension thereof granted by the Department of Revenue then after demand by the Department of Revenue to file any report necessary to enable the department to settle any tax against the company if the department should deem it more conducive to the public interest because of the supposed smallness of the tax or for any other reason not to proceed to compel the exhibition of the taxpayers account it may make an estimated settlement from any previous account or from any other reasonable data of the probable amount of the account of the delinquent but in every such case it shall add to every such estimated settlement an amount not exceeding fifty per centum to include any losses which might otherwise accrue to the Commonwealth from such neglect or refusal to furnish accounts and the Department of Revenue shall proceed to recover the amount so due the Commonwealth as in other cases of tax accounts

From any estimated settlement there shall be no right to file a petition for review or to appeal but the Department of Revenue with the approval of the Department of the Auditor General may upon petition permit the required report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement From the department's refusal to permit the filing of a report in such cases there shall however be no right to file a petition for review or to appeal

Section 7 The tax imposed by this act shall become due and payable sixty days after the date of settlement unless there shall be a resettlement in which case the amount of the resettlement shall become due and payable sixty days after the date of the resettlement All such taxes shall bear interest at the rate of twelve per centum per annum from sixty days after the date of settlement until the same is paid except where appeals have been taken from settlements made by the Department of Revenue or by the Board of Finance and Revenue Any judgment recovered on such tax except where appeals have been taken as aforesaid shall bear interest at the rate of twelve per centum per annum until paid and where resettlement has been made the balances finally found to be due the Commonwealth shall bear interest at the rate of twelve per centum per annum from sixty days after the date of the first or original settlement

Section 8 Any company aggrieved by a settlement made by the Department of Revenue may petition the department for a resettlement request by petition the Board of Finance and Revenue for a review of any resettlement made and appeal from the decision of the Board of Finance and Revenue or in case of its failure to act in the same manner and within the same periods of time in all respects as is provided in the said Fiscal Code approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) in the case of taxes on gross receipts of individuals done wholly within the State

The ninth section was read as follows:

Section 9 This act shall become effective on the first day of June one thousand nine hundred and thirty-six

On the question,

Will the House agree to the section?

Mr. OMINSKY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 9, page 6, lines 10 and 11, by striking out the words "on the first" in line 10, and all of line 11, and inserting in lieu thereof: "immediately upon final enactment."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act imposing and providing for the collection of a tax for State purposes on the gross receipts of persons copartnerships associations and corporations derived from the business of supplying water electric current and natural or artificial gas for domestic and industrial purposes.

On the question,

Will the House agree to the title?

Mr. OMINISKY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Title, page 1, line 2, by inserting after the word "receipts" the following: "of fines and penalties."

Amend Title, page 1, line 3, by inserting after the word "from" the following: "the collection of fines and penalties imposed upon delinquent accounts incident to."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 95, as follows:

An Act to further amend section four of the act approved the thirtieth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred ninety-three) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh of June one thousand eight hundred and seventy-nine" by requiring all corporations incorporated by or under the laws of any other State or of the United States and doing business in this Commonwealth to designate a resident treasurer for certain purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and in is hereby enacted by the authority of the same That section four of the act approved the thirtieth day of June one thousand eight hundred eighy-five (Pamphlet Laws one hundred ninety-three) entitled "A further settlement to an act entitled 'An act to provide revenue by taxation' approved the seventh of June one thousand eight hundred and seventy-nine" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (Pamphlet Laws six hundred sixty-nine) be and the same is hereby further amended to read as follows

Section 4 That hereafter except in the case of corporations of the first class and cooperative agricultural associations not having capital stock and not conducted for profit it shall be the duty of the treasurer of each private corporation incorporated by or under the laws of this Commonwealth or the laws of any other State or of the United States and doing business in this Commonwealth upon the payment of any interest on any scrip bond certificate or evidence of indebtedness issued or assumed by said corporation or indebtedness upon which the corporation is liable for the payment of the interest to residents of this Commonwealth and held by them to assess the tax imposed and provided for State purposes upon the nominal value of each and every said evidence of debt and to report on oath annually on or before the fifteenth day of March for the calendar year next preceding to the Department of Revenue the amount of the indebtedness herein recited owned by residents of this Commonwealth as nearly as the same can be ascertained and it shall be his further duty to deduct (four mills) the tax imposed for State purposes on every dollar of the interest paid as aforesaid and return the same into the State Treasury through the Department of Revenue within the time prescribed by law for the payment of taxes settled by the Department of Revenue and his compensation for his services shall be five per centum on the first one thousand dollars or fractional part thereof collected one per centum of all amounts over one thousand dollars and not over two thousand and one-half of one per centum of all amounts over two thousand dollars Provided That all corporations incorporated by or under the laws of any other State or of the United States and doing business in this Commonwealth shall for the purposes of this act designate a treasurer who shall be a resident of this Commonwealth whose duty it shall be when any interest is paid on any scrip bond certificate or evidence of indebtedness issued or assumed by said corporation or on any indebtedness upon which the corporation is liable for the payment of interest to residents of this Commonwealth and held by them to pay such interest and to assess and collect the tax provided for in this act Upon payment of said tax by a corporation the scrip bonds certificates or other evidences of indebtedness taxed for State purposes shall be exempt from all other taxation in the hands of the holders of the same

The time for filing reports may be extended taxpayers may be permitted to file their reports on a fiscal year basis and the procedure and penalties in case the officers of a corporation fail to file reports and pay the tax as required by this section shall be as prescribed by law

Section 2 This act shall become effective the first day of January one thousand nine hundred thirty-seven and shall first apply to reports filed for the calendar year one thousand nine hundred thirty-seven or for any fiscal year beginning in the calendar year one thousand nine hundred thirty-seven

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 30, as follows:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania is hereby proposed in accordance with the eighteenth article thereof

That article three be amended by adding thereto the following

Section 20.1 The General Assembly may provide for compensation for unemployment and for benefits or assistance to classes of persons or minors physically or socially handicapped or without adequate means of support may require employers or employes or both to contribute thereto and may appropriate monies for any such purpose No such legislation and no such appropriations shall be deemed prohibited by any other provision of this Constitution

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Achterman,	Eberharter,	McCreary,	Shortz,
Alexander,	Eroe,	McDermott,	Shreiner,
Allen,	Falkenstein,	McDevitt,	Shugarts,
Altenburg,	Ferko,	McElroy,	Siegel,
Andrews,	Finnerty,	McHenry,	Simon,
Anthony,	Fitch,	McKinney,	Simpson,
Arnold,	Flanagan,	Melchiorre,	Sinwell,
Atkins,	Flinchbaugh,	Mentzer,	Sloan,
Aukerman,	Forrest,	Merrell,	Smith, J. A.,
Baine,	Gates,	Moomaw,	Smith, W. G.,
Baker, F. T.,	Gerard,	Mooney,	Snyder, F. E.,
Baker, J. J.,	Gillette,	Moore,	Snyder, J. L.,
Baldi,	Greenstein,	Moran,	Sowers,
Barber,	Habbyshaw,	Moul,	Sproul,
Barnhardt,	Haberlen,	Muir,	Stank,
Beadman,	Hagerty,	Munley,	Stevens,
Blumberg,	Haluska,	Murrin,	Stewart,
Bernhard,	Hamilton, F. P.,	Nagel,	Stockham,
Boose,	Hamilton, R. S.	Nothnagle,	Stone,
Boyd, R.,	Harkins,	O'Keefe,	Stott,
Boyer,	Harmuth,	Ominsky,	Sumney,
Bradley,	Hartman,	O'Neill,	Surface,
Brancato,	Hermansen,	Panton,	Sweeney,
Brennan,	Hetrick,	Patterson, Cliff,	Tahl,
Brown, H. S.,	Hindman,	Patterson, J. W.	Terry,
Brown, J. E.,	Hirsch,	Pearson,	Tronzo,
Brownfield,	Hoffner,	Perry,	Trout,
Brumbaugh,	Holland,	Peters,	Tumelty,
Burke,	Holstrom,	Pfaff,	Turner,
Cannon,	Hoopes,	Piole,	VanAllsburg,
Caputo,	Horst,	Powers,	Van Sickle,
Carr,	Jackson,	Reising,	Wall,
Carson,	Jones,	Rhys,	Wasserman,
Chervenak,	Kane,	Rinn,	Weidemann,
Coakley,	Kelder,	Roan,	Weiss,
Cochran,	Kelso,	Robinson,	Welliver,
Cohen	Kenney,	Rooney,	Welsh,
Coleman,	Kilroy,	Root,	Westrick,
Condon,	Kinney,	Rover,	White,
Coolahan,	Klingler,	Ruffennach,	Wickersham,

Cooper,	Kobelak,	Sarraf,	Winner,
Cordier,	LaRue,	Scanlon,	Witkin,
Davies,	Linderman,	Schaeffer,	Wood,
Decker,	Long,	Schrock,	Woodside,
Diehl,	Lovett,	Schrope,	Yeakel,
Dillev,	Lynch,	Schwab,	Yourishin,
Downey, G. E.,	Male,	Serrill,	Zappala,
Downey, J. J.,	Mallen,	Shaw,	Zimmerman,
Duffort,	Mason,	Shepard,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

BILL ON THIRD READING

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 85, as follows:

An Act to safeguard persons receiving or entitled to public relief from political coercion and to prevent political promises in return for public relief and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person directly or indirectly to deny relief or take away or procure the taking away or to threaten to take away or threaten to procure the taking away any grant of relief to or from any person who is lawfully entitled thereto for the reason that such person registered or refused to register in a certain political party or voted or refused to vote for the candidate or candidates of a certain political party or directly or indirectly to promise to grant or to promise to secure a grant of relief for any person whether or not lawfully entitled thereto if such person promises or agrees directly or indirectly to register in a certain political party or to vote the candidate or candidates of a certain political party It shall be unlawful for any person whether or not lawfully entitled to relief directly or indirectly to promise or agree to register in a certain political party or to vote the candidate or candidates of a certain political party in order to procure or aid in procuring or to prevent the taking away of any relief or to solicit relief by directly or indirectly promising to register in a certain political party or to vote the candidate or candidates of a certain political party Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to suffer imprisonment not exceeding one year or both

The word "relief" as used in this act shall mean any cash or check or any relief order redeemable in merchandise or any merchandise in kind paid for paid or payable out of public moneys appropriated or made available for the support of residents of this Commonwealth who are unemployed and without means of support

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. NAGLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 2 of title, by inserting after the part-word "lief" the following: "or working in private employment".

Amend title, page 1, line 3 of title, by inserting after the word "relief" the following: "or a position of private employment".

Amend Sec. 1, page 1, line 5, by inserting after the word "relief" the following: "or a position of private employment".

Amend Sec. 1, page 1, line 8, by inserting after the word "relief" the following: "or a position of private employment".

Amend Sec. 1, page 2, line 3, by inserting after the word "relief" the following: "or a position of private employment".

Amend Sec. 1, page 2, line 12, by inserting after the word "relief" the following: "or a position of private employment".

Amend Sec. 1, page 2, line 13, by inserting after the word "relief" the following: "or a position of private employment".

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection?

Mr. WITKIN. Mr. Speaker, for the reason that the amendments offered are a bold attempt to kill this bill, I object to the granting of unanimous consent to the insertion of these amendments.

The SPEAKER. The Chair hears objection and consent is not granted.

On the question recurring,

Will the House agree to the bill on third reading?

RECONSIDERATION OF VOTE

Mr. NAGLE. Mr. Speaker, I move that the vote by which this bill was ordered to be transcribed for third reading be reconsidered.

On the question,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker and members of the House, I ask you to vote this motion down for the reason that I gave in objecting to unanimous consent for the insertion of these amendments. The amendments which you have heard read are amendments that are framed for the sole and exclusive purpose of killing this bill. The bill is its present form as introduced by me, passed out of your committee, and last evening the gentleman from Franklin, Mr. Moomaw, offered certain amendments which in my opinion helped the bill and helped the purpose of the bill, and I readily agreed to accept those amendments.

The bill as it is on the calendar is in a form, and covers the subject matter of political coercion in relief, so that if passed by this House it will be constitutional and will be enacted into law. The attempt to reconsider the vote by which this bill passed third reading is an attempt to open up the door to insert amendments so that political coercion may continue to run rampant in Pennsylvania under the Democratic regime of this House, and I desire to ask the membership of this House to prevent this bill from going back on second reading in order that it can be so completely annihilated by an insertion that is clearly unconstitutional, by an insertion that clearly kills the bill, and I ask you to vote "No" on the motion to reconsider.

Mr. COHEN. Mr. Speaker, the gentleman from Philadelphia objects to the insertion of these amendments because he is fearful that these amendments might result in the death of the bill. These amendments merely extend the criminal provision as to political coercion from relief to other endeavors in this Commonwealth. If the gentleman from Philadelphia feels that he does not want the industrialists, the employers, the oil people to resort

to political coercion, then he can vote "No" on the bill and the bill possibly will be killed, but the attempt on the part of these amendments is to extend to all workers, to all citizens whether they be recipients of relief or whether they be recipients of a pay employes from employers, the protection of this act.

This bill or these amendments will extend to the citizens of Pennsylvania an opportunity to exercise their free and God-given right of franchise without encroachment from any source whatever, and I ask the membership of this House to vote in support of these amendments.

Mr. WITKIN. Mr. Speaker and members of the House, if the gentleman from York is sincere in his statements, and if he is sincere in his willingness to go along with the subject matter of this bill insofar as political coercion deals with relief only, then he as the Democratic floor-leader of this House will withdraw these amendments, and introduce a separate bill governing exactly the subject matter of private employment. He knows, he ought to know, that the endeavor to put into one bill public expenditures of money for relief and political coercion as against that, and an entirely different subject matter of private employment, is going to make this bill both unconstitutional and illegal. Now, if he wants to accomplish his purpose, he will let this bill go through as it is. This bill aims at relief crookedness; this bill aims at the interference of political hangers-on from threating and promising recipients of relief, of relief orders being taken away or the promise to give those whether lawfully or unlawfully entitled to relief, a relief order.

What has that got to do with the right on my part to ask a man who is working for me to vote a Republican or a Democratic ticket? What right has it got to stop you, if you have got lots of employes, from asking them to vote for you or for any other particular person? I am not concerned, and I frankly say I am not concerned with the question of whether or not an employer asks an employee to vote one way or another, whether it be for or against a Republican or for or against a Democratic ticket. I am concerned in this bill with the matter of political machinations, public expenditures for relief. I am protecting in this bill public funds, monies that are paid out under the guise of being paid only to those who are in need. This bill is aimed to stop political hangers-on, particularly in the Commonwealth of Pennsylvania, those of the Democratic party, from going to the voters before election and telling them if they don't vote for the Democratic ticket their relief money will be taken away. It is aimed to stop those political hangers-on before an election from going to people not entitled to relief and telling them they will get relief if they vote the Democratic ticket.

I am concerned with stopping political coercion where it deals with public funds, and the attempt on the part of the Democratic Administration to kill this bill by inserting therein private employment is a false, base attempt to kill it by indirection.

Now, if you stand for the proposition of which your amendment speaks, introduce such a bill,—I will vote for it,—I will support it, but don't try to pull the wool over the eyes of the people of Pennsylvania by telling them that you want all people to have the right to vote as they please. It is about time that you adopted that principle, but right now we are making you adopt it insofar as concerns the corrupt use for political purposes of the State Emergency Relief Board funds, and I retiterate that we ought to vote this motion down so as to leave this bill as is.

Mr. ANDREWS. Mr. Speaker, I have spent the greater part of this session trying to establish some sort of common ground with the gentleman from Philadelphia, the minority leader. None has regreted more than I have the unseemly partisan divisions that have arisen at times, and I have rejoiced when the gentleman from Philadelphia has moved forth for the purpose of purifying the political situation. And I was particularly pleased, Mr. Speaker, when I saw this particular bill upon the calendar, because it seemed to me that undoubtedly with such a rightful purpose it would be possible to agree. And it occurred to me, as it occurred to other members on this side of the House, that there was not any particular reason why the gentleman from Philadelphia should spend all of his time spading one little portion of the political garden to get the weeds out of it, and we thought we would return this bill and make political purification as wide as the State of Pennsylvania. We wanted to help him, and we still find him perverse when we take his motive and he rejects our proffer. There seems to be no agreeing. The great curse in Pennsylvania is coercion. The greatest threat to constitutional government, democratic government, is fear. There is no greater fear than the fear of losing a job and so we simply propose to the gentleman from Philadelphia, without regard to his fine constitutional distinction, that upon the day when this House says that all of those connected with the relief organizations shall be free, that we shall also say to the people of Philadelphia that all of those people in our industries shall likewise be free. We say to him that if the political boss can say to the relief recipients to do thus and so, that we in the same breath will say to the industrial man that he cannot say to his payroll to do thus and so.

The gentleman from Philadelphia can wind himself up in legalistic discussions concerning the Constitution as much as he likes, but the plain simple issue here is to crush coercion, and to crush coercion in every sector of political endeavor, and if the gentleman from Philadelphia is so interested in freeing the populace from threats, he will accept this amendment, and the two sides of this House will move forward triumphantly to end political coercion which he has repeatedly so denounced.

Mr. WITKIN. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. COHEN. Mr. Speaker, I will.

Mr. WITKIN. Mr. Speaker, if we were to go along with the motion to reconsider and bring this bill back on second reading, would the gentleman from York, as the leader of the Democratic majority of this House, agree to incorporate in House Bill No. 85 the WPA jobs?

Mr. COHEN. Mr. Speaker and members of the House, in answer to that question I might say that we have the decision of Mr. Witkin's own judge of the Court of Common Pleas of Philadelphia which indicates that he has no right whatsoever to legislate on WPA, but I would say that we would have no objections to so doing, provided that we would also get the Philadelphia gravey train in on this bill, namely, the municipal employes of the County and City of Philadelphia.

Mr. WITKIN. Mr. Speaker, will the gentleman first

answer yes or no on my question: "Will you agree to incorporate in the amendments to House Bill No. 85 the provisions of House Bill No. 84, making it a criminal offense the threaten or discharge or procure the discharge or promise of employment under the WPA in House Bill No. 85?

Mr. COHEN. Mr. Speaker, I would suggest—

POINT OF ORDER

Mr. YOURISHIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Luzerne Mr. Yourishin will state his point of order.

Mr. YOURISHIN. The question before the House is the amendment of House Bill No. 85 and not a conference between the Republicans and Democrats.

The SPEAKER. The question before the House is the motion to reconsider the vote by which this bill was ordered to be transcribed for third reading. The gentleman will proceed.

Mr. WITKIN. Will the gentleman answer my question —will he agree to that, or will he not?

Mr. COHEN. Mr. Speaker, I cannot speak for the Democratic majority.

Mr. WITKIN. We found that out, Mr. Speaker.

Mr. COHEN. I would say that his idea has some merit and value, and I would extend that idea even to the County Commissioners office in Philadelphia.

Mr. WITKIN. Mr. Speaker, will the gentleman include every employe in the State of Pennsylvania, including the departments under His Excellency, the Governor?

Mr. COHEN. Why, Mr. Speaker, they come right along under the appointments of the honorable gentleman from Philadelphia.

Mr. WITKIN. Mr. Speaker, will the gentleman agree to include WPA particularly in this bill, and also every other employe, State, municipal or county, in every county of Pennsylvania, in this bill?

Mr. COHEN. Mr. Speaker, my thought—

Mr. WITKIN. Mr. Speaker, may I ask the gentleman to never mind his thought. Will he answer my question?

Mr. COHEN. Due to the fact that my orders, Mr. Speaker, do not come down from the hidden government, I am not able to speak for the Democratic majority.

Mr. WITKIN. Mr. Speaker, I notice that the gentleman's hidden government is here.

Mr. COHEN. Mr. Speaker, I would suggest that my own personal views in the matter are that this bill could be further amended to include private and public employment.

Mr. WITKIN. Mr. Speaker, the gentleman is willing to try to amend anything that will help kill the bill.

POINT OF ORDER

Mr. HOOPES. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Berks, Mr. Hoopes, will state his point of order.

Mr. HOOPES. Mr. Speaker, we are not conducting an interrogation but a conference across the House.

The SPEAKER. The point of order is well taken. Does the gentleman wish to proceed with the interrogation?

Mr. WITKIN. Mr. Speaker, I am through with the interrogation. Mr. Speaker, I desire to interrogate the gentleman from Cambria, Mr. Andrews.

The SPEAKER. Will the gentleman from Cambria, Mr. Andrews, permit himself to be interrogated?

Mr. ANDREWS. Mr. Speaker, I will.

Mr. WITKIN. Will the gentleman from Cambria, Mr. Andrews, answer me in his usual frank and honest way, whether or not he would be in favor of incorporating in this bill, if, returned to second reading, the provision of House Bill No. 84 with which I presume the gentleman is familiar, dealing with the WPA? I would like to get the gentleman's expression as to whether he believes that that ought to be included.

Mr. ANDREWS. Mr. Speaker, if the gentleman wants my private convictions on that matter I will go into private conference with him at any time and not take the time of this House, because the question has no relevency to the point before the House at the present time.

Mr. WITKIN. Mr. Speaker, I desire not the gentleman's private opinion, or I would not ask it of him in public. I ask his opinion as a Legislator upon the floor of the House of Representatives, where I am entitled to ask it and where the gentleman is free to answer frankly or refuse to answer. Will the gentleman please state his position on placing WPA political coercion in the bill?

POINT OF ORDER

Mr. EROE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Lawrence, Mr. Eroe, will state his point of order.

Mr. EROE. The gentleman's question is out of order.

The SPEAKER. In answer to the gentleman from Lawrence, Mr. Eroe, the Chair feels it is entirely up to the gentleman from Cambria, Mr. Andrews, whether or not he wishes to answer the questions.

Mr. ANDREWS. Mr. Speaker, if the House wishes to bear with me, I will answer the question of the gentleman from Philadelphia. I will be glad to do anything that this House would have me do. The gentleman from Philadelphia knows that we can not legislate concerning the WPA. We can pass his bill as he introduced it, and we can pass his bill as amended, and that far we are safe, and the gentleman from Philadelphia himself proposes to include in the measure features which would kill it.

Mr. WITKIN. Mr. Speaker, may I further interrogate the gentleman?

The SPEAKER. Will the gentleman from Cambria, Mr. Andrews, permit himself to be further interrogated

Mr. ANDREWS. Mr. Speaker, it is entirely up to the House. If the House finds it either diverting or entertaining or informative I am glad to go ahead and any time the House wants us to call a halt to this discussion which has no relelancy to the question before the House——

Mr. WITKIN. May I ask the gentleman not to call for help until he needs it worse than he does now?

POINT OF ORDER

Mr. EBERHARTER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny, Mr. Eberharter, will state his point of order.

Mr. EBERHARTER. The gentleman from Philadelphia, Mr. Witkin, wishes to get the permission of the Speaker to interrogate the gentleman from Cambria, Mr. Andrews. He inserted a side remark which was not an interrogation, and which to say the least is not very complimentary to the gentleman from Cambria, Mr. Andrews, and I move that that remark be stricken from the records.

The SPEAKER. In answer to the point of order raised by the gentleman from Allegheny, Mr. Eberharter, the Chair wishes to state that a motion to expunge is not in order until the main question is disposed of.

Mr. WITKIN. Mr. Speaker, I was in the process of interrogating the gentleman from Cambria, Mr. Andrews.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, will proceed.

Mr. WITKIN. Mr. Speaker, did I not understand the gentleman correctly a few moments ago, when we were discussing the first amendments, to say that he was not concerned with legalistic argument, but that what he wanted to do was to make this bill all far-reaching, or words to that effect.

Mr. ANDREWS. Mr. Speaker, I said that I wanted to bring in the private employers, that I wanted to end coercion as far as we legally could.

Mr. WITKIN. Mr. Speaker, may I further interrogate the gentleman from Cambria, Mr. Andrews?

Mr. ANDREWS. Mr. Speaker, I am not under the impression that my opinions are valuable———

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, will state his point of order.

Mr. WITKIN. Mr. Speaker, the gentleman must answer yes or no as to whether he wishes to be interrogated, and can not make a speech. If he wants the floor to make a speech, he can take it afterwards, but I am asking now whether he desires to be interrogated. He must say either yes or no.

The SPEAKER. The point of order of the gentleman from Philadelphia is not well taken. The Chair recognized the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, I desire to answer the gentleman. The interrogation is something I suffer, not something I invite or desire.

Mr. WITKIN. Mr. Speaker, I desire further to interrogate the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, one more question.

Mr. WITKIN. Mr. Speaker, my interrogation will take more than one question. Does the gentleman wish or does he not wish to be interrogated on the subject matter before this House.

Mr. EROE. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. John E. Brown, Alexander, Nagel, Shaw, Baine, Cochran, Welsh, Kelso, Klingler, Shugarts, Hetrick, Holland, Tronzo, Kobelak, Bradley, John J. Baker, Schaeffer. Fitch, Hirsch, Eberharter, LaRue and others,

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. WITKIN and Mr. BLUMBERG and were as follows:

YEAS—112

Achterman,	Downey, G. E.,	LaRue,	Robinson,
Alexander,	Downey, J. J.,	Long,	Ruffennach,
Allen,	Eberharter,	Lovett,	Sarraff,
Andrews,	Eroe,	Lynch,	Scanlon,
Anthony,	Falkenstein,	Male,	Schaeffer,
Arnold,	Ferko,	McDermott,	Schrope,
Aukerman,	Finnerty,	McElroy,	Schwab,
Baine,	Fitch,	McHenry,	Shaw,
Baker, J. J.,	Flanagan,	Melchiorre,	Shepard,
Bradley,	Flinchbaugh	Mentzer,	Shugarts,
Brancato,	Gerard,	Moomaw,	Siegel,
Brown, H. S.,	Haberlen,	Mooney,	Simon,
Brown, J. E.,	Hagerty,	Moran,	Sinwell,
Brownfield,	Haluska,	Moul,	Smith, J. A.,
Brumbaugh,	Hamilton, F. P.,	Munley,	Smith, W. G.,
Burke,	Harkins,	Murrin,	Stank,
Cannon,	Harmuth,	Nagel,	Stevens,
Caputo,	Hartman,	O'Keefe,	Sumney,
Carson,	Hetrick,	Ominsky,	Tronzo,
Chervenak,	Hindman,	O'Neill,	Tumelty,
Coakley,	Hirsch,	Patterson, C.,	VanSickle,
Cochran,	Holland,	Patterson, J. W.,	Weiss,
Cohen,	Holstrum,	Pearson,	Welliver,
Coleman,	Kelso,	Pfaff,	Welsh,
Coolahan,	Kilroy,	Piole,	Westrick,
Decker,	Kinney,	Powers,	Yourishin,
Dent,	Klingler,	Reising,	Zappala,
Diehl,	Kobelak,	Rinn,	Furman,
Dilley,			

NAYS—78

Altenburg,	Gates,	Moore,	Stott,
Atkins,	Gillette,	Muir,	Surface,
Baker, F. T.,	Greenstein,	Nothnagle,	Sweeney,
Baldi,	Habbyshaw,	Perry,	Tahl,
Barnhardt,	Hamilton, R. S.,	Peters,	Terry,
Beadman,	Hermansen,	Rhys,	Trout,
Bernhard,	Hoffner,	Roan,	Turner,
Blumberg,	Horst,	Root,	VanAllsburg,
Boose,	Jackson,	Royer,	Wall,
Boyd, R.,	Jones,	Schrock,	Wasserman,
Boyer,	Kane,	Serrill,	Weidemann,
Brennan,	Kelder,	Shreiner,	White,
Carr,	Kenney,	Simpson,	Wickersham,
Castor,	Longaker,	Sloan,	Winner,
Condon,	Mallen,	Snyder, F. E.,	Witkin,
Cooper,	Mason,	Sowers,	Wood,
Cordier,	McCreary,	Sproul,	Woodside,
Davies,	McDevitt,	Stewart,	Yeakel,
Duffort,	McKinney,	Stockham,	Zimmerman,
Forrest,	Merrell,		

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. WITKIN and Mr. BLUMBERG and were as follows:

YEAS—119

Achterman,	Downey, G. E.,	Long,	Ruffennach,
Alexander,	Downey, J. J.,	Lovett,	Sarraf,
Allen,	Eberharter,	Lynch,	Scanlon,
Andrews,	Eroe,	Male,	Schaeffer,
Anthony,	Falkenstein,	McCreary,	Schrope,
Arnold,	Ferko,	McDermott,	Schwab,
Aukerman,	Finnerty,	McElroy,	Shaw,
Baine,	Fitch,	McHenry,	Shepard,
Baker, J. J.,	Flanagan,	Melchiorre,	Shugarts,
Bradley,	Flinchbaugh,	Mentzer,	Siegel,
Brancato,	Gerard,	Moomaw,	Simon,
Brown, H. S.,	Haberlen,	Mooney,	Sinwell,
Brown, J. E.,	Hagerty,	Moran,	Smith, J. A.,
Brownfield,	Haluska,	Moul,	Smith, W. G.,
Brumbaugh	Hamilton, F. P.,	Munley,	Stank,
Burke,	Harkins,	Murrin,	Stevens,
Cannon,	Harmuth,	Nagel,	Stewart,
Caputo,	Hartman,	O'Keefe,	Stockham,
Carson,	Hetrick,	Ominsky,	Sumney,
Chervenak,	Hindman,	O'Neill,	Tronzo,
Coakley,	Hirsch,	Panton,	Tumelty,
Cochran,	Holland,	Patterson, C.,	VanSickle,
Cohen,	Holstrom,	Patterson, J. W.,	Weiss,
Coleman,	Hoopes,	Pearson,	Welliver,
Coolahan,	Kelso,	Pfaff,	Welsh,
Cooper,	Kilroy,	Piole,	Westrick,
Decker,	Kinney,	Powers,	Yourishin
Dent,	Klingler,	Reising,	Zappala,
Diehl,	Kobelak,	Rinn,	Furman,
Dilley,	LaRue,	Robinson,	

NAYS—74

Altenburg,	Gates,	Moore,	Surface,
Atkins,	Gillette,	Muir,	Sweeney,
Baker, F. T.,	Greenstein,	Nothnagle,	Tahl,
Baldi,	Habbyshaw,	Perry,	Terry,
Barnhardt,	Hamilton, R. S.,	Peters,	Trout,
Beadman,	Hermansen,	Rhys,	Turner,
Bernhard,	Hoffner,	Roan,	VanAllsburg

Blumberg,	Horst,	Root,	Wall,
Boose,	Jackson,	Royer,	Wasserman,
Boyd, R.,	Jones,	Schrock,	Weidemann,
Boyer,	Kane,	Serrill,	White,
Brennan,	Kelder,	Shreiner,	Wickersham,
Castor,	Kenney,	Simpson,	Winner,
Condon,	Longaker,	Sloan,	Witkin,
Cordier,	Mallen,	Snyder, F. E.,	Wood,
Davies,	Mason,	Sowers,	Woodside,
Denning,	McDevitt,	Spreul,	Yeakel,
Duffort,	McKinney,	Stott,	Zimmerman,
Forrest,	Merrell,		

So the question was determined in the affirmative and the motion was agreed to.

RECONSIDERATION OF VOTE

Mr. NAGEL. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

The motion was agreed to.

Mr. NAGEL. Mr. Speaker, I move that the vote by by which the title was agreed to be reconsidered.

The motion was agreed to.

Mr. NAGEL. Mr. Speaker, I move that the vote by by which the House agreed to the various sections be reconsidered.

The motion was agreed to.

The first section of the bill was read by the Clerk.

On the question,

Will the House agree to the section?

Mr. NAGEL. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, line 5, by inserting after the word "relief" the following: "or a position of private employment."

Amend Sec. 1, page 1, line 8, by inserting after the word "relief" the following: "or a position of private employment."

Amend Sec. 1, page 2, line 3, by inserting after the word "relief" the following: "or a position of private employment."

Amend Sec. 1, page 2, line 12, by inserting after the word "relief" the following: "or a position of private employment."

Amend Sec. 1, page 2, line 13, by inserting after the word "relief" the following: "or a position of private employment."

On the question,

Will the House agree to the amendments?

Mr. WITKIN. Mr. Speaker and members of the House, most of the arguments in opposition to these amendments were made in the course of the arguments and interrogations that were permitted or that were agreed to in the motion to reconsider. I regret that in those arguments and in that debate it became necessary for some members of this House, for whom I have the highest regard, both as to their ability and frankness, to refuse to answer questions in order that we may have full light upon this subject. The matter is very clear. This bill provides very simply this, it stops political coercion, political threats, promises, insofar as recipients of relief are concerned, prospective receipients of relief. The monies for relief are public monies, come out of the taxpayers' pocket. On the call issued it was a call to provide relief or to raise money for relief. The enactment of this bill into law would result in less money coming out of the taxpayers' pocket, because it would stop many persons from getting relief because of political corruption and political coercion, so that the bill as it now reads is clearly within the call. The amendments are introduced why? The Democratic Administration of this State released these bills from committee most reluctantly. They realized one to kill the other known as the WPA, and then they became alarmed. Alarmed at what? Because throughout the Commonwealth the newspapers, the editorials said it was legislation that was well calculated and ought to be enacted into law, and the Democratic high command in this State saw their walls collapsing before them. They envisioned September, they envisioned October, they envisioned November and saw where the political hanger-on in a political precinct or division is going to be robbed of his greatest implement by taking away from him the right to ask or to interfere with, cajole and coerce recipients of relief or those in need, and so word comes from the high command "We are alarmed at this bill; it may become a law. What are we going to do then? A bulwark of our defense for the Presidential election shall have disappeared. Stop it." Are we cowardly, too cowardly to stop it by voting against it? Are you fearful of political results if you vote "No"? What What are you going to do? I admire courageousness; I admire one who when they are wrong think they are right and vote according to their convictions. I lose respect for men who are afraid to state their convictions and who hide their convictions on particular questions because they don't want them to become a matter of public record.

If you want to vote against this bill, you would have been entitled to credit for your audacity, but the insertion of "or working in private employment" kills the bill. Why? You know it. First of all, the question of private employment has nothing to do with public funds or relief. Second, we know that it deals with two entirely different subjects. You know as well as I do that if you want that to become a law you can introduce a bill, put it through this House covering the one subject, but you want to kill it and you didn't know how, until some ingenious member of your party higher than the members of this House evolved the system of bringing in private employment. You were stopped, and it looked as if you were going to have to enact good legislation into law and then you tried to come along with this thing and you say it is going to broaden the freedom of the worker, the freedom of this one and that one, and the gentleman from Cambria used the words "weeding the whole garden of political endeavor." He wants the whole garden of political endeavor weeded, and then when we asked for the inclusion of the WPA, no, that is a private picture just as secret as Washington wants it to be. clothed in mystery, even a legislative opinion as to WPA dare not be expressed for fear of affronting the political leaders of the State and the gentleman from Cambria asked for a private conference in order to speak frankly and honestly upon a question affecting the whole United States. When they are matters of public interest I will voice my sentiment publicly and on the floor of this House, not privately, because if I believe in privately that the WPA is corrupt, I believe that I ought to have the right to say it publicly, and if I ask the question whether WPA ought to be included in this bill, together with your amendments, I ought to get an honest answer, and so, members of the House, I ask you to vote against these amendments. I ask you to vote against them be-

cause the Democrats will have to vote for the bill. They lack the courage to vote against it. They will have to vote for it, and if they vote for it, what will happen? The poor and the hungry and the starving won't have to worry about the threats of the political hanger-on or political party worker who lives up the street. It will release from around their necks a rope that is to tight that it is choking them day by day. I ask you, members of this House, to vote down this attempt to kill this good piece of legislation.

Mr. COHEN. Mr. Speaker, the high political ideals of the gentleman from Philadelphia apparently are motivated by a sinister political strategy. In view of the fact that the gentleman from Philadelphia should be learned in the matters of law, it is particularly significant that in his legislative and legalistic resources he has not been able to come across the Act of March 31, 1860 P. L. 382. That particular act provides just exactly what the gentleman from Philadelphia now seeks to enact into law by this particular bill, and the amendment which we have submitted will only further tend to make the present enactment coincide with the act of 1860.

It does not require any great degree of intelligence to see the motive of the gentleman from Philadelphia and his followers that actuate the introduction of this bill. This bill was introduced apparently with the idea of bringing to the members of this Legislature the attention of a non-existant SERB political machine. If those conditions existed in the State Emergency Relief Board, the gentleman from Philadelphia and those who find objection to the administration of relief in this Commonwealth, could have resorted to the acts of 1860, and there had the criminal penalties, the fine of one hundred dollars or imprisonment not exceeding six months imposed upon conviction. But does the gentleman from Philadelphia wash to resort to the acts of 1860, or is his intention purely one of giving him an opportunity to get upon the floor of this House and attempt to chastise the membership of this House for not going along with what is nothing more than a superficial political move. There isn't one bit of sincerity in the presentation of this measure. There isn't one bit of honesty in the presentation of this matter. There isn't one bit of political integrity in the presentation of this matter.

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, will state his point of order.

Mr. WITKIN. Mr. Speaker, if the gentleman does not withdraw those remarks, I shall on the floor of this House have to call him an ugly word. I don't want to do it on the floor of this House.

Mr. COHEN. Mr. Speaker, I will paraphrase the word "honesty" by saying "political honesty."

Mr. WITKIN. Mr. Speaker, he will do more than that before———

Mr. COHEN. Mr. Speaker, the gentleman from Philadelphia has come to the membership of this House and asked them to enact a penal statute that has been on the Commonwealth's statute books since 1860. He is coming to the hall of this House waving the flag of SERB and the PRA are trying to show what horrible things are being done, when the opportunity to correct those abuses is at his finger tips and has been since 1860. He is coming to this House in an attempt to becloud the issue. He is coming to this House by the presentation of this bill in an attempt to indicate that not only those who administer relief, but those who are unfortunate, must accept relief or violate the acts of this Commonwealth. Members of this House, since 1860 we have had this bill. There has not been presented by the gentleman from Philadelphia one explanation why he and his political cohorts have not resorted to that act. There has been no intimation or indication, no intelligent explanation other than the fact of the opportunity to indulge in a little political chicanery. He has introduced this bill in an attempt to do what he said, to put the Democratic membership of this House on the spot, but no, the Democratic membership of this House will not be put on the spot. If it is incorrect on the part of the SERB to hold out individualaggrandizement it is just as incorrect for industrialists, for individuals, for those who control large masses of individuals, to hold out financial aggrandizement for political votes; it is just as incorrect for one as it is for the other, and when the gentleman from Philadelphia indicates that this bill comes within the call I doubt the constitutionality of that statement. When he indicated that the injection of this amendment will tend to take the bill without the call, I say to the membership of this House it is well within the legitimate provisions of this House to enact a bill penal in nature affecting those men that provide employment. This bill was born in iniquity. This ball presented with an ulterior motive not disclosed. This bill is a part of the Republican chicanery in order to becloud the issue. This bill is a bill that has been on our statute books since 1860, and if the bill is to be passed, it should be passed in conformity with that act.

Mr. NAGEL. Mr. Speaker and members of the House, this bill has been objected to by those opposing it on the grounds that it is unconstitutional. Now, I thank God that I am neither a constitutional nor a corporation lawyer, for thereby I may escape answering a lot of sins of insincerity and chicanery and skull druggery. I also thank God that I am not a member or the whole of our courts that declare our bills unconstitutional. I refer particularly to those bills that this day and age, that the conditions that we have at present, demand and require for humanity and for our social living. These men will declare such bills unconstitutional. And I am glad that I am not a member of that body. Now, I can not understand why any one should object to this bill. I can not see, whether any man or woman or any child is deprived of bread through the agency of our relief, or whether they are deprived of bread through the instrumentality of our industrial setup, how much worse the pangs of hunger will be in the one case than in the other. I have here before me a letter which comes from my county, of which I will quote just a part:

"The Republican ward leaders of the City of Beaver Falls offered me a position with Jones and Laughlin Steel Company if I would switch over to the other side and help organize young men's clubs."

Now, I don't suppose Beaver county is any worse in this respect than any other county, but we find that prevails. We find our idustrialists are using every effort possible to bring into their ranks, to coerce, force and to starve if necessary men and women to come across to their way of thinking.

Now, I might say that our motive, our primary motive

in introducing this bill was a humanitarian motive, a motive for clearing away the corruption, permitting things to be better in our country. We want to see a purification. And then I might say we have a secondary motive. The Democratic party since yesterday have been standing indicted of first degree murder. Now, we want to be considerate enough to put a provision in this that those persons who may not be of our party, will not be tempted to fall into a sin of this kind, and I say this bill will be a benefit to the minority side of the House rather than an injury. Vote for Bill No. 85.

Mr. EROE. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Sinwell, VanSickle, Coakley, Dent, Stevens, Haberlen, Robinson, James W. Patterson, Aukerman, Lynch, Sumney, Eberharter, LaRue, Haluska, Finnerty, Ominsky, Chervenak, McHenry, Monney, Moran, Sarraf, and others,

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. WITKIN and Mr. PETERS and were as follows:

YEAS—115

Achterman,	Downey, G. E.,	LaRue,	Robinson,
Alexander,	Downey, J. J.,	Long,	Ruffennach,
Allen,	Eberharter,	Lovett,	Sarraf,
Andrews,	Eroe,	Lynch,	Scanlon,
Anthony,	Falkenstein,	Male,	Schaeffer,
Arnold,	Ferko,	McCreary,	Schropc,
Aukerman,	Finnerty,	McDermott,	Schwab,
Baine,	Fitch,	McElroy,	Shaw,
Baker, J. J.,	Flanagan,	McHenry,	Shepard.
Bradley,	Flinchbaugh,	Melchiorre,	Shugarts,
Brancato,	Gerard,	Mentzer,	Siegel,
Brown, H. S.,	Haberlen,	Moomaw,	Simon,
Brown, J. E.,	Hagerty,	Mooney,	Sinwell,
Brownfield,	Haluska,	Moran,	Smith, J. A.,
Brumbaugh,	Hamilton, F. P.,	Moul,	Smith, W. G.,
Burke,	Harkins,	Munley,	Stank,
Cannon,	Harmuth,	Murrin,	Stevens,
Caputo,	Hartman,	Nagel,	Stone,
Carson,	Hetrick,	O'Keefe,	Sumney,
Chervenak,	Hindman,	Ominsky,	Tronzo,
Coakley,	Hirsch,	O'Neill,	Tumelty,
Cochran,	Holland,	Patterson, C.,	VanSickle,
Cohen,	Holstrom,	Patterson, J. W.,	Weiss,
Coleman,	Hoopes,	Pearson,	Welliver,
Coolahan,	Kelso,	Pfaff,	Welsh,
Decker,	Kilroy,	Piole,	Westrick,
Dent,	Kinney,	Powers,	Yourishin,
Diehl,	Klinger,	Reising,	Zappala,
Dilley,	Kobelak,	Rinn,	Furman,

NAYS—78

Altenburg,	Gates,	Muir,	Stockham,
Atkins,	Gillette,	Nothnagle,	Stott,
Baker, F. T.,	Greenstein,	Panton,	Surface,
Baldi,	Habbyshaw,	Perry,	Sweeney
Barnhardt,	Hamilton, R. S.,	Peters,	Tahl,
Beadman,	Hermansen,	Rhys,	Terry,
Bernhard,	Hoffner,	Roan,	Trout,
Blumberg,	Horst,	Rooney,	Turner,
Boose,	Jackson,	Root,	Wall,
Boyd, R.,	Jones,	Royer,	Wasserman,
Boyer,	Kane,	Schrock,	Weidemann,
Brennan,	Kelder,	Serrill,	White,
Carr,	Kenney,	Shreiner,	Wickersham,
Castor,	Longaker,	Simpson,	Winner,
Condon,	Mallen,	Sloan,	Witkin,
Cooper,	Mason,	Snyder, F. E.,	Wood,
Cordier,	McDevitt,	Sowers,	Woodside,
Davies,	McKinney,	Sproul,	Yeakel,
Duffort,	Merrell,	Stewart,	Zimmerman,
Forrest,	Moore,		

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. COHEN and Mr. HALUSKA and were as follows:

YEAS—113

Achterman,	Downey, G. E.,	LaRue,	Rinn,
Alexander,	Downey, J. J.,	Long,	Robinson,
Allen,	Eberharter,	Lovett,	Ruffennach,
Andrews,	Eroe,	Lynch,	Sarraf,
Anthony,	Falkenstein,	Male,	Scanlon,
Arnold,	Ferko,	McCreary,	Schaeffer,
Aukerman,	Finnerty,	McDermott,	Schrope,
Baine,	Fitch,	McElroy,	Schwab,
Baker, J J.,	Flanagan,	McHenry,	Shaw,
Bradley,	Flinchbaugh,	Melchiorre,	Shugarts,
Brancato,	Gerard,	Mentzer,	Siegel,
Brown, H. S.,	Haberlen,	Moomaw,	Simon,
Brown, J. E.,	Hagerty,	Mooney,	Sinwell,
Brownfield,	Haluska,	Moran,	Smith, J. A.,
Brumbaugh,	Hamilton, F. P.,	Moul,	Smith, W. G.,
Burke,	Harkins,	Munley,	Stank,
Cannon,	Harmuth,	Murrin,	Stevens,
Caputo,	Hartman,	Nagel,	Sumney,
Carson,	Hetrick,	O'Keefe,	Tronzo,
Chervenak,	Hindman,	Ominsky,	Tumelty,
Coakley,	Hirsch,	O'Neill,	Van Sickle,
Cochran,	Holland,	Patterson, C.,	Weiss,
Cohen,	Holstrom,	Patterson, J. W.,	Welliver,
Coleman,	Kelso,	Pearson,	Welsh,
Coolahan,	Kilroy,	Pfaff,	Westrick,
Decker,	Kinney,	Piole,	Yourishin,
Dent,	Klingler,	Powers,	Zappala,
Diehl,	Kobelak,	Reising,	Furman,
Dilley,			

NAYS—71

Altenburg,	Gates,	Merrell,	Sproul,
Atkins,	Gillette,	Moore,	Stewart,
Baker, F. T.,	Greenstein,	Muir,	Surface,
Baldi,	Habbyshaw,	Nothnagle,	Sweeney,
Beadman,	Hamilton, R. S.,	Panton,	Tahl,
Bernhard,	Hermansen,	Perry,	Terry,
Blumberg,	Hoffner,	Peters,	Trout,
Boose,	Horst,	Rhys,	Turner,
Boyd, R.,	Jackson,	Roan,	Wall,
Boyer,	Jones,	Rooney,	Weidemann,
Brennan,	Kane,	Root,	Wickersham,
Carr,	Kelder,	Royer,	Witkin,
Castor,	Kenney,	Schrock,	Winner,
Condon,	Longaker,	Serrill,	Wood,
Cordier,	Mallen,	Shreiner,	Woodside,
Davies,	Mason,	Sloan,	Yeakel,
Duffort,	McDevitt,	Snyder, F. E.,	Zimmerman,
Forrest,	McKinney,	Sowers,	

So the question was determined in the affirmative and the amendments were agreed to.

The second section was read and agreed to.

The title of the bill was read by the Clerk.

On the question,

Will the House agree to the section?

Mr. NAGLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 2 of title, by inserting after the part-word "lief" the following: "or working in private employment."

Amend title, page 1, line 3 of title, by inserting after the word "relief" the following: "or a position of private employment."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. WITKIN. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, will state his question of personal privilege.

Mr. WITKIN. Mr. Speaker and members of the House, one in the course of debate, I take it, is inclined to argue heatedly but I also take it that it is proper that one shall always be a gentleman inside or outside of the House.

The gentleman from York, Mr. Cohen, in the course of the previous debate made certain statements imputing my sincerity, honesty and decency, and in two instances used the word "political" in front of those words and in one he didn't, and then corrected that one instance. So that in his statement he attacks my political sincerity, by political decency and my political honesty. I want to say to this House that I am not going to stoop to the language employed by my friend from York in his debate. I merely want to say this to him, I have been a member of this House since 1925. There is not a member of the Democratic party or any in the Republican party in the ten years that I have been here that ever accused me of lack of political honesty. I never broke my word, I never lied to any member of this House and never spoke a falsehood about things that took place in this House or caucuses or in committee. I either refused or didn't refuse to answer questions. I never refused, incidentally, to be interrogated.

The gentleman has also attacked my political decency. I have introduced measures that I consider of political import. I am interested in the Republican party, and I think it is proper to introduce bills that you believe help your party. I think it is proper to admit it. The decent thing to do is be courageous about it.

This bill was introduced with the sincerest of motives, because everywhere I went to in my own district, and everywhere I turn in Philadelphia I found corruption, threats and promises and intimidation akin lying in beds together, sleeping together and boarding together insofar as crookedness and relief were concerned.

I merely want to say to the gentleman from York this; I was tempted and am tempted at the present moment to resort to language that clearly indicates that that which he says I am is untrue. I shall not use the word because this is a legislative body, because the records go down through time, and I would hate to have it upon the escutcheon of myself that I called another member of the House that which he deserved to be called, and, yet have it a matter of record indelibly written for years to come. But I do want to say to the gentleman from York that when you accuse me of lacking political sincerity, when you accuse me of lacking political decency and when you accuse me of lacking political honesty,, if you still think that is true, keep on saying it, but I want to say to you that your statements are base, they are untrue, they are malicious. The only excuse I can find for you is that in the heat of the argument you so did. I don't mean your saying that the bills were born in iniquity I don't mean your making statements about what you did about the bill itself. That is all proper, legal debate, but I want to say to you in conclusion that in the future you will either make statements that you can prove about me, or then the law that stops me from telling you what you are will be turned down, and I shall do so, both on the floor of this House and outside of the House.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Witkin.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Witkin, permit himself to be interrogated?

Mr. WITKIN. Mr. Speaker, I will.

Mr. COHEN. Mr. Speaker, may I ask Mr. Witkin, are you a member of the bar?

Mr. WITKIN. Yes, Mr. Speaker.

Mr. COHEN. And a lawyer?

Mr. WITKIN. I hope so, Mr. Speaker. Some people think I am.

Mr. COHEN. May I ask, Mr. Speaker, are you acquainted with Purdon's Digest?

Mr. WITKIN. Well, that is an embarrassing question, but I will answer it. It is embarrassing, because if I say "No" then a lot of clients I might get will not come to me and if I say "Yes", I will be telling what is untrue. I know of Purdon's but we have a bright student lawyer in the office who looks up Purdon, I haven't time.

Mr. COHEN. May I ask, Mr. Speaker, are you acquainted with the act of 1860, P. L. 382, paragraph 50?

Mr. WITKIN. Mr. Speaker, if that is the criminal code that the gentleman refers to, I am acquainted with the criminal code.

Mr. COHEN. Mr. Speaker, may I ask, is the gentleman acquainted with the provisions in the criminal code relative to declaring certain acts, holding our political aggrandizement for votes a misdemeanor?

Mr. WITKIN. Mr. Speaker, I would answer that by saying that I am familiar with some of the provisions of the criminal code as to violations.

ORDER OF THE DAY CALLED

Mr. HOOPES. Mr. Speaker, I call for the order of the day.

Mr. WITKIN. Mr. Speaker, I would like to answer the question.

Mr. COHEN. Mr. Speaker, I would like to interrogate.

The SPEAKER. Does the gentleman from Berks insist upon the order of the day?

Mr. HOOPES. I do, Mr. Speaker.

The SPEAKER. In order for the gentleman to proceed, it will be necessary to suspend Rule No. 14.

MOTION TO SUSPEND RULE

Mr. COHEN. Mr. Speaker, I move you that Rule No. 14 be suspended for the specific purpose of allowing me to interrogate the gentleman from Philadelphia, Mr. Witkin.

Mr. HOOPES. Mr. Speaker, inasmuch as the two gentlemen involved undoubtedly have the majority of the membership of this House back of them, if they want to continue they undoubtedly have the right to do so. I will withdraw my call for the order of the day.

Mr. COHEN. Mr. Speaker, I desire to further interrogate the gentleman from Philadelphia, Mr. Witkin.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Witkin, permit himself to be further interrogated?

Mr. WITKIN. I will, Mr. Speaker.

Mr. COHEN. I desire, Mr. Speaker, to ask the gentle-

man from Philadelphia if he consulted the criminal act of 1860 prior to presenting his bill?

Mr. WITKIN. Mr. Speaker, I did not consult it. I knew enough about it in my judgment to offer this bill despite the provisions in the criminal code to which the gentleman referred.

Mr. COHEN. Mr. Speaker, will the gentleman explain to the membership of this House where his bill differs from the act of 1860?

Mr. WITKIN. I will answer that question, Mr. Speaker, by having to ask another one. If what the gentleman says is true about the criminal code, that it includes all these cases, then the gentleman certainly wasted a great deal of time offering his amendments, putting in "for private employment," because if private employment is covered under the terms of that provision in the criminal code of 1860, then you don't have to put the amendments in, because it was a law anyhow, and therefore I take it that you must agree with me that the criminal code does not include it, because you insist on getting the private industry in.

Mr. COHEN. Mr. Speaker, the gentleman's answer does not answer the question I asked him.

Mr. WITKIN. Mr. Speaker, it is the most intelligent answer that I could give.

Mr. COHEN. Mr. Speaker, I asked the gentleman wherein his bill differs from the criminal code of 1860.

Mr. WITKIN. If the gentleman will be good enough to send the Criminal Code, the particular section to which you refer I suggest that you send it over.

Mr. COHEN. Mr. Speaker, did I understand the gentleman to say that he did not consult the act of 1860 when he drew his bill?

ORDER OF THE DAY CALLED

Mr. HOOPES. I again call for the order of the day.

The SPEAKER. The order of the day is bills on third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 101, entitled:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. WITKIN. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—111

Achterman,	Downey, J. J.,	LaRue,	Robinson,
Alexander,	Eberharter,	Long,	Ruffennach,
Allen,	Eroe,	Lovett,	Sarraf,
Anthony,	Falkenstein,	Lynch,	Scanlon,
Arnold,	Ferko,	Male,	Schaeffer,
Aukerman,	Finnerty,	McCreary,	Schrope,
Baine,	Fitch,	McDermott,	Schwab,
Baker, J. J.,	Flanagan,	McElroy,	Shaw,
Bradley,	Flinchbaugh,	McHenry,	Shugarts,
Brancato,	Gerard,	Melchiorre,	Siegel,
Brown, H. S.,	Haberlen,	Mentzer,	Simon,
Brownfield,	Hagerty,	Moomaw,	Sinwell,
Brumbaugh,	Haluska,	Mooney,	Smith, J. A.,
Burke,	Hamilton, F. P.,	Moran,	Smith, W. G.,
Cannon,	Harkins,	Moul,	Stank,
Caputo,	Harmuth,	Munley,	Stevens,
Carson,	Hartman,	Murrin,	Sumney,
Chervenak,	Hetrick,	Nagel,	Tronzo,
Coakley,	Hindman,	O'Keefe,	Tumelty,
Cochran,	Hirsch,	Ominsky,	Van Sickle,
Cohen,	Holland,	O'Neill,	Weiss,
Coleman,	Holstrom,	Patterson, C.,	Welliver,
Coolahan,	Hoopes,	Patterson, J. W.,	Welsh,
Decker,	Kelso,	Pearson,	Westrick,
Dent,	Kilroy,	Pfaff,	Yourishin,
Diehl,	Kinney,	Piole,	Zappala,
Dilley,	Klingler,	Powers,	Furman,
Downey, G. E.,	Kobelak,	Reising,	

NAYS—79

Altenburg,	Duffort,	Merrell,	Stockham,
Andrews,	Forrest,	Moore,	Stott,
Atkins,	Gates,	Muir,	Surface,
Baker, F. T.,	Gillette,	Nothnagle,	Sweeney,
Baldi,	Greenstein,	Perry,	Tahl,
Barnhardt,	Habbyshaw,	Peters,	Terry,
Beadman,	Hamilton, R. S.,	Rhys,	Trout,
Bernhard,	Hermansen,	Roan,	Turner,
Blumberg,	Hoffner,	Rooney,	VanAllsburg,
Boose,	Horst,	Root,	Wall,
Boyd, R.,	Jackson,	Royer,	Wasserman,
Boyer,	Jones,	Schrock,	Weidemann,
Brennan,	Kane,	Serrill,	White,
Brown, J. E.,	Kelder,	Shreiner,	Wickersham,
Carr,	Kenney,	Simpson,	Winner,
Castor,	Longaker,	Sloan,	Witkin,
Condon,	Mallen,	Snyder, F. E.,	Wood,
Cooper,	Mason,	Sowers,	Woodside,
Cordier,	McDevitt,	Sproul,	Yeakel,
Davies,	McKinney,	Stewart,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 61, as follows:

An Act imposing an income tax for State purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons partnerships associations, corporations State officers employes and departments making an appropriation and imposing penalties

ARTICLE I

SHORT TITLE AND DEFINITIONS

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Individual Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Dividend" Any distribution made by a corporation or association subject or not subject to the payment of a tax on capital stock under the laws of the Commonwealth out of its net earnings or profits accumulated after December thirty-first one thousand nine hundred and thirty-five to its stockholders or members whether in cash or in other property or in stock other than stock dividends as hereafter defined

"Fiduciary" A guardian committee trustee executor administrator receiver conservator or any person whether individual or corporate acting in any fiduciary capacity for any person estate or trust

"Individual" A natural person

"Paid" For the purposes of the deductions under this act means "paid or accrued" or "paid or incurred" and the words "paid or accrued" "paid or incurred" and "incurred" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act

"Person" Every natural person fiduciary association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Received" For the purpose of the computation of the net income under this act means "received or accrued" and the words "received or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act

"Resident" As applied to an individual means any person domiciled in the Commonwealth of Pennsylvania and any person who maintains a permanent place of abode within this Commonwealth

"Stock dividends" New stock for surplus or profits capitalized issued to stockholders in proportion to their previous holdings

"Tax year" The calendar year upon the basis of which the net income of a taxpayer is computed under this act

"Taxpayer" Any individual trust or estate required to pay a tax under the provisions of this act

The singular shall include the plural and the masculine shall include the feminine and neuter

ARTICLE II

IMPOSITION OF TAX

Section 201 Residents and Non-residents A A tax is hereby imposed upon every resident taxpayer of this Commonwealth which tax shall be levied collected and paid annually with respect to his entire net income as herein defined computed at the rate of one per centum of the amount of such net income

B A like tax is hereby imposed and shall be levied and collected and paid annually at the rate specified in this section upon and with respect to the entire net income as herein defined from all property owned and from every business trade occupation or profession carried on in this Commonwealth by natural persons not residents of this Commonwealth

Section 202 Estates and Trusts A The tax imposed by this act shall apply to estates and trusts which tax shall be levied collected and paid annually upon and with respect to the income of estates or of any kind of property held in trust including

(1) Income received by estates of deceased persons during the period of administration or settlement of the estate

(2) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests

(3) Income held for future distribution under the terms of the will or trust

(4) Income which is to be distributed to the beneficiaries periodically whether or not at regular intervals and the income collected by a guardian of an infant to be held or distributed as the court may direct and

(5) Income of an estate during the period of administration or settlement permitted by subsection C of this section to be deducted from the net income upon which the tax is to be paid by the fiduciary

B The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts whether such income be taxable to the estate or trust or to the beneficiaries thereof The net income of an estate or trust shall be computed in the same manner and on the same basis as provided for individual taxpayers and in cases under paragraphs (four) and (five) of subsection A of this section the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income whether or not distributed before the close of the tax year for which the return is made

C In cases under paragraphs (one) (two) and (three) of subsection A of this section the tax shall be imposed upon the estate or trust with respect to the net income of the estate or trust and shall be paid by the fiduciary except that in determining the net income of the estate of any deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee heir or other beneficiary In such cases an estate or trust created by a person not a resident and an estate of a person not a resident shall be subject to tax only to the extent to which individuals other than residents are liable by reason of the limitation as to gross income provided in section three hundred and three subsection C

D In cases under paragraphs (four) and (five) of subsection A of this section if the distribution of income is in the discretion of the fiduciary either as to the beneficiaries to whom payable or as to the amounts to which any beneficiary is entitled the tax shall be imposed upon the estate or trust in the manner provided in subsection C of this section but without the deduction of any amounts of income paid or credited to any such beneficiary In all other cases under paragraphs (four) and (five) of subsection A of this section the tax shall not be paid by the fiduciary but there shall be included in computing the net income of each beneficiary his distributive share whether distributed or not of the net income of the estate or trust for the tax year In such cases the net income of a beneficiary not a resident derived through such estate or trust shall be subject to tax only to the extent to which individuals other than residents are liable by reason of the limitations as to gross income provided in section three hundred and three subsection C

E A trust created by an employer as a part of a stock bonus pension or profit-sharing plan for the exclusive benefit of some or all of his employes to which contributions are made by such employer or employes or both for the purpose of distributing to such employes the earnings and principal of the fund accumulated by the trust in accordance with such plan shall not be taxable under this section but any amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds the amounts paid in by him

F Where any part of the income of a trust other than a testamentary trust is or may be applied to the payment of premiums upon policies of insurance on the life of the grantor or to the payment of premiums upon policies of life insurance under which the grantor is the beneficiary such part of the income of the trust shall be included in computing the net income of the grantor

Section 203 Partnerships Individuals carrying on business in partnerships shall be liable for income tax only in their individual capacity There shall be included in computing the net income of each partner his distributive share whether distributed or not of the net income of the partnership for the tax year Taxpayers who are members of partnerships may be required by the department to make a return stating the gross receipts and net gains or profits of the partnership for any tax year The net income of the partnership shall be computed in the same manner and on the same basis as provided in computing the net income of individuals and the deduction provided for in section four hundred and five shall be allowed only to the individual partners

Section 204 Initial Tax Levy The tax imposed by this article shall first be levied collected and paid in the year one thousand nine hundred thirty-seven upon and with respect to taxable net income for the calendar year one thousand nine hundred thirty-six

ARTICLE III

COMPUTATION OF THE TAX

Section 301 Net Income The term "net income" means the gross income of a taxpayer less the deductions allowed by this article

Section 302 Manner of Computing Net Income The net income shall be computed in accordance with the method of accounting regularly employed in keeping the books of the taxpayer but if no such method of accounting has been so employed or if the method employed does not clearly reflect the income the computation shall be made upon such basis and in such manner as in the opinion of the department does clearly reflect the income

Section 303 Gross Income A The term "gross income" includes gains profits and income derived from salaries wages or compensation for personal service or whatever kind and in whatever form paid or from professions vocations trades businesses commerce or sales or dealings in property whether real or personal growing out of the ownership or use of or interest in such property also from interest rent dividends securities or the transaction of any business carried on for gain or profit and all other income derived from any source whatever including income derived through estates or trusts by the beneficiaries thereof whether as distributed or as distributable shares The amount of all such items shall be included in the gross income for the tax year in which received by the taxpayer

B The term "gross income" does not include the following items

(1) Amounts received under a life insurance contract paid by reason of the death of the insured whether in a single sum or in installments but if such amounts are held by the insurer under an agreement to pay interest thereon the interest payments shall be included in gross income

(2) The amount received by the insured as a return of premium or premiums paid by him under life insurance endowment or annuity contract either during the term or at the maturity of the term mentioned in the contract or upon surrender of the contract

(3) The value of property acquired by gift bequest devise or descent but the income from such property shall be included in gross income

(4) Interest upon the obligations of the United States or its possessions or the obligations of the Commonwealth of Pennsylvania or of any municipal corporation or political subdivision thereof

(5) Any amount received through accident or health insurance or under workmen's compensation acts as compensation for personal injuries or sickness plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness or through the war risk insurance act or any law for the benefit or relief of injured or disabled members of the military or naval forces of the United States

(6) Salaries wages and other compensation received from the United States by officials or employes thereof including persons in the military or naval forces of the United States

(7) Income received by any officer of a religious denomination or by any institution or trust for moral or mental improvement religious bible tract charitable benevolent fraternal missionary hospital infirmary educational scientific literary library patriotic historical or cemetery purposes or for the enforcement of laws relating to children or animals or for two or more of such puposes if such income be used exclusively for carrying out one or more of such purposes but nothing herein shall be construed to exempt the fees stipends personal earnings or other private income of such officer or trustees

(8) Stock dividends when received by a shareholder but if before or after the distribution of any such dividend the corporation proceeds to cancel or redeem its stock at such time and in such manner as to make the distribution and cancellation or redemption in whole or in part essentially equivalent to the distribution of a taxable dividend the amount so distributed in redemption or cancellation of the stock shall be treated as a taxable dividend and included in gross income Provided That any stock dividend shall be considered in computing gain profit or income upon the sale exchange or other disposition of the stock upon which a stock dividend has been declared or of the stock included in such stock dividend

(9) The principal and income paid by a building and loan association to a member thereof upon the maturity of his or her shares or upon the withdrawal of such member from the association

(10) Any amount received by any person whatever under any law of this Commonwealth the United States or any other state providing for any pension bonus or compensation whatsoever for or in respect to services in the military or naval forces of the United States in any war in which the United States has been engaged

C In the case of taxpayers other than residents gross income includes only the gross income from sources within the State but shall not include annuities interest on bank deposits interest on bonds notes or other interest-bearing obligations or dividends from corporations except to the extent to which the same shall be a part of income from any business trade profession or occupation carried on in this State subject to taxation under this act

D In the case of taxpayers who regularly sell or otherwise dispose of personal property on the installment plan gross income includes in any tax year only such portion of the total profit realized or to be realized when the payment is completed as the installment payments received in that year hears to the total of all installments payments

E In the case of a casual sale or other casual disposition of personal property or of a sale or other disposition of real property if in either case the payment in cash or property are not completed during the tax year when the sale or disposition was made the income may be returned on the basis and in the manner above described in subsection D of this section for installment sales Evidences of indebtedness of the purchaser or amounts secured by the property sold or disposed of shall not be construed to be payments but in such cases the income shall be returned on the above basis in the tax year when such indebtedness or the amounts secured or any part thereof is paid to the vendor

Section 304 Ascertainment of Gain and Loss A For the purpose of ascertaining any gain included in gross income as herein defined derived or any deductible loss sustained for the sale or other disposition of property real personal or mixed the basis shall be in the case of property acquired on or after January first one thousand nine hundred thirty-six the cost thereof or the inventory value if the inventory is made in accordance with this article

B In case of property acquired prior to January first one thousand nine hundred thirty-six and disposed of thereafter

(1) No profit shall be deemed to have been derived if either the cost or the fair market price of value on on January first one thousand nine hundred thirty-six exceeds the value realized

(2) No loss shall be deemed to have been sustained if either the cost or the fair market price or value on January first one thousand nine hundred thirty-six is less than the value realized

(3) Where both the cost and the fair market price or value on January first one thousand nine hundred thirty-six are less than the value realized the basis for computing profit shall be the cost or the fair market price or value on January first one thousand nine hundred thirty-six whichever is higher

(4) Where both the cost and the fair market price or value on January first one thousand nine hundred thirty-six are in excess of the value realized the basis for computing loss shall be the cost or the fair market price or value on January first one thousand nine hundred thirty-six whichever is lower

Section 305 Exchange of Property Upon the sale or exchange of property in transactions the gain or profit from which is included in gross income as herein defined the entire amount of the gain or loss determined under section three hundred four of this act shall be recognized except as hereinafter provided in this section

(A) No gain or loss shall be recognized if property

held for productive use in trade or business or for investment (not including stock in trade or other property held primarily for sale nor stocks bonds notes choses in action certificates of trust or beneficial interest or other securities or evidences of indebtedness or interest) is exchanged solely for property of a like kind to be held either for productive use in trade or business or for investment or if common stock in a corporation is exchanged solely for common stock in the same corporation or if preferred stock in a corporation is exchanged solely for preferred stock in the same corporation

(B) No gain or loss shall be recognized if stock or securities in a corporation a party to a reorganization are in pursuance of the plan of reorganization exchanged solely for stock or securities in such corporation or in another corporation a party to the reorganization

(C) No gain or loss shall be recognized if property is transferred to a corporation by one or more persons solely in exchange for stock or securties in such corporation and immediately after the exchange such person or persons are in control of the corporations but in the case of an exchange by two or more persons this subsection shall apply only if the amount of the stock and securities received by each is substantially in proportion to his interest in the property prior to the exchange

(D) If property (as a result of its destruction in whole or in part theft or seizure or an exercise of the power of requisition or condemnation or the threat or imminence thereof) is compulsorily or involuntarily converted into property similar or related in service or use to the property so converted or into money which is forthwith in good faith under regulations proscribed by the department expended in the acquisition of other property similar or related in service or use to the property so converted or in the acquisition of control of a corporation owning such other property or in the establishment of a replacement fund no gain or loss shall be recognized If any part of the money is not so expended the gain if any shall be so recognized but in an amount not in excess of the money which is not so expended

(E) If there is distributed in pursuance of a plan of reorganization to a shareholder in a corporation a party to the reorganization stock or securities in such corporation or in another corporation a party to the reorganization without the surrender by such shareholder of stock or securities in such a corporation no gain to the distributee from the receipt of such stock or securities shall be recognized

(F) If an exchange would be within the provisions of subsections A B or C of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subsection to be received without the recognition of gain but also of other property or money then the gain if any to the recipient shall be recognized but in an amount not in excess of the sum of such money and the fair market value of such other property

(G) If an exchange would be within the provisions of subsections A B or C of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subsection to be received without the recognition of gain or loss but also of other property or money then no loss from the exchange shall be recognized

(H) As used in this section the term "reorganization" means (1) a merger or consolidation (including the acquisition by one corporation of at least a majority of the total number of shares of all other classes of stock of another corporation or substantially all the properties of another corporation) or (2) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its stockholders or both are in control of the corporation to which the assets are transferred or (3) recapitalization or (4) a mere change in identity form or place of organization however effected

The term "a party to a reorganization" includes a corporation resulting from a reorganization and includes both corporations in the case of an acquisition by one corporation of at least a majority of the voting stock and at least a majority of the total number of shares of all other classes of stock of another corporation

As used in this section "control" means the ownership of at least eighty per centum of the voting stock and at least eighty per centum of the total number of shares of all other classes of stock of the corporation

Section 306 Inventory Whenever in the opinion of the department the use of inventories is necessary in order clearly to determine the income of any taxpayer inventories shall be taken by such taxpayer upon such basis as the department may prescribe conforming as nearly as may be to the best accounting practice in trade or business of such taxpayer

Section 307 General Deductions In computing net income there shall be allowed as deductions

A All the ordinary and necessary expenses paid or incurred during the tax year in carrying on any trade or business or in the production of income required to be included in gross income under this article including a reasonable allowance for salaries or other compensation for personal service actually rendered and including rentals or other payments required to be made as a condition to the continued use or possession for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he has no equity

B All interest paid or accrued during the taxable year on indebtedness

C Taxes paid or accrued within the tax year imposed by (1) the authority of the United States or of any of its possessions (2) by the Commonwealth of Pennsylvania (except the net income tax imposed by this act and taxes on liquid fuels) (3) by any city borough town township school district or poor district of this Commonwealth or (4) by the authority of any other state country or territory

D Losses sustained during the tax year and not compensated for by insurance or otherwise if incurred in trade or business

E Losses sustained during the tax year not compensated for by insurance or otherwise if incurred in any transaction entered into for profit through not connected with the trade or business No deduction shall be allowed under this clause for any loss claimed to have been sustained in any sale or other disposition of shares of stock or security where it appears that within thirty days before or after the date of such sale or other disposition the taxpayer has acquired (otherwise than by bequest or inheritance) or has entered into a contract or option to acquire substantially identical property and the property so acquired is held by the taxpayer for any period after such sale or disposition If such acquisition or the contract or option to acquire is to the extent of part only of substantially identical property then only a proportionate part of the loss shall be disallowed

F Losses sustained during the tax year of property not connected with the trade or business (but in case of a taxpayer other than a resident only of real property or tangible personal property having an actual situs within the State) if arising from fires storms shipwrecks or other casualty or from theft and not compensated for by insurance or otherwise

G Debts ascertained to be worthless and charged off within the tax year and when satisfied that a debt is recoverable only in part the department may allow such debt to be charged off in part In the case of a debt existing on January first one thousand nine hundred thirty-six no more than its fair market value on that date shall be deducted A worthless debt arising since January first one thousand nine hundred thirty-six from unpaid wages salary rent or any similar item of taxable income is not an allowable deduction unless the income which such item represents has been included as income by the taxpayer in a return rendered under this act

H A reasonable allowance for the exhaustion wear and tear of property the income from which is required to be included in gross income under this article used in the trade or business including a reasonable allowance for obsolescence In case of property held by one person for life with remainder to another person the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant In the case of property held in trust the allowable deduction shall be apportioned between the income bene-

ficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust or in the absence of such provisions on the basis of the trust income allocable to each

I In the case of mines oil and gas wells other natural deposits and timber a reasonable allowance for depletion and for depreciation or improvement according to the peculiar conditions in each case such reasonable allowance in all cases to be made under rules and regulations to be made by the department The department may apportion such deductions equitably between the lessor and lessee

J In the case of a taxpayer other than a resident of the State the deduction allowed in this section shall be allowed only if and to the extent that they are connected with income arising from sources within the State and taxable under this act to a nonresident taxpayer and the proper apportionment and allocation of the deductions with respect to sources of income within and without the State shall be determined under rules and regulations to be prescribed by the department.

Section 308 Items Not Deductible In computing net income no deduction shall in any case be allowed in respect of

A Personal living or family expenses

B Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate

C Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made or

D Premiums paid on any life insurance policy covering the life of any officer or employe or of any person financially interested in any trade or business carried on by the taxpayer when the taxpayer is directly or indirectly a beneficiary under such policy

Section 309 Credit for Taxes in Case of Taxpayers Other than Residents of the Commonwealth Whenever a taxpayer other than a resident of the Commonwealth has become liable to income tax to the state county or city where he resides upon his net income for the tax year derived from sources within this Commonwealth and subject to taxation under this act the department shall credit the amount of income tax payable by him under this act with such proportion of the tax so payable by him to the state county or city where he resides as the income subject to taxation under this act bears to his entire income upon which the tax so payable to such other state county or city was imposed Provided That such credit shall be allowed only if the laws of said state county or city (1) grant a substantially similar credit to residents of this Commonwealth subject to income tax under such laws or (2) impose a tax upon the personal incomes of its residents derived from sources in this Commonwealth and exempt from taxation the personal income of residents of this Commonwealth No credit shall be allowed against the amount of the tax of any income taxable under this act which is exempt from taxation under the laws of such other state county or city.

Section 310 Certain Gifts not Taxable In case any taxpayer in any tax year shall give or contribute and has given or contributed in each of the ten preceding calendar years ninety per centum or more of his net income in each year to any corporation or trust or community trust fund or foundation organized and operated exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation such net income so given or contributed shall not be subject to any tax under the provisions of this act

ARTICLE IV

RETURNS AND PAYMENT

Section 401 Taxpayers' Returns Time and Place of Filing Payment A Every taxpayer regardless of the amount of his net income shall make under oath or affirmation a return as hereinafter provided stating specifically the items of his gross income and the deductions and credits allowed by this act If the taxpayer is unable to make his own return the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer A taxpayer other than a resident shall not be entitled to the deductions authorized by section three hundred and seven unless he shall make under oath or affirmation a complete return of his gross income both within and without the State

B Returns shall be in such form and shall contain such information as the department may from time to time prescribe and shall be filed with the department at its main office or at any branch office which it may establish on or before the fifteenth day of May in the year one thousand nine hundred thirty-seven and in each year thereafter for the preceding calendar year The department is authorized to prepare and furnish such return forms but the failure of any taxpayer to receive or procure a return form shall not excuse him from making a return

C The department may upon application made to it in such form as it may prescribe on or prior to the last day for filing any report and upon proper cause shown grant a reasonable extension of time for the filing of any return within which time such return may be filed without penalty except as herein provided and shall keep a record of every such extension and the reason therefor Except in the case of taxpayers who are abroad no such extension shall be granted for more than six months

D Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making any return or report required by this act for the taking of which oath or affirmation no charge shall be made Any such agent who shall make any charge for administering such oath or affirmation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

E Each taxpayer shall or in cases where an agent guardian committee fiduciary or other person makes the return for the taxpayer then such agent guardian fiduciary committee or person shall at the time of filing the return pay to the department the amount of tax payable under this act as the same shall appear from a calculation made on the face of the return If the time for filing the return shall have been extended by the department the taxpayer shall pay in addition interest thereon at the rate of six per centum per annum from the time when the return was originally required to be filed to the time of payment

Section 402 Returns in Cases of Changed Residence If a taxpayer during the tax year changes his status from that of resident to that of non-resident or from that of non-resident to that of resident he shall file two returns One as a resident covering the fraction of the year during which he was a resident and one as a taxpayer other than a resident covering the fraction of the year during which he was a non-resident In case two returns for one year are filed as aforesaid the taxes due thereon shall not be less than would be payable if the total net income shown by the two returns were included in a single return

Section 403 Partnership Returns Every partnership shall make a return for each tax year stating specifically the items of its gross income and the deductions allowed by this act and shall include in the return the names and addresses of the persons who would be entitled to share in the net income if distributed and the amount of the distributive share of each person The return shall be sworn to or affirmed by any one of the partners

Section 404 Fiduciary Returns Every fiduciary (except receivers appointed by authority of law in possession of part only of the property of a taxpayer) shall make under oath or affirmation a return for the individual estate or trust for whom he acts as follows

A If he acts for an individual whose entire income from whatever source derived is in his charge

B If he acts (a) for an estate of a deceased person during the period of administration or settlement whether or not the income of such estate during such period of administration or settlement is properly paid or credited to any legatee heir or other beneficiary (b) for an estate or trust the income of which is accumulated in trust for the

benefit of unborn or unascertained persons or persons with contingent interests or (c) for an estate or trust the income of which is held for future distribution or is distributable in the discreton of the fiduciary under the terms of the will or trust

C If he acts (a) for an estate or trust the income of which is to be distributed to the beneficiaries periodically or (b) as the guardian of an infant whose income is to be held or distributed as the court may direct The return made by a fiduciary shall state specifically the items of the gross income and the deductions and credits allowed by this act Under such regulations as the department may prescribe a return made by one of two or more joint fiduciaries shall be sufficient compliance with the above requirement

D The fiduciary shall make oath or affirmation that he has sufficient knowledge of the affairs of the individual estate or trust for whom or which he acts to enable him to make the return and that the same is to the best of his knowledge and belief true and correct Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to taxpayers

Section 405 Deduction for Making Return or Statement Keeping Records and Accounts Verification Penalty Every taxpayer shall be allowed an allowance compensation or deduction from the income tax payable on net income under this act of twenty dollars ($20) for his or her work labor and services and the work labor and services of others in and about the making of the accounting computation and figuring necessary to be made and done to comply with this act and the keeping of a record of his or her gross income and allowable deductions as provided in this act during the taxable year and the said allowances or deductions shall not be construed to be and are not meant to be and are not an exemption of the taxpayer from the payment of the tax in whole or in part but is made only and solely for encouraging the taxpayer to keep proper accounts of his gross income and his net income and the proper deductions allowable by law and if after making such accounting and computation no money is actually payable under this act the taxpayer may in lieu of the return file a statement with the department setting forth his name age net income and precise residence certifying that after deducting the amount allowed for making and preparing the computation and return no money is actually due and payable by him or her to the Commonwealth and that he or she verifies the truth of such statement and upon conviction of making a false statement in any court of quarter sessions shall be subject to the penalties provided by the laws of the Commonwealth for perjury No deduction from the tax shall be allowed unless the statement or report or return is filed according to law and the tax paid when due according to law Should the compensation payable to the taxpayer for performing his or her duties as herein above set forth be more than the amount of money required to be paid by the taxpayer then the taxpayer may for the following year or years deduct from the taxes due under this act the sum or sums not deducted retained held or paid to him or her by deduction from the tax due by him or her in the following year or years and until he or she has been fully or partly compensated as provided by this act for making the accounting and keeping the records herein set forth

ARTICLE V

PROCEDURE

Section 501 Department of Revenue to Administer The Department of Revenue shall administer and enforce the tax herein imposed for which purpose it may divide the State into districts in each of which a branch office of the department may be maintained

Section 502 Examination of Returns Assessment of Tax Refunds A As soon as practicable after the return is filed the department shall examine it and assess the tax

B If the amount of tax as assessed shall be greater than the amount theretofore paid the additional assessment shall be paid by the taxpayer to the department within ten days after a notice of the amount of such additional tax as assessed shall be mailed to the taxpayer by the department In such case if the return is made in good faith and the understatement of the amount in the return is made in good faith there shall be no interest or penalty because of such understatement provided the deficiency be paid or notice of an intention to file a petition for a reassessment or to appear and be heard as herein provided shall be given within ten days after notice of the amount is mailed to the taxpayer If payment is not made within ten days and if no notice of an intention to file a petition for a reassessment or to appear and be heard is given to the department within ten days as herein provided there shall be added to the amount of the deficiency five per centum thereof and in addition interest at the rate of one per centum per month for each month or fraction thereof from the date of such notice to the date of payment If the understatement is false or fraudulent with intent to evade the tax the tax on the additional income discovered to be taxable and assessed by the department shall be double and an additional one per centum shall be added to the amount so due for each month or fraction of a month from the date the tax was originally due to the date of payment

C If the amount of tax as assessed by the department shall be less than the amount paid by the taxpayer the excess shall be refunded upon written application by the department with the approval of the Board of Finance and Revenue Estimates of the amounts to be expended for refunds from time to time by the department shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition of the department for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

Section 503 Estimated Assessments A If any individual or fiduciary believed by the department to be liable for a tax under the provisions of this act shall have failed to file a return in accordance with and within the time prescribed by the provisions of this act or any extension thereof granted by the department if the department should deem it more conducive to the public interest because of the supposed smallness of the tax or for any other reason not to proceed to compel the exhibition of such individual's or fiduciary's accounts it may make an estimated assessment of the probable amount of the tax owing by such individual or fiduciary but in every such case it shall add to every such estimated assessment a penalty of fifty per centum to include any losses which might otherwise accrue to the Commonwealth from such neglect or refusal to file a return or statement and the department shall proceed to recover money so due the Commonwealth as in other cases if not paid when due as hereinafter provided

B The amount thus determined together with penalties and interest at the rate of one per centum per month or fractional part thereof shall be due and payable ten days after notice of such settlement shall be mailed by the department

Section 504 Assessments Made at any Time Within Five Years An additional assessment or estimated assessment as heretofore provided shall be made by the department at any time within five (5) years after any net income of any taxpayer should have been returned by him for taxation any such additional assessment or estimated assessment may be made at any time during said period notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the department shall have made previous additional or estimated assessments against such taxpayer In any such care no credit shall be given for any penalty formerly assessed and paid

Section 505 Petition for Reassessment Appeal A Any taxpayer against whom any estimated or additional assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department prior to the time the amount becomes due and payable to wit within ten (10) days after notice of such estimated or additional assessment is given or sent by the department to the taxpayer as provided in this act The department shall hold such hearings in each county as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who

has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the estimated or additional assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

B If such petitioner is dissatisfied with the action of the department on his petition for reassessment he shall have the right to appeal to the court of common pleas of the proper county at any time within thirty (30) days after notice of such action or refusal is given to him by the department If any resident shall fail to give due notice of an intention to petition for a reassessmen and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein get forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as aforesaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section 506 Enforcement Rules and Regulations Inquisitorial Powers of the Department A The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

B The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any taxpayer or supposed taxpayer in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by this act Every such taxpayer or supposed taxpayer is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized The department is hereby authorized to examine any person under oath concerning any income which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such income The procedure for such hearing or examination shall be the same as that provided by The Fiscal Code relating to inquisitorial powers of fiscal officers

C Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act shall be confidential except for official purposes and except in accordance with proper judicial order or as otherwise provided by law and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars ($500) and costs of prosecution or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

Notwithstanding the provisions of subsection C of this section the department may permit the commissioner in internal revenue of the United States or the proper officer of any state imposing an income tax upon the incomes of individuals or the authorized representative of either such officer to inspect the income tax returns of any individuals or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return or disclosed by the report of any investigation of the income or return of income of any individual but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state as the case may be grant substantially similar privileges to the proper officer of this State charged with the administration of the personal income tax law thereof

Section 507 Information at the Source Every person in whatever capacity acting including lessees or mortgagors of real or personal property fiduciaries employers and all officers and employes of the Commonwealth or of any municipal corporation or political subdivision of the Commonwealth having the control receipt custody disposal or payment of interest (other than interest coupons payable to bearer) rent salaries wages premiums annuities compensations remunerations emoluments or other fixed or determinable annual or periodical gains profits and income shall on or before the fifteenth day of May make a return under oath or affirmation to the department containing complete information concerning the amount of all such interest rent salaries wages premiums annuities compensations remunerations emoluments or other fixed or determinable annual or periodical gains profits and income of any individual partnership or fiduciary under such regulations and in such form and manner and to such extent as may be prescribed by the department The return shall be in such form as the department shall prescribe and shall contain a statement that the individual officer or employe of the Commonwealth political subdivision thereof or corporation or member or partner of the association making the return verifies the information contained in the return Upon conviction of making a false statement in such return the person making the same shall be subject to the penalties provided by the laws of the Commonwealth for perjury

Every person who fails refuses or neglects to file a return in accordance with the provisions of this section shall be liable to a penalty of not more than five hundred dollars to be imposed assessed and collected in the same manner as is provided in this act with regard to taxes

Section 508 Lien of Taxes A All taxes imposed by this act together with all penalties and interest shall be considered a public account after being assessed in the manner prescribed in this act and as such shall be a lien upon the franchise and property both real and personal of the taxpayer against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchise or property are situated

B The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgement and execution in the same manner as such writs are ordinarily employed

Section 509 Collection of Unpaid Taxes Whenever the taxes penalties or interest imposed by this act are not paid and no petition for reassessment thereof has been filed or if such taxes interest and penalties are not paid after all appeals have finally been disposed of the department shall call upon the Department of Justice to collect the same in like manner as is provided by law for the collection of other Commonwealth taxes

ARTICLE VI

VIOLATIONS

Section 601 Violations Penalties Any person who shall fail neglect or refuse to make any report required by this act or any taxpayer who shall refuse to pay the tax penalties and interest imposed by this act or any person who shall refuse to permit the department or any agent appointed by it in writing to examine his or her books records and papers or who shall knowingly make any incomplete false or fraudulent report or who shall attempt to do anything whatever to avoid the full disclosure of the amount of net income to avoid the payment of the whole or any part of the tax shall be guilty of a misdemeanor and shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and costs of prose-

cution or undergo imprisonment not exceeding three (3) years or both in the discretion of the court

Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

Section 602 Costs Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

ARTICLE VII

DISPOSITION AND USE OF TAX

Section 701 Disposition and Use of Tax All taxes interest and penalties received recovered paid or collected under the provisions of this act shall be paid by the department into the State Treasury and two per centum of such monies shall be added and credited to the current biennial maintenance appropriated for the same purposes for which such current biennial appropriation is available ninety-eight per centum of such moneys is hereby specifically appropriated to the Department of Public Instruction for reimbursing school districts upon the salaries of members of the staffs of elementary schools and junior high schools in accordance with the provisions of law

ARTICLE VIII

MISCELLANEOUS

Section 801 Saving Clause Nothing contained in this act shall be construed to repeal any other law of this Commonwealth imposing any tax for State or local purposes

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. REISING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 71, as follows:

An Act to promote the construction of flood control works and improvements by providing for the appropriation of certain water of the Commonwealth to the Commonwealth and incidental thereto to secure the use thereof for the benefit of the people declaring void certain condemnations and appropriations of waters by municipalities corporations copartnerships or persons providing for ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities corporations copartnerships or persons and appeals therefrom conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto providing for future condemnations and appropriations of waters by municipalities corporations copartnerships or persons and compensation therefor and conferring powers and imposing duties upon the Water and Power Resources Board.

Whereas The recent floods in this Commonwealth and elsewhere have awakened the people to the necessity of developing appropriate plans and constructing adequate flood control works and improvements to prevent periodic recurrences of such calamities and

Whereas The construction of adequate flood control works and improvements will aid materially in providing an adequate supply of water which is a matter of primary concern affecting the life health and comfort of the people of this Commonwealth and will also permit the supervision and equitable allocation of water which is an essential part of the police power of the Commonwealth which no Legislature should impair or barter away and

Whereas All of the flowing water of the Commonwealth by right belongs to the Commonwealth in trust for the benefit of all of the people thereof and all uses of such flowing water must be regarded as subject to this sovereign right and the right so vested must be regarded also as vesting in the Commonwealth a duty to control the flow of water so as to prevent loss of life and destruction of property and

Whereas The increase of the population of the Commonwealth makes it obligatory on the Commonwealth to control and regulate the flow of our rivers and streams and thereby to secure also an equitable allocation for the best interests of all concerned.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all of the flowing water other than private springs or private water supplies of this Commonwealth now unappropriated by any municipality corporation copartnership or person is hereby declared to be appropriated to the Commonwealth, for the purpose of enabling the Commonwealth separately or in cooperation with other states and the Federal Government to construct an adequate system of flood control works and improvements and to avoid the payment of damages in connection with the acquisition of rights to waters which might otherwise be acquired and incidental thereto to secure the use of waters for the benefit of all of the people of this Commonwealth subject only to such existing rights and uses as may now be lawful and no municipality corporation copartnership or person whether heretofore or hereafter created or which may now possess the right to take condemn and appropriate by eminent domain the waters of this Commonwealth shall hereafter take condemn or appropriate any water except as provided in this act

Section 2 Any condemnation or appropriation of waters heretofore made by any municipality corporation copartnership or person heretofore authorized to condemn water which appropriation has not been followed by an actual taking thereof heretofore or within a period of two (2) years after the effective date of this act is hereby declared null and void and of no effect. Where condemnation proceedings are pending in any of the courts of this Commonwealth at the date when this act becomes effective the actual taking of the water shall be within one year following the final determination of such proceeding otherwise the condemnation shall be null and void and of no effect.

Section 3 No condemnation or appropriation of water heretofore made under the power of eminent domain claimed by any municipality corporation copartnership or person authorized to condemn and appropriate water shall be valid or binding unless within six (6) months after the date of approval of this act said municipality corporation copartnershp or person shall produce the record upon which such appropriation or condemnation is founded or prove to the satisfaction of the Water and Power Resources Board that such condemnation was lawfully made in accordance with law at the time said condemnation and appropriation was made and shall thereafter file a transcript or certificate of the resolution or record upon which said condemnation or appropriation is claimed duly acknowledged by the secretary and president of the municipality corporation copartnership or person in the office of the recorder of deeds of the county or the several counties as the case may be in which the water claimed to have been appropriated flows Any party aggrieved by a decision of the Water and Power Resources Board may within sixty (60) days appeal therefrom to the Court of Common Pleas of Dauphin County and the taking of such appeal shall operate as a supersedeas

Section 4 Hereafter no condemnation or appropriation of streams or the waters thereof for water supply shall be made by any municipality corporation copartnership or person possessing the power of eminent domain except as follows

Municipalities corporations copartnerships or persons desiring additional water supply for present and future needs shall first make application to the Water and Power

Resources Board for leave to appropriate or acquire the designated waters of the Commonwealth setting forth

1 The present source or sources from which water is now taken listing the streams and the quantity of water appropriated therefrom designating as near as may be the point or points from which water is taken or used and the amounts of water stored

2 The necessity for such new or additional source of supply and the river stream or other body of water from which it is proposed to be taken

3 The location and the population needing the supply

4 The amount of water which it is proposed to take

5 The plans for development of the water resources of the streams to maintain the stream flow and to utilize flood runoff including the locations and capacities of any proposed impounding reservoirs

6 The names and addresses of the owners who may be affected by the proposed developments

7 Such other provisions as the Water and Power Resources Board shall deem necessary

Section 5 The Water and Power Resources Board shall upon such application make such investigation as may be necessary and grant such hearing as may be required

The Water and Power Resources Board is hereby given authority upon such application to allocate such part of the waters of the Commonwealth to any municipality corporatin copartnership or person as said application may show to be reasonably necessary to the purpose of the application

No allocation of the waters of this Commonwealth shall be for a longer term than fifty (50) years and such allocation shall be subject to such terms conditions and stipulations as the board shall deem to be necessary and proper to protect the present and future interests of the Commonwealth in the use and distribution of its water resources

The board shall have the further power to revoke any grant made in case the source of water supply is not developed in the amount or to the extent set forth in the application or required by the order of allocation of the board or if the work is not begun or completed within the time fixed by the board's grant

The Water and Power Resources Board shall further have the power to impose a reasonable charge for the water to be taken at the rate of not less than one dollar ($1.00) nor more than five dollars ($5.00) per million gallons and provide for the collection of the same and shall impose such terms and conditions as may be reasonably necessary bearing in mind the character and navigability of the stream and the need of water for other purposes All moneys collected from such charges shall be paid into the General Fund by and through the Department of Revenue

Section 6 The provisions of this act are severable and if any of the provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 7 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker and members of the House, other measures that have been introduced at this session, has for its apparent purpose a very laudable objecthe bill before you, House Bill No. 71, like a great many tive. If you will read the title and the whereas clauses that were undoubtedly placed in the measure with the expectation that if the measure were attacked it might offer some explanation, you will be impressed with the thought that this bill is intended as a part of the flood control and as protection to the people of Pennsylvania. I can see no connection of this bill with the flood control question unless it be that the taking of water away from the streams by water companies and other users is considered a part of a flood control scheme. As a matter of fact, this bill has, as I see it, two objectives.

One is to regulate the condemnation of waters of the State by private or municipal corporations, and to give the State some advantage in the control of those streams and providing that any franchises that may arise by reason of that condemnation shall not exist over a period of fifty years in the first place, and in the second place to make water companies and other users of streams pay to the Commonwealth some revenue for the use of the water or for the taking of water out of those streams.

It seems to me rather a novel idea to charge a license of from one to five dollars per million gallons for taking water out of the streams.

If we are talking about coal or oil or other resources that can not be replaced that are in the earth there is a very natural reason why we might be charging a license fee, but the water is replenished and comes back to us, it comes by the grace of the Almighty as nature wills it.

Unless this be as a revenue raiser there seems to me to be no reason why this charge should be made, because after all the charge that is made would go in the cost of operation of every water plant, whether it be a municipal or whether it be a private corporation, and that charge would fall upon the rate payers who use them. What it has always seemed difficult to bring home to these Legislators is that if you put a charge on water or gas or electricity or any other commodity that is sold by what is termed a utility, whether it be a municipal or a privately owned one, that cost comes back upon the rate payers, and is paid out of the pockets of the rate payers and not out of the pockets of the owners of the stock, if it is a private corporation.

Now, there are some objections to this bill as I see it that are perhaps technical, but which I believe are important. In the first place, this bill provides that if a condemnation has been started and there has been no actual taking of the land, that you must within a two-year period take that land or you must after that date come back to the Department of Forests and Waters for your permit to secure water from that stream, or to take that land.

Now, what will be the result of that? Supposing a water company, looking to the future expansion of the territory, has marked out areas of land that can be had along certain streams for the development of its water supply and to insure its future supply, and it has started condemnation but has not taken it. It will mean that every one of those corporations will have to start and take that land within the two-year period for fear that they would lose the privilege after that and it might not be granted by the department.

In the second place, under this bill it gives the department the right to make rules and regulations and to specify the terms, so that there would be an added reason why any municipally or privately owned corporation would want to take the land within the two-year period so it may not be subject to some conditions in the future over which it might have no control, and as to which there might be an uncertainty.

Mr. Speaker, under the statement just made to me by the gentleman from Cambria I surrender the floor.

MOTION TO PASS BILL OVER IN ORDER

Mr. WEISS. Mr. Speaker, I move that House Bill No. 51, Printer's No. 180, be passed over in this order.

On the question,

Will the House agree to the motion?

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Weiss.

The SPEAKER. Will the gentleman from Allegheny, Mr. Weiss, permit himself to be interrogated?

Mr. WEISS. Mr. Speaker, I will.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Allegheny when he moves to pass it over, whether it is the intention to bring this bill up later in the day.

Mr. WEISS. It is not, Mr. Speaker.

Mr. TURNER. It was my understanding, Mr. Speaker, from the gentleman from Cambria that it was to be placed on the postponed calendar.

MOTION WITHDRAWN

Mr. WEISS. Mr. Speaker, I am willing to withdraw my original motion.

BILL POSTPONED

Mr. WEISS. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

RESOLUTIONS

CONGRATULATING HONORABLE EUGENE J. HAGERTY

Mr. FLANAGAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, June 9, 1936.

Whereas, Four hundred years after the discovery of this great country of ours, there was born to a Mary and Eugene Hagerty a son by the name of Eugene, and

Whereas, These parents took special care in bringing up a worthy son who has distinguished himself by becoming a Representative of this great Commonwealth, and, who in that capacity, has distinguished himself after the fashion of good old Christopher Columbus in his egg-smashing exploits, and

Whereas, Like Columbus, he discovered Harrisburg and the marble Indians that adorn the entrance to this magnificent Capitol, and

Whereas, Between the concentrated attention to the considerations of this great body, he is seen directing his attention occasionally to the Indians adorning the interior of this House; and

Whereas, It has been reported that Columbus buried many a dead Indian; we don't know if Gene is awaiting the death of the Indians on the walls of this House; therefore be it

Resolved, That the said Eugene J. Hagerty be congratulated upon this his 44th birthday, and that he may devote the rest of his happy years to further egg-smashing and Indian seeking activities,—in other words, happy birthday Gene, old boy.

SYMPATHY EXTENDED ON DEATH OF HONORABLE CARL WOODWARD

Mr. MENTZER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, June 9, 1936.

Some 52 years ago the Lord gave unto the industrial section of Western Pennsylvania a man of unusual talents [illegible] has now taken this man away from his fellow men and outstanding merit. The Lord in his unfathomable who loved him dearly.

We deeply mourn what appears to us, in our limited and circumscribed understanding, the untimely demise of Honorable Carl Woodward, for 12 years Mayor of Monessen.

Our departed friend was born and reared in the Monongahela Valley, and grew up with the development of its vast industries. He was well known and beloved by all with whom he came in contact, having devoted his life to the service of the public, of his community and of his friends.

For twenty years he served faithfully and well in public office. He was tireless, as a member and president of the Chamber of Commerce, in the advancement of the civic welfare of his city. He was prominent as a Mason and an Elk. In short, he achieved real greatness as a political and civic leader, not only in the city where he made his home, but as well throughout the industrial section of Western Pennsylvania.

By his widow and his two children, now grown to young manhood and womanhood, and by every person whose privilege it was to meet him, and thereby, through his facility in making and retaining friends, to remain his friend, his loss will be sorely felt. Therefore be it

Resolved, That the House of Representatives takes this means of expressing its sorrow and its condolence with the bereaved;

Resolved, That the Chief Clerk forward a copy of this Resolution to the wife and family of Honorable Carl Woodward.

ANNOUNCEMENTS

COMMITTEE MEETINGS

The Committee on State Government will meet immediately after this session in roon 324.

The Committee on Appropriations will meet fifteen minutes after this session in the House Caucus Room.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 5:00 P. M. Are there objections? The Chair hears none and declares a recess until 5:00 P. M.

AFTER RECESS

The House reconvened at 5:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

BILL INTRODUCED AND REFERRED

By Messrs. EROE and HOLLAND. HOUSE BILL No. 130.

An Act to further amend the act, approved the first day of June, one thousand eight hundred eighty-nine (Pamphlet Laws, four hundred twenty), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons, and by adding a new section imposing a temporary emergency tax upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships, and persons engaged in the water and natural or artificial gas business.

Referred to the Committee on Ways and Means.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. HOMER S. BROWN. RESOLUTION No. 25.

In the House of Representatives, June 9, 1936.

Whereas, There exists in many cities of Pennsylvania, sub-standard housing conditions and a shortage of housing accommodations for families of low income; and

Whereas, There is need for a clear definition of policy on the part of the Federal Government as to its program of improving substandard housing conditions in cooperation with the state and local governments; and

Whereas, Low cost housing and slum clearance programs have been started in Pennsylvania and in other states with the aid of the Housing Division of the Public Works Administration; and

Whereas, A continuing Federal program is necessary in order to secure enactment of proper housing legislation for Pennsylvania and in order to effectively attack the evil effects of bad housing conditions; and

Whereas, There has been introduced in the Congress of the United States the Wagner-Ellenbogen Housing Bill known as "The United States Housing Act of 1936" which, if enacted, will provide for a long-term decentralized Federal Housing program which will make available to Pennsylvania funds for the continuation and initiation of their low-cost housing programs with adequate protection to private enterprise; and

Whereas, Several city councils, mayors and housing authorities, as well as many civic organizations in the State of Pennsylvania, have endorsed said legislation and memorialized the President, the Senate and the House of Representatives to enact said measure; therefore, be it

Resolved, That the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania memorializes the Congress of the United States that the United States Senate be and it is hereby requested to enact, at the earliest date possible, "The United States Housing Act of 1936", being Senate Bill No. 4424, introduced by Senator Robert F. Wagner, and that the House of Representatives enact the identical measure introduced in said House by Congressman Henry Ellenbogen of Pennsylvania, and being H. R. 12164; and be it further

Resolved, That the President of the United States be and is hereby requested to use the influence of his great office to further the enactment of this measure; and be it further

Resolved, That the Senators and Congressmen of the State of Pennsylvania be and are hereby requested to do everything within their power to carry out the purpose of this resolution; and be it further

Resolved, That a copy of this resolution be sent to the President and to the Vice-President of the United States, the Speaker of the House of Representatives, and to Senators James J. Davis and Joseph Guffey and the Representatives from the State of Pennsylvania.

Referred to the Committee on Rules.

By Messrs. YOURISHIN and JOHN J. BAKER.

RESOLUTION No. 26.

In the House of Representatives, June 9, 1936.

Whereas, There is pending in the Congress of the United States the Guffey-Vinson bill, designed to regulate the bituminous coal industry in which are employed 400,000 miners throughout this Nation; and

Whereas, The bituminous coal industry has been severely crippled by the economic depression and by loss of markets and is in desperate need of assistance; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to speedily enact the Guffey-Vinson bill for the regulation of the bituminous coal industry in order that aid may be given said industry as soon as possible;

Resolved, That a copy of this resolution be transmitted to the Senate and House of Representatives of the United States by the Chief Clerk of this House.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 22.

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 4, page 2, lines 27 and 28, by striking out the words "at the expiration of ten days after" and inserting in lieu thereof the words "immediately upon."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Achterman,	Duffort,	Mallen,	Serrill,
Alexander,	Eberharter,	Mason,	Shaw,
Allen,	Eroe,	McCreary,	Shreiner,
Altenburg,	Falkenstein,	McDermott,	Shugarts,
Andrews,	Ferko,	McDevitt,	Siegel,
Anthony,	Finnerty,	McElroy,	Simon,
Arnold,	Fitch,	McHenry,	Simpson,
Atkins,	Flanagan,	McKinney,	Sinwell,
Aukerman,	Flinchbaugh,	Melchiorre,	Sloan,
Baine,	Forrest,	Mentzer,	Smith, J. A.,
Baker, F. T.,	Gates,	Merrell,	Smith, W. G.,
Baker, J. J.,	Gerard,	Moomaw,	Snyder, F. E.,
Baldi,	Gillette,	Mooney,	Sowers,
Barnhardt,	Greenstein,	Moore,	Sproul,
Beadman,	Habbyshaw,	Moran,	Stank,
Bernhard,	Haberlen,	Moul,	Stevens,
Blumberg,	Hagerty,	Muir,	Stewart,
Boose,	Haluska,	Munley,	Stockham,
Boyd, R.,	Hamilton, F. P.,	Murrin,	Stott,
Boyer,	Hamilton, R. S.,	Nagel,	Sumney,
Bradley,	Harkins,	Nothnagle,	Surface,
Brancato,	Harmuth,	O'Keefe,	Sweeney,
Brennan,	Hartman,	Ominsky,	Tahl,
Brown, H. S.,	Hermansen,	O'Neill,	Terry,
Brown, J. E.,	Hetrick,	Panton,	Tronzo,
Brownfield,	Hindman,	Patterson, C.,	Trout,
Brumbaugh,	Hirsch,	Patterson, J. W.,	Tumelty,
Burke,	Hoffner,	Pearson,	Turner,
Cannon,	Holland,	Perry,	VanAllsburg,
Caputo,	Holstrom,	Peters,	VanSickle,
Carr,	Hoopes,	Pfaff,	Wall,
Carson,	Horst,	Piole,	Wasserman,
Castor,	Jackson,	Powers,	Weidemann,
Chervenak,	Jones,	Reising,	Weiss,
Coakley,	Kane,	Rhys,	Weliver,
Cochran,	Kelder,	Rinn,	Welsh,
Cohen,	Kelso,	Roan,	Westrick,
Coleman,	Kenney,	Robinson,	White,
Condon,	Kilroy,	Rooney,	Wickersham,
Coolahan,	Kinney,	Root,	Winner,
Cooper,	Klingler,	Royer	Witkin,
Cordier,	Kobelak,	Ruffennach,	Wood,
Davies,	LaRue,	Sarraf,	Woodside,
Decker,	Linderman,	Scanlon,	Yeakel,
Dent,	Long,	Schaeffer,	Yourishin,
Diehl,	Longaker,	Schrock,	Zappala,
Dilley,	Lovett,	Schrope,	Zimmerman,
Downey, G. E.,	Lynch,	Schwab,	Furman,
Downey, J. J.,	Male,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendment was concurred in.

Ordered, that the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES

Mr. CAPUTO, from the Committee on Appropriations, reported as committed, House Bill No. 46, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protection along the Delaware River at Matamoras and Milford, Pike County.

Mr. HOMER S. BROWN, from the Committee on Appropriations, reported as committed, House Bill No. 18, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief and expenses; defining the purposes for which such monies may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

Mr. FLANAGAN, from the Committee on Appropriations, reported as amended, House Bill No. 60, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public nonsectarian libraries damaged or destroyed by flood; and providing procedure to ascertain the amount of damage.

Mr. MALE, from the Committee on Appropriations, reported as committed, House Bill No. 91, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes, levees and river bank protections along the Delaware River at Morrisville Borough, Bucks County.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 22.

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

STATEMENT BY MR. SPROUL

Mr. SPROUL asked and received unanimous consent to make a statement.

Mr. Speaker and members of the House, on May 26th ther was referred to the Committee on Public Health and Sanitation a resolution of mine, No. 16, Serial No. 20, on page 41 of the History. I asked the Committee on Public Health and Sanitation to report this resolution out, but in the meanwhile, in talking with the Democratic floor leader, Mr. Cohen, he advised me that he would give me the information that I requested in the resolution, which you can all read, a copy of which has been furnished to me by the Department of Health.

Inasmuch as it is a request for a report from the Department of Health on the expenditures to date of the seven hundred thousand dollars authorized in House Bill No. 56, a part of which has already been expended, I would like to read for the information of the House and the members that report as given, which is very complete, from the Department of Health in regard to the dewatering of flooded coal mines and in some cases slate quarries, if it be necessary.

I quote from the letter of the Department of Health signed by Edith MacBride-Dexter, Secretary of Health:

MEMORANDUM IN RE DEWATERING FLOODED COAL MINES

June 8, 1936.

"(A) THE AMOUNT EXPENDED OR OBLIGATED TO THE DATE OF THE REPORT, OR AS NEAR SUCH DATE AS POSSIBLE, FOR THE PURCHASE AND INSTALLATION OF EQUIPMENT AND FOR OPERATION THEREOF."

An Engineer was engaged by the Department of Health to check deliveries in the Pittston-Duryea area, of pumps and other equipment in order to determine compliance with the purchase orders of the Department of Property and Supplies. From the appropriation to the Department of Health for salaries and other expenses during the current biennium, there has been expended $420 for this engineer's wages up to May 30, 1936.

Purchase orders, on file in the Department of Health and as issued by the Department of Property and Supplies for pumps and other necessary equipment for use in dewatering flooded coal mines in the Pittsburgh-Duryea area aggregate $162,319.72, up to June 4, 1936. Likewise, there is an order for power to operate the pumps and the Department of Mines estimates the power necessary to pump out the approximate seven billion gallons of water in the flooded mines in the Pittston-Duryea areas at $325,000.

The mine of the Sandy Run Producers, Inc., located at Sandy Run, Luzerne County, was flooded during the March 1936 floods. This company has its own pumps and necessary equipment for dewatering the mine. The power required to operate the pumps for dewatering is estimated by the coal company, to cost about $2500.

"(B) AN ESTIMATE OF THE TOTAL AMOUNT TO BE EXPENDED FOR THE COMPLETION OF THE WORK SEPARATE FOR EACH PARTICULAR PROJECT."

In the Pittston-Duryea area the flooded coal mines were operated by the Pittston Company, the Kehoe-Berge Coal Company, the Pittston-Duryea Coal Company and the Barnum Coal Company. These mines are connected underground and therefore, dewatering them is considered as one project because pumping out any one of these mines would result in dewatering the others. Therefore, in order to speed up the dewatering and hasten the day when these companies can recondition their mines to resume operations and give employment to their workers, the pumps will be placed in the shafts of all of these companies. It has been estimated by the Department of Mines with the aid of electrical engineers of the companies affected that the pumps and other necessary equipment and the power to operate the pumps will cost about $500,000.

It is estimated by the coal company and approved by the Department of Mines that the power to dewater the flooded mine at Sandy Run will cost about $2500.

Therefore, "an estimate of the total amount to be expended for completion of" dewatering flooded coal mines in the Pittston-Duryea area and at Sandy Run is $502,500.

"(C) A STATEMENT OF THE AMOUNT EXPENDED AND TO BE EXPENDED ON THE PROPERTY OF EACH PERSON OR COMPANY."

As aforesaid, it is estimated that the State's financial share of dewatering flooded coal mines in the Pittston-Duryea area and at Sandy Run is $502,500.

Request has been made for the State to assist in dewatering coal mines by the following companies:

Commodore Coal & Coke Co., Oliver Mine, Oliver, Fayette County.

Humphreys Coal & Coke Co., Humphreys Mine, Westmoreland County.

Keystone Coal & Coke Co., No. 2 Mine, Haydenville. Westmoreland County.

Lackawanna Shaft, Peckville, Lackawanna County.

Penn Valley Coal Mining Co., Beck No. 1 Mine, Hunkers, Westmoreland County.

Saxman Coal & Coke Co., No. 2 Mine, Derry, Lackawanna County.

Sullivan Trail Coal Company, Clear Spring Shaft, Luzerne County.

Investigation of these mining properties is not yet completed and so it is not yet known whether they are on a parity with the flooded coal mines in the Pittston-Duryea area and at Sandy Run, as to the conditions creating an emergency and dewatering being a matter of public concern because a sufficient number of mine workers are out of employment due to the mines being flooded to create a relief problem.

In case they are found to be worthy and eligible for State aid, the State's share of the cost of dewatering could be paid from the difference between the $502,500 given above, and the sum to be appropriated by House Bill No. 56.

EDITH MacBRIDE-DEXTER, M. D.
Secretary of Health.

I wish to thank Mr. Cohen personally for giving me this information, and I think it ought to be a matter of public record.

BILL INTRODUCED AND REFERRED

By Mr. REISING. HOUSE BILL No. 131.

An Act abating certain interest, charges, expenses and fees added to county, city, borough, town, township, school district or poor district claims, imposed or assessed for improvements or for the abatement of nuisances.

Referred to the Committee on Municipal Corporations.

MOTION TO ADJOURN

Mr. COHEN. Mr. Speaker and members of the House, we have been hopeful that the Senate would utilize the time that we have now available to report out certain social security bills, which we are informed must be passed and approved at the latest by June 20th. However, no bills have come out of the Senate, and we are now informed that the Senate has adjourned.

Therefore, I move that this House do now adjourn until Monday, June 15,—I withdraw the motion.

REPORT FROM COMMITTEE

Mr. MELCHIORRE, from the Committee on Ways and Means, reported as committed, House Bill No. 130, entitled:

An Act to further amend the act, approved the first day of June, one thousand eight hundred eighty-nine (Pamphlet Laws, four hundred twenty), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons, and by adding a new section imposing a temporary emergency tax upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships, and persons engaged in the water and natural or artificial gas business.

ADJOURNMENT

Mr. COHEN. Mr. Speaker, in view of what I said, and in view of the fact that there is nothing remaining for this House to do, due to the adjournment of the Senate, I move that this House do now adjourn until Monday evening, June 15, 1936, at 9:00 o'clock Eastern Standard Time.

The motion was agreed to and (at 6:12 o'clock P. M.) the House adjourned until Monday, June 15, 1936 at 9:00 o'clock P. M. Eastern Standard Time.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., MONDAY, JUNE 15, 1936. No. 19.

SENATE

MONDAY, JUNE 15, 1936

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

O, Thou God of Nations, God of our nation and the Father of all mankind: We thank Thee for the hearts which conceived and the hands which designed our national flag. Its stars and stripes, with blended coloring of red, white and blue, constitutes a banner whose beauty thrills the soul of every true American. At this Flag Day season teach us the real significance of our Star Spangled Banner:

The Red, it is the blood of them who did our battles fight;
The White stands for our purity, for justice and for right;
The Blue bespeaks for every Son of Freedom's blood-bought soil
A rest beyond yon azure sky from battle and from toil.
O God, preserve our national flag, vouchsafe to it Thy care,
And to defend the patriots' cause, Thy mighty arm make bare.

We thus pray so that Thy name may be glorified and the honor of our Flag, our Government and our Commonwealth may remain unsullied. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WOODWARD, the further reading was dispensed with, and the Journal approved.

LEAVES OF ABSENCE

Mr. ROBERTS asked and obtained leave of absence for the Senator from Adams, Mr. Rice.

Mr. COYNE asked and obtained leave of absence for the Senator from Indiana, Mr. Bennett.

Mr. McGINNIS asked and obtained leave of absence for the Senator from Monroe, Mr. Huffman.

PETITION

FAVORING ENACTMENT OF LEGISLATION ON SOCIAL SECURITY BILLS

Mr. HARRIS presented petition from the State Aerie, Fraternal Order of Eagles, favoring enactment of pending bills to conform to the social security legislation adopted by the Federal Government.

Which was referred to the Committee on State Government.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

REQUEST TO ADDRESS GENERAL ASSEMBLY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session this evening at 10:00 o'clock.

GEORGE H. EARLE.

JOINT SESSION

Mr. REED (Washington) offered the following resolution, which was twice read, considered and agreed to:

In the Senate, June 15, 1936.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session Monday evening, June 15, 1936, at 10:00 o'clock, Eastern Standard Time, in the Hall of the House for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Herman C. Hoffman, of 306 North Avenue, East Pittsburgh, Allegheny County, as Justice of the Peace in the Borough of Chalfant, Allegheny County, until the first Monday in January, 1938.

Luther M. Cornwell, of Patterson Heights, Beaver Falls, Beaver County, as Justice of the Peace in the Borough

of Patterson Heights, Beaver County, until the first Monday in January, 1938.

Charles H. Boback, of Monongahela, Washington County, as Justice of the Peace in the Township of Carroll, Washington County, until the first Monday in January, 1938.

Miss Edith R. Ney, of Tunkhannock, Wyoming County, as Justice of the Peace in the Township of Eaton, Wyoming County, until the first Monday in January, 1938.

GEORGE H. EARLE.

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointment for a term of five years to compute from the date of confirmation:

Frank J. Bloom, 22 S. Pennsylvania Ave., Atlantic City, New Jersey, as Commissioner of Deeds for Pennsylvania with residence in Atlantic City, New Jersey.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public for terms of four years to compute from the date set opposite their names:

ALLEGHENY COUNTY

Miss Madeline Levinsn, Pittsburgh, June 27, 1936.

BUCKS COUNTY

Mrs. Helen H. Shaddinger, Doylestown, June 27, 1936.

CLEARFIELD COUNTY

O. James Faloon, DuBois, June 27, 1936.

CUMBERLAND COUNTY

Luther K. Bowman, Newville, June 27, 1936.
Mrs. Rose B. Hippensteele, Shippensburg, June 27, 1936.

DAUPHIN COUNTY

Doyle S. Poorman, Harrisburg, June 27, 1936.

LANCASTER COUNTY

Paul B. Danner, Manheim, June 27, 1936.

LYCOMING COUNTY

Mrs. Margarette Minnick, Williamsport, June 27, 1936.

NORTHAMPTON COUNTY

Miss Elsie I. Smith, Bethlehem, June 27, 1936.

NORTHUMBERLAND COUNTY

Miss Mona A. Latsha, Dornsife, June 27, 1936.

PHILADELPHIA COUNTY

Miss Ida Di Berardino, Philadelphia, June 27, 1936.
Miss Margaret Esola, Philadelphia, June 27, 1936 .
Miss Mary I. Rittenhouse, Philadelphia, June 27, 1936.
Benjamin Teacher, Philadelphia, June 27, 1936.

SCHUYLKILL COUNTY

Miss Lillian M. Anwyl, Pottsville, June 27, 1936.

SNYDER COUNTY

Lewis E. Pawling, Selinsgrove, June 27, 1936.

YORK COUNTY

Miss Evelyn T. Spangler, York, June 27, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ADAMS COUNTY

Mrs. Mary E. Jennings, Gettysburg.

ALLEGHENY COUNTY

Clyde E. Donaldson, Berger Bldg., Pittsburgh.

BLAIR COUNTY

James W. McCann, Hollidaysburg.

BUCKS COUNTY

Harry W. Weierbach, Pleasant Valley.

CUMBERLAND COUNTY

John McCrea, Newville.

ERIE COUNTY

Mrs. T. M. Swaney, Edinboro.

FAYETTE COUNTY

Mrs. Aurella A. Gibson, Brownsville.

PHILADELPHIA COUNTY

Edwin B. Lyman, 107 S. 7th St., Philadelphia.
Thomas R. MacFarland, Jr., 1414 Widener Bldg., Philadelphia.
George H. Metz, 716 Diamond St., Philadelphia.
Mrs. Sarah F. Moore, 1440 Snyder Ave., Philadelphia.
Miss Anna Roemer, 1421 Chestnut St., Philadelphia.
J. Howard Sweetwood, 2201 Fairmount Av., Philadelphia.
John J. Turchi, 1420 S. 13th St., Philadelphia.
Thos. A. Turkington, 100 W. Lehigh Ave., Philadelphia.

GEORGE H. EARLE.

BILLS INTRODUCED

Mr. ZIESENHEIM read in his place and presented to the Chair, Senate Bill No. 73, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C, and providing a schedule for carrying the amendment into effect.

Which was committed to the Committee on Constitutional Changes.

Also read in his place and presented to the Chair, Senate Bill No. 74, entitled:

A Joint Resolution proposing an amendment to article eight, section one, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Also read in his place and presented to the Chair, Senate Bill No. 75, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section one C.

Which was committed to the Committee on Constitutional Changes.

RESOLUTION AUTHORIZING THE APPOINTMENT OF COMMITTEE TO DRAFT RESOLUTIONS ON THE DEATH OF HONORABLE JAMES E. NORTON AND FIXING TIME FOR MEMORIAL SESSION

Mr. RUTH offered the following resolution, which was twice read, considered and agreed to:

In the Senate, June 15, 1936.

Resolved, That a Committee of five members of the Senate be appointed to draft suitable resolutions on the death of the late Senator James E. Norton, who died December 9, 1935, and present said resolutions at a special meeting to be held on Tuesday afternoon, June 30th, at two-thirty o'clock, Eastern Standard Time.

TIME OF NEXT MEETING

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, June 15, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, June 22nd, at 9:00 o'clock, Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene on Monday evening, June 22nd, at 9:00 o'clock, Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. BUCKMAN. Mr. President, in order that the Committee on State Government, may hold a very important meeting, I move that the Senate do now take a recess for twenty minutes.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

JOINT SESSION

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, June 15, 1936.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, Monday evening, June 15, 1936, at 10:00 o'clock, Eastern Standard Time, in the Hall of the House for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

Mr. ROBERTS offered the following resolution, which was twice read, considered and agreed to:

In the Senate, June 15, 1936.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, to the Hall of the House to address the Members of the General Assembly in Joint Session, Monday evening, June 15, 1936, at 10:00 o'clock, Eastern Standard Time, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO THE COMMITTEE ON STATE GOVERNMENT TO CONTINUE THEIR MEETING DURING SESSION OF THE SENATE

Mr. BUCKMAN. Mr. President, in accordance with the rules of the Senate, I move that the Committee on State Government be given permission to sit during the session of the Senate.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

HOUSE MESSAGE

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, June 15, 1936.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, to the Hall of the House to address the Members of the General Assembly in Joint Session, Monday evening, June 15, 1936, at 10:00 o'clock Eastern Standard Time, pursuant to a resolution already adopted by the Senate and the House of Representatives.

And has appointed as said committee on the part of the House Messrs. Larue, Peters and Robbins.

The PRESIDENT. The President Pro Tempore announces the following Committee on the part of the Senate: The Senator from Northampton, Mr. Roberts, the Senator from Allegheny, Mr. Frey, and the Senator from Philadelphia, Mr. Aron.

SENATE PROCEEDS TO THE HALL OF THE HOUSE TO HEAR GOVERNOR'S MESSAGE

Messrs. Gerard and Mason, a Committee of the House of Representatives being introduced informed the Senate that the House was ready for the reception of the President and members of the Senate for the purpose of listening to the reading of a message by His Excellency the Governor of the Commonwealth.

Whereupon,

The President and members of the Senate proceeded to the Hall of the House of Representatives.

SENATE RETURNS FROM THE HOUSE

After some time the President and Senators returned to the Senate Chamber.

REPORTS FROM COMMITTEES

Mr. WOODWARD. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODWARD, from the Committee on State Government, reported as amended, Senate Bill No. 52 (House Bill No. 53) entitled:

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania Series "D" for the purpose of refunding redeeming and retiring said Series "D" authorizing the exchange of bonds of said Series "D" for those issued hereunder defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation.

Mr. EALY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on State Government, reported as committed, Senate Bill No. 51 (House Bill No. 52) entitled:

An Act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth under certain conditions in lieu of the redemption thereof and defining the powers and duties of the Governor the Auditor General the State Treasurer and the duly authorized loan and transfer agent of the Commonwealth in relation thereto.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 39 (House Bill No. 49), entitled:

An Act to amend sections four and five of the act approved the nineteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" by providing for the payment to newly organized counties of amounts set aside for unorganized counties or both the first and second fiscal years of the current biennium.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. REED (Dauphin). Mr. President, I ask unanimous consent to amend title, page 2, line 5, from top of page, by inserting after the word "biennium" the following: "and suspending certain provisions of this act in case Federal aid for dependent children shall fail for any reason"; also page 4, by inserting between lines 3 and 4, the following section: "Section 2. The purpose of this act is to qualify all counties of this Commonwealth under the Mothers' Assistance Law, and thus to enable the Commonwealth to receive Federal grants for aid to dependent children under Title four of the Social Security Act. In the event that Title four of the Social Security Act shall be held unconstitutional by the Supreme Court of the United States, or shall be repealed, and Federal grants for aid to dependent children shall fail for such or for any other reason whatever, then so long as Federal grants for aid to dependent children shall not be available to this Commonwealth, no county shall receive any sum from the State under sections two and three of this act unless such county shall appropriate a like sum for such purpose. The Department of Welfare shall have no power to determine that any county may appropriate any other amount in order to receive its allotment of the State appropriation. To the extent of any inconsistency the foregoing provisions of this act shall in such cases be suspended so long as Federal aid for dependent children shall not be available to this Commonwealth and the provisions of this section shall be in force"; also section 2, page 4, line 4, by striking out the figure "2" and insert in lieu thereof "3"

The PRESIDENT. Is there objection?

Mr. SHAPIRO. Mr. President, I do not know whether I am in order at this time to object to the amendment; but of course, not having heard the amendment, I could not raise any objection to it.

I assume, from what the Senator from Dauphin, Mr. Reed, said to me, that the purpose of the amendment is to preserve the status quo in the event that the Federal legislation is declared unconstitutional; but, as I see it, the amendment goes further than that—because I assume the amendment is meant to provide for the contingency of Federal aid being stopped for any other reason whatso ever.

I call the attention of the members of the Senate to the fact that under Title 4 of the Federal Act the Federal Government has the right to stop its aid at any time when in its opinion the rules and regulations of the Social Security Board are not being complied with. Under the amendment as suggested that would suspend or annul the Act. I am quite sure it is not the intention of the persons proposing the amendment that this should happen, and for that reason, if I am in order, I object to the amendment.

The PRESIDENT. The Chair hears objection.

COMMITTEE OF THE WHOLE

Mr. REED (Dauphin). Mr. President, I move that the Senate do now go into the Committee of the Whole for the purpose of special amendment, as just read.

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I object, because the effect of the Senate going into Committee of the Whole would be to receive and approve the amendment, and that is what I am objecting to.

Mr. BUCKMAN. Mr. President, I would suggest, if you do not mind, that the motion is intended, although possibly not specifically stated in the motion, that we go into Committee of the Whole for the purpose of special amendment, as just read from the desk, as offered on third reading, for which unanimous consent was refused.

The PRESIDENT. That is the way the Chair understands it.

POINT OF ORDER

Mr. THOMPSON (Centre). Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Centre will state his point of order.

Mr. THOMPSON (Centre). Mr. President, is it not a fact that when the Senate goes into Committee of the Whole for the purpose of considering special amendment, that those amendments can only be strike-outs when the bill is on third reading? I remembered it was so ruled last year on the Personal Property Tax Act.

Mr. BUCKMAN. Mr. President, I will be glad to set my friend from Centre straight. I think what he has in his mind is an entirely different proposition. We went into Committee of the Whole on a bill at the end of the last session to strike certain things out of a bill, but in that case, when there is only a strike-out the bill can go right on and be read the third time and passed finally. This is not such an amendment. This is an amendment to amend the bill in certain particulars, as read from the desk, and that is entirely in order at any time, to go into Committee of the Whole for the purpose of special and general amendment. This is for special amendment and a vote to go into Committee of the Whole will carry with it the adoption of the amendment into the bill.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SHAPIRO. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Philadelphia will state his question of parliamentary inquiry.

Mr. SHAPIRO. Mr. President, I ask whether it is not true that if this motion is passed it has the effect of the amendment being accepted.

The PRESIDENT. The Chair informs the Senator that his understanding of the motion is correct.

Mr. SHAPIRO. Mr. President, I call attention of the Senate to the fact that the acceptance of this amendment means an additional tie-up in getting through social security legislation. This bill must be passed and approved by the 20th of June. That fact has been called to our attention on several occasions. The members of the Senate need not think that the House, or anyone who has read any particular statute or social legislation and security acts is going to permit this bill to go through in its present form, neither will Washington approve of it. We might as well stop fooling ourselves, it is too big a bill to try to get through.

I do not care whether this amendment gets the unanimous consent of the Senate or not in one way or another, but I am concerned about the effect of the amendment on the whole Act. This amendment will mean, if it passes, that it will be declared unconstitutional; it will also mean that at any time, merely for temporary holding up of funds by the Federal Government, that the Act which we now pass will become null and void. In voting for this amendment, I call the attention of the members of the Senate to the fact that that is the effect of the motion.

And the question recurring.

Will the Senate agree to the motion?

The yeas and nays were required by Mr. SHAPIRO and Mr. THOMPSON (Centre) were as follows, viz:

YEAS—25

Aron,	Gelder,	Owlett,	Staudenmeier,
Batchelor,	Graff,	Pierson,	Thompson,
Bean,	Harvey,	Prince,	(Westmoreland)
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Howell,	(Dauphin)	Woodward,
Coyne,	Mallery,	Salus,	Ziegenheim,
Ealy,	McClure,	Scott,	

NAYS—19

Cavalcante,	Law,	Rankin,	Rupp,
Frey,	McCreesh,	Reed,	Ruth,
Harris,	McGinnis,	(Washington)	Shapiro,
Kahle,	Miller,	Roberts,	Sones,
Lanius,	Pytko,	Rodgers,	Thompson, (Centre)

So the question was determined in the affirmation.

On the question.

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED

Mr. HARVEY. Mr. President, I move that Senate Bill No. 64 (House Bill No. 109), entitled:

An Act to authorize and empoyer municipalities and townships separately or jointly to erect and construct flood control works and improvements within or without their territorial limits and to expend moneys and incur indebtedness for such purposes,

be recommitted to the Committee on Municipal Government for the purpose of amendment.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 66 (House Bill No. 83), as follows:

An Act relating to the keeping of animals wild by nature in captivity upon any street or highway or upon land adjoining any street or highway or in vicinity of any commercial establishment for the evident purpose of attracting trade preventing cruel improper and inhuman treatment of such animals and protecting the public from injuries thereby providing for the granting of permits for roadside menageries as herein defined conferring powers and imposing duties on the Board of Game Commissioners and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Roadside Menagerie Act"

Section 2 As used in this act the following terms shall have the following meanings

"Board" The Board of Game Commissioners of this Commonwealth

"Person" A natural person copartnership association or corporation

"Roadside Menagerie" Any place where one or more wild animals are kept in captivity either in an enclosure or by tether upon any street or highway or upon land

public or private adjoining any street or highway or upon land public or private in the vicinity of any commercial establishment for the evident purpose of exhibition or attracting trade The term shall not include the exhibition of any animal by an educational institution or in any zoological garden or in connection with any theatrical exhibition or circus

"Wild Animal" Any animal wild by nature as distinguished from the common domestic animals whether or not such animal was bred or reared in captivity

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 The board may grant permits for roadside menageries Applications therefor shall be made on forms prepared and furnished by the board The applications shall show the name and address of the applicant the location or proposed location of the roadside menagerie the approximate number and kinds of wild animals being or to be kept space and method of housing and confinement measures taken to protect the public from injury by any wild animal and such further information as the board shall prescribe each original application shall be accompanied by a permit fee of five dollars ($5.00) and each renewal of a permit shall be accompanied by a permit fee of two dollars ($2.00) Separate applications shall be made for each roadside menagerie for which a permit is desired

Section 4 No permit shall be granted by the board until it is satisfied that the provisions for housing and caring for the wild animals and for protecting the public are proper and adequate and in accordance with the standards therefor established by the board

Section 5 All permits shall expire on the thirty-first day of May next after their date of issue and may be revoked by the board at any time prior thereto for failure to comply with the rules and regulations of the board adopted pursuant to the provisions of this act

Section 6 The board is charged with the enforcement of this act and shall adopt and enforce rules and regulations for the housing care treatment feeding and sanitation of wild animals kept in roadside menageries and for the protection of the public from injury by such wild animals

Section 7. All permit fees and fines received or collected under the provisions of this act shall be paid into the State Treasury through the Department of Revenue and shall be credited to the Game Fund

Section 8 From and after August fifteenth one thousand nine hundred thirty-six it shall be unlawful for any person to keep any wild animal in captivity upon any street or highway or upon land public or private adjoining any street or highway or upon land public or private in the vicinity of any commercial establishment for exhibition or the evident purpose of attracting trade or to have any wild animal in his custody or control for such purpose unless a permit therefor has been issued by the board

Section 9 Any person violating any of the provisions of this act shall upon summary conviction thereof be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of the payment thereof to undergo imprisonment for not more than ten (10) days Each day during which a roadside menagerie is maintained without a permit shall constitute a separate offense

Section 10 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 67, entitled:

An Act to provide for the public sale by cities of the first class of negotiable tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city of the first class may when authorized by ordinance duly adopted by the council of such city sell from time to time at public sale delinquent registered tax anticipation certificates representing all or such parts of the registered delinquent taxes due to such city as may be determined in such ordinance The said certificates shall be negotiable in form and in such denominations as shall be prescribed by said ordinance and may be for an undivided interest in the delinquent registered taxes due such city or for designated parts or units thereof Such parts or units shall be listed in separate schedules which same shall include a statement of the locations of the properties and the years and amounts of delinquent registered taxes due upon each of said properties and the moneys realized from the parts or units of the registered delinquent taxes shall be segregated for the retirement of the certificate or certificates issued against said parts of units The said certificates shall be executed and signed by the mayor of said city and shall bear interest at a rate not exceeding five per cent per annum until they shall be paid to the holder or holders thereof as hereinafter provided Any such city issuing said certificates shall proceed to collect the said delinquent registered taxes as in other cases The proceeds of the collection of the delinquent registered taxes against which such certificates may be drawn shall be set apart in the city treasury as a special fund for the retirement of such certificates and may be invested in bonds of the said city the Government of the United States or the State of Pennsylvania as directed by ordinance and neither the amounts of delinquent taxes so collected nor the interest nor principal of such investments shall be used for any other purpose until a sufficient amount thereof has been collected to retire all of the certificates sold which are based on said delinquent registered taxes or such designated part or unit thereof When and as the receipts of delinquent taxes contained in the schedule against which such certificates shall have been issued shall together with the accretions thereon aggregate the total amount of such certificates together with any unpaid interest thereon said certificates shall be paid in full and surrendered to the city At the option of any such city appropriations from current or other funds except for debt service may be utilized for the purpose of aiding in or hastening the retirement of such certificates or any of them

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 1, page 1, line 10, by striking out the word "negotiable"; also page 1, line 10, by inserting after the word "in" and before the word "form" the word "such"; also page 2, line 14, by striking out the words "as in other cases" and inserting in lieu thereof the following: "As now provided by law"

Mr. ARON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Mr. SHAPIRO. Mr. President, for the information of the Senate, and particularly the members from Philadelphia, this being a bill for first class cities, I should like to state that the purpose of these amendments is to carry out the intent of the bill, to permit the negotiation, or rather sale, of anticipation certificates against delinquent taxes. The purpose was to keep within the law by providing that this shall not be an increase of indebtedness. In order to conform to that thought the negotiability of security certificates has been removed from the bill.

And the question recurring,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second, third and fourth sections of the bill were read as follows and agreed to:

Section 2 Upon the authorization by ordinance of the sale of delinquent registered tax anticipation certificates as hereinabove provided the mayor the city solicitor and the city controller or any two of them may make and transmit to the city council an estimate of the amount which may reasonably be expected to be realized from the sale thereof during the current calendar year and the council of such city shall thereupon have authority to appropriate for the current or other purposes of said city in addition to other appropriations the amount so estimated as reasonably expected to be realizable therefrom during such year Should the actual receipts from such sale or sales be greater than the sum or sums so estimated the excess sums so realized may alo be made the subject of additional appropriation Provided however That the power to make such additional appropriations as herein conferred shall extend only to the excess of such estimates or actual receipts above the amount of estimated receipts from delinquent taxes which shall have theretofore been made a basis for the current appropriations in the financial program of such city for such year

Section 3 The council in passing such authorization ordinance shall have the power to regulate and prescribe the method of public sale of such delinquent registered tax anticipation certificates the amount thereof which shall be offered for sale the minimum or upset price or prices which are to be accepted therefor the times and methods of public advertisement of such sales the registered delinquent taxes on the specific property or properties which shall form the basis for the issuing of the particular certificates so authorized to be sold the form of such certificates and the authorization of re-sale of any portion of any issue which may not be fully sold at the original sale thereof and such other incidental matters details and requirements as may be deemed by the said council proper adequate and desirable for that purpose

Section 4 All acts or parts of acts inconsistent herewith to the extent of such inconsistency be and the same are hereby repealed

The title of the bill was read as follows:

An Act to provide for the public sale by cities of the first class of negotiable tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof

On the question,

Will the Senate agree to the title?

Mr. SHAPIRO. Mr. President, I move to amend title, line 2, by striking out the word "negotiable"

Mr. ARON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO READ BILLS THE FIRST TIME

Mr. ARON. Mr. President, I move that all bills reported from committee at today's session be read the first time.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 51 (House Bill No. 52), entitled:

An Act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth, under certain conditions, in lieu of the redemption thereof; and defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the duly authorized loan and transfer agent of the Commonwealth in relation thereto.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 52 (House Bill No. 53), entitled:

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania, Series "D", for the purpose of refunding, redeeming and retiring said Series "D" authorizing the exchange of bonds of said Series "D" for those issued hereunder; defining the powers and duties of the Governor, the Auditor General and the State Treasurer, in relation thereto; providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL INTRODUCED

Mr. ARON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, read in place and presented to the Chair Senate Bill No. 76 entitled:

An Act to authorize the Board of Revision of Taxes in cities of the first class to classify the real estate situated therein so as to discriminate between those parcels employed exclusively for manufacturing purposes and other real estate in such cities; and to provide for carrying such classification into effect.

Which was committed to the Committee on Municipal Government.

REPORTS FROM COMMITTEE

Mr. STAUDENMEIER. Mr. President, I ask uninamous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on State Government re-reported as amended, Senate Bill No. 14 entitled:

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons; providing for the recovery of moneys expended for assistance in certain cases prohibiting political activity by employes of the board providing penalties providing substitute provisions n case Federal

grants for old age assstance shall fall for any reason and repealing inconsistent acts.

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

MEMBER OF THE STATE BOARD OF EXAMINERS FOR THE REGISTRATION OF NURSES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sister M. Laurentine, St. Francis Hospital, Pittsburgh, Allegheny County, for appointment as a member of the State Board of Examiners for the Registration of Nurses, vice Mrs. Mary C. Eden, of Philadelphia, resigned, for a term of six years to compute from the date of confirmation, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

MEMBERS OF THE BOARD OF TRUSTEES OF THE MOTHERS' ASSISTANCE FUND

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Mrs. Grace Sheets, of McConnellsburg, Fulton County, for appointment as a member of the Board of Trustees of the Old Age Assistance Fund of Fulton County, vice Mrs. Elizabeth P. Neeson, of McConnellsburg, resigned, for a term of six years to compute from the date of confirmation, or until a Board of Trustees of Mothers' Assistance Fund is appointed.

Mrs. Amanda Lehman, of Amaranth, Fulton County, for appointment as a member of the Board of Trustees of the Old Age Assistance Fund of Fulton County (to fill a vacancy), for a term of six years to compute from the date of cofinrmation, or until a Board of Trustees of Mothers' Assistance Fund is appointed.

Mrs. Winafred Haines, of Saluvia, Fulton County, for appointment as a member of the Board of Trustees of the Old Age Assistance Fund of Fulton County, vice Mrs. Estelle L. Seylar, of McConnellsburg, resigned, for a term of six years to compute from the date of confirmation, or until a Board of Trustees of Mothers' Assistance Fund is appointed.

GEORGE H. EARLE.

MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dr. J. H. Woodland, of Pottsville, Schuylkill County, for appointment as a member of the State Board of Optometrical Examiners, vice Dr. Chester H. Johnson, of Philadelphia, whose term expired, for a term of four years to compute from the date of confirmation.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

BERKS COUNTY

M. R. Leeser, Topton, June 27, 1936.

BLAIR COUNTY

Miss Evelyn Kane, Altoona, June 27, 1936.

BUCKS COUNTY

Arthur H. Stackhouse, Yardley, June 27, 1936.

CAMBRIA COUNTY

Miss Zola K. Rodkey, Spangler, June 27, 1936.

LACKAWANNA COUNTY

Michael Bakowski, Scranton, June 27, 1936.
Miss Gretchen R. Davies, Scranton, June 27, 1936.

PHILADELPHIA COUNTY

William H. Backhausen, Philadelphia, June 27, 1936.
Miss Kathryn E. Burgess, Philadelphia, June 27, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Margaret Winkler, 100 E. Ohio St., Pittsburgh.

LACKAWANNA COUNTY

Miss Dorothy A. Miller, Scranton.

LANCASTER COUNTY

Charles R. Case, Lancaster.

PHILADELPHIA COUNTY

Frederick D. Conrad, 2215 Snyder Ave., Philadelphia.
Arthur M. Saunders, 15th and Chestnut Sts., Philadelphia.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

ALLEGHENY COUNTY

Miss Madeline Levinson, Pittsburgh, June 27, 1936.

BUCKS COUNTY

Mrs. Helen H. Shaddinger, Doylestown, June 27, 1936.

CLEARFIELD COUNTY

O. James Faloon, DuBois, June 27, 1936.

CUMBERLAND COUNTY

Luther K. Bowman, Newville, June 27, 1936.
Mrs. Rose B. Hippensteele, Shippensburg, June 27, 1936.

DAUPHIN COUNTY

Doyle S. Poorman, Harrisburg, June 27, 1936.

LANCASTER COUNTY

Paul B. Danner, Manheim, June 27, 1936.

LYCOMING COUNTY

Mrs. Margarette Minnick, Williamsport, June 27, 1936.

NORTHAMPTON COUNTY

Miss Elsie I. Smith, Bethlehem, June 27, 1936.

NORTHUMBERLAND COUNTY

Miss Mona A. Latsha, Dornsife, June 27, 1936.

PHILADELPHIA COUNTY

Miss Ida Di Berardino, Philadelphia, June 27, 1936.
Miss Margaret Esola, Philadelphia, June 27, 1936.
Miss Mary I. Rittenhouse, Philadelphia, June 27, 1936.
Benjamin Teacher, Philadelphia, June 27, 1936.

SCHUYLKILL COUNTY

Miss Lillian M. Anwyl, Pottsville, June 27, 1936.

SNYDER COUNTY

Lewis E. Pawling, Selinsgrove, June 27, 1936.

YORK COUNTY

Miss Evelyn T. Spangler, York, June 27, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ADAMS COUNTY

Mrs. Mary E. Jennings, Gettysburg.

ALLEGHENY COUNTY

Clyde E. Donaldson, Berger Bldg., Pittsburgh.

BLAIR COUNTY

James W. McCann, Hollidaysburg.

BUCKS COUNTY

Harry W. Weirbach, Pleasant Valley.

CUMBERLAND COUNTY

John McCrea, Newville.

ERIE COUNTY

Mrs. T. M. Swaney, Edinboro.

FAYETTE COUNTY

Mrs. Aurella A. Gibson, Brownsville.

PHILADELPHIA COUNTY

Edwin B. Lyman, 107 S. 7th St., Philadelphia.
Thomas R. MacFarland, Jr., 1414 Widener Bldg., Phila.
George H. Metz, 716 Diamond St., Philadelphia.
Mrs. Sarah F. Moore, 1440 Snyder Ave., Philadelphia.
Miss Anna Roemer, 1421 Chestnut St., Philadelphia.
J. Howard Sweetwood, 2201 Fairmount Ave., Phila.
John J. Turchi, 1420 S. 13th St., Philadelphia.
Thos. A. Turkington, 100 W. Lehigh Ave., Philadelphia.

GEORGE H. EARLE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. C. Adams, of Buffalo Mills, Bedford County, for appointment as Justice of the Peace in the Township of Harrison, Bedford County, until the first Monday in January, 1938, to compute from the date of confirmation.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

MEMBER OF THE STATE ART COMMISSION

W. F. Hitchens, Pittsburgh, from October 7, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed.

MEMBER OF THE ADVISORY HEALTH BOARD

R. J. Behan, Pittsburgh, from April 9, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBER OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

Adrian F. Sanderbeck, Pittsburgh, from June 22, 1935, for the term of four years.

MEMBER OF THE INDUSTRIAL BOARD

Herbert Sander, Pittsburgh, from August 21, 1936, until the third Tuesday of January, 1939, or until his successor shall have been appointed and qualified.

MEMBER OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PITTSBURGH

James G. Legnard, Pittsburgh, from February 21, 1936, until the first Monday of January, 1938.

W. Noble Matthews, Pittsburgh, from February 21, 1936, until the first Monday of January, 1938.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Bean,	Howell,	Pytko,	Shapiro,
Buckman,	Kahle,	Rankin,	Sones,
Cavalcante,	Lanius,	Reed,	Staudenmeier,
Chapman,	Law,	(Dauphin)	Thompson,
Coyne,	Mallery,	Reed,	(Centre)
Ealy,	McClure,	(Washington)	Thompson,
Frey,	McCreesh,	Roberts,	(Westmoreland)
Gelder,	McGinnis,	Rodgers,	Trainer,
Graff,	Miller,	Rupp,	Woodward,
Harris,	Owlett,	Ruth,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. ROBERTS. Mr. President, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, last week on a question of personal privilege, I invaded the serenity of this Senate, by threatening to call a spade, a spade.

In the course of my address, the attention of this House was called to the provision of the Constitution that requires the members of this Senate to disclose their private or personal interest in any measure or bill proposed or pending before the House and to refrain from voting on the same.

A resolution was offered calling upon all the members of this House to give vitality to this provision of the Constitution. The majority, including the gentleman from Cumberland and the gentleman from Delaware, saw fit to vote negatively upon the question involving the immediate consideration of the resolution.

Like birds of a feather, the majority of this Senate, including the gentlemen from Cumberland and Delaware, flocked like herded sheep to prevent the fruition of the moral objective of the resolution. The killing of the resolution grieves me not. I am consoled in the fact that the resolution and its moral objective is destined for burial along the side of another resolution and its moral objective once so dear to the heart of the gentleman from Cumberland when he and the gentleman from Delaware were on opposite sides of the question.

Although the Journal of last Monday does not so show the gentleman from Cumberland, nevertheless on a question of personal privilege, he called the gentleman from Centre and Fayette bloodthirsty individuals and that the gentleman from Fayette is the more bloodthirsty of the two.

I trust the gentleman from Cumberland does not mean that the gentlemen from Centre and Fayette have at any time thirsted for the blood of the inveigled victims of that moral transgression against which the gentleman from Cumberland once raised his eloquent tongue and vainly sought the help of his Republican colleagues to mete out the moral penalty he so strenuously urged. Politics make strange bedfellows indeed.

It is well that we state this as a maxim.

For, were this not true, what evil spirit doth dare divert from moral line and rectitude the tongue and mind of my master from Cumberland, at whose feet I once sat and still would sit to drink deep draughts of pure and wholesome thoughts?

Let not the gentleman from Cumberland deny his part in the creation of the stupid Republican attitude that now enmeshes the lawful procedures of this Senate and against which the gentlemen from Centre and Fayette hurl their bloodthirsty appeals in vain, but with faith and hope.

We have served our country as soldiers, and, we have poured into the cauldron of war our bodies' blood in defense of our flag, our Constitution and our laws. And because of this we admit that now we thirst for the blood of those who trample under feet that same flag, same Constitution and same laws for no other reason that to make more abundant the streams of slimy gold and egg them to flow with greater ease into their pockets and those of their special masters.

It is admitted that we thirst for the blood of those who arbitrarily and despotically commit one monstrosity after another upon the lawful rules and procedures of this Senate for no other reason than to make the gentleman from Bucks the acceptable apple of Mr. Grundy's eye.

It is admitted that we thirst for the blood of those who prostitute their official duties for no other reason than to be of more service to their political and industrial masters than to the general welfare of all the people.

It is admitted that we thirst for the blood of those who without just and moral cause defame the chosen executives of our State and Nation for no other reason than to be better able to cherish the wishes of their political and industrial masters.

If thirst for this kind of blood is blameworthy in the eyes of the gentleman from Cumberland and his Republican colleagues, then let them make the most of it.

If the gentleman from Cumberland desires to satiate our bloodthirsty tongues let him call upon his Republican colleagues to dispatch the affairs of this Senate with a due regard for the Constitution, the laws and the rules and procedures of this Senate. Let the gentleman from Cumberland call upon his Republican colleagues to abandon their stupid political loyalties and come to grips with the problems before us. Let the gentleman from Cumberland call upon his Republican colleagues to abandon their hymns of hate and render unto the lawful executives of our State and Nation the degree of respect due them as such, and, finally, let the gentleman from Cumberland call upon the Republican committees of this Senate to disgorge for our consideration the many bills and resolutions to which his colleague from Bucks, like a Roman emperor, has turned thumbs down in order to appease his Grundy's appetite.

It is impossible, Mr. President, to agree with the gentleman from Cumberland that it is a "racket" for this Com-

monwealth to give bread, clothing, medicine and shelter to its needy citizens. The care of the needy has been acknowledged by all civilized States to be the duty of the Government whose flag, Constitution and institutions the citizen is called upon to defend with his blood in war and in peace.

If this were not true, the deeds of the soldier, the farmer, the laborer, the poet, the G-man and others who today and tomorrow pay with their blood to preserve their government and society that the gentleman from Cumberland now enjoys, would be in vain and the inspiration that nurtures patriotism, would become fossilized and dead forever.

Let us not be blinded. The duty to preserve the health and life of the unemployed citizen rests more heavily upon this government today than ever before. This is true, because, in years past, the Republican colleagues of the gentleman from Cumberland succeeded in reducing many agencies of government to the level of "rackets" and utilized them to subserve the greed and lust of privileged individuals.

The gentleman from Cumberland is justly aroused that somewhere in the relief set-up we will find a well-groomed and well-oiled "racket." This "racket" consists of an army of newly self-created professionals who maintain that a man must hold body and soul together on a weekly relief order of $3.00 while the professional himself requires an approximate weekly stipend of $25.00, and then growls like a beaten dog that it is not enough. It is this army of newly propagated social welfare worker that constitutes the "racket" in the relief set-up of this Commonwealth. It is the army of nearly 17,000 workers that have devised the argument that the citizens and taxpayers of our local communities do not possess the intelligence and ability to administer the relief problems of their own community.

Neither the gentleman from Cumberland nor any other member of this Senate, can, with reason, say that our local citizens and taxpayers are not equipped to justly and economically administer all relief moneys allocated to them by this Commonwealth. We must now, and not later inaugurate the movement that will make our local citizen and taxpayer relief-conscious.

No time is better than the present to move some portion of the cost of administering and the administration of relief itself to the local citizen and taxpayer. The time is not ripe and the local communities are not at present financially capable of providing the funds for the direct relief itself. The communities are capable and should be asked to furnish the manpower and costs of administration.

If the gentleman from Cumberland agrees on the latter proposition, I trust he will call upon his Republican colleagues to see to it that no relief appropriation bill leaves this Senate without it containing a provision creating a Public Assistance Board in each county of this Commonwealth. If this is done, these Boards can prepare the way for the next General Assembly to transfer to them the administration of all other public relief funds including the grants that will hereafter accrue to our citizens under the provisions of the Federal Social Security Act.

The gentleman from Philadelphia, Mr. Shapiro, fittingly answered the gentleman from Cumberland, on the proposition that the Federal Government is indebted to this Commonwealth in the sum of $15,000,000 for direct relief. A careful inspection of the Journal of the last General Session would have warned the gentleman from Cumberland of the inaccuracy of that proposition.

Let us do something! Let us drive this "racket" out of our relief set-up. As for me, my mind is set. It is no strain on my conscience to vote for $100,000,000 for relief if this Senate will allocate the money to our local communities and there administered by the local citizen and taxpayer by an administration of his own choosing and maintained with his money.

If this is done, the relief will at last be regarded a permanent problem and will be administered in a way consistent with the living standards of the citizen and taxpayer of each particular community.

QUESTION OF PERSONAL PRIVILEGE

Mr. HARRIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny will state his question of personal privilege.

Mr. HARRIS. Mr. President, I rise now not to protect the Senator from Bucks, Mr. Buckman, because every man in this room knows that I have agreed with that gentleman more times than any member here; nor do I rise to protect the Senator from Delaware, Mr. McClure, because I joined with three other Republicans in asking him to resign from this Senate; but I do rise in my place to protect the Senator from Cumberland, Mr. Prince. I never knew in all my life a finer gentleman than the Senator Prince. No man does his work more conscientiously and earnestly than this splendid gentleman, and I protest with all the manhood within me, and I want to say to this man from Fayette, as he sits there in his seat with his scowling countenance and blazing eyes, that patience ceases to be a virtue, and I, for one, do not intend to stand for the insults to this gentleman. He has not attacked me personally, but for the five long months of the last regular session this man rose week after week and made personal attacks on the members of this body, and the complaints do not come from our Republican members on our left here, gentlemen whom we all respect, fine, splendid gentlemen with whom we differ at times in politics, and time and time again they have criticized this man privately for his actions. They have said that his actions are not those of a gentleman. I know that time and time again we have had altercations on this floor, but never bitter personalities.

During the last Session we all felt that he was doing this because of the inexperience of the man from the fact that he was doing this because he did not have a proper conception of the ethics and the courtesies of this body; but with the experience of the last Session, which did not teach him a lesson, he starts again, and week after week, day after day, time after time, he fills the pages of the Journal with vicious and vile attacks, personal attacks on the members of this body. Why only tonight we heard the Governor of Pennsylvania ask that we discontinue these personal attacks and not fill the Journal at a great cost to the State, and I want to say to the man from Fayette that he must cease these bitter attacks or answer the consequence.

QUESTION OF PERSONAL PRIVILEGE

Mr. BUCKMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, wil state his question of personal privilege.

Mr. BUCKMAN. Mr. President, I have sat on the floor of this Senate too long to be worried by an attack such as has been made upon me or other members of this Senate here tonight. I always consider the source of these attacks. I have sat here and seen these young verdant Senators come down to this Senate body like Atlas holding all the world on his shoulders—comrades we call them—and after their term is over be called home by their constituents never to return. Some of these Senators are now in this body, some of whom are moist mastoids so far as being Senators are concerned. We are willing to grant them a short period of probation, but after they are here a little while we expect them to act as gentlemen, whether they are Republicans or whether they are Democrats; consequently, I say to you, Mr. President, that I join with the Senator from Allegheny, Mr. Harris, in his statement that this sort of thing should stop, it must stop, and means will be found to stop it.

QUESTION OF PERSONAL PRIVILEGE

Mr. McGINNIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. McGinnis, will state his question of personal privilege.

Mr. McGINNIS. Mr. President, I have been a Democrat all my life and I used to think that Republicans had horns, but as the years have gone by I realize that the rank and file of the Republican Party is just as good as the rank and file of the Democratic Party. I am willing to admit that even the leaders of the Republican Party are perhaps as good citizens as the leaders of the Democratic Party, but I am convinced of this; that the longer you leave any party in power, the more corrupt they will get. I am as certain as I stand here that if you leave a party in power long enough there will be a partnership between what we call "big business" and that party, whether it be Democratic or Republican.

In this State, the utilities, to my mind, have been favored by legislation. To my mind the utilities of this State pay a lower tax than any State in this Union. In the State of Pennsylvania, I declare that we pay higher street car fares, higher telephone rates, higher gas rates, higher electric light rates and higher taxicab fares than any State in this Union. You can step outside of this Chamber and get into a taxicab and they soak you twenty-five cents before they start, and you can go down to Washington, D. C., and ride from one end of the city to the other for twenty cents.

As a result of the fifty-year Republican rule in Pennsylvania, the real estate owners pay ninety per cent of the taxes, and the real estate amounts to only forty per cent of the wealth; in other words, sixty per cent of the wealth pay only ten per cent of the taxes.

There was offered a resolution in the House on May 12th which was adopted May 18th, requesting the Public Service Commission to investigate the possibility of issuing street railway tickets to the school children of Allegheny County at a reduced rate. That resolution was referred to the Committee on State Government in this Senate on May 18th, where it still reposes.

MOTION TO DISCHARGE COMMITTEE

Mr. McGINNIS. Mr. President, I therefore offer the following motion: I move that the Committee on State Government in this Senate be discharged from further consideration of House Concurrent Resolution (Senate Serial No. 202), so that the same may be returned to the floor of this Senate for constitutional consideration.

Mr. McCREESH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. The Chair suggests that the Rule agreed to at the last Session may be read apropos to this motion, so that you may understand it.

The Rule was read as follows:

"No Committee shall be discharged from consideration of any measure within ten calendar days of its reference without unanimous consent of the Senate, or after said ten-day period, except by a majority vote of the members elected to the Senate."

Mr. REED, (Dauphin). Mr. President, complaints which have been made by the Senator from Allegheny, Mr. McGinnis, are correct as to the time when that resolution was referred to the Committee on State Government. Since that time the Committee has had at least three sessions. We have had very important bills within that Committee, several of which have been reported out this evening, and we have not reached that resolution for consideration.

Personally I do not think the resolution is of very much consequence one way or the other, but at the next opportunity that we have to have a meeting of the Committee of State Government, I assure the Senator from Allegheny, Mr. McGinnis, that it will have consideration, and I make this statement tonight exactly as I made it a few hours ago to the gentleman, a member of the House, who is the sponsor of the resolution.

Mr. HARRIS. Mr. President, at a meeting of the Committee on State Government tonight, I requested the Chairman to take action on this resolution. He was most courteous and explained to me that after an hour or two of debate on some other bills, we were needed in the Senate to proceed with the consideration of the calendar. He then told me that tomorrow he would hold a meeting, and I have no doubt at all that the resolution will be reported out. I say this, in justice to the Senator from Dauphin, that I asked him about the resolution and requested action. He was very willing to do it, but the time would not permit, and knowing the courtesy of the Senator from Allegheny, I would ask him to withdraw the motion, with the assurance from Senator Reed that action will be taken tomorrow.

MOTION WITHDRAWN

Mr. McGINNIS. Mr. President, I will do that, I withdraw the motion.

The PRESIDENT. Does the seconder, the Senator from Philadelphia, Mr. McCreesh, agree to withdraw his second?

Mr. McCREESH. Mr. President, I do.

The PRESIDENT. The motion is withdrawn.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, while there has been so much excitement here tonight I hesitate, but, nevertheless, I do rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, I want to join in expressing my regrets that we have to come to the point where we must engage in personalities before we can engage in a task of such vast importance to others. We, ourselves, are insignificant. We are here to do a job, and the fewer the personalities the greater the likelihood of our doing the job.

I am trying to find out something about the situation, and I think by delving into the facts we can get some information that will help us to a conclusion; and I rise again tonight for the purpose of exercising my rights on the question of personal privilege.

I think the members of the Senate will remember that last week I made a statement with regard to certain figures and facts regarding the operations of certain industries in Pennsylvania, especially in connection with profits and regarding whether taxes could be paid by those industries. Subsequent to my remarks several gentleman came to my desk and suggested that I did not tell the whole truth. I accepted the suggestion in a friendly spirit, and not according to the literal meaning of the words.

It has been suggested to me that when I referred to one of the companies—and I assure the members of the Senate that my references to the companies were not made for the purpose of directing attention to them nor for the disclosing of secrets, because I am reading from the published reports which were sent by those companies to their stockholders,—I was told first I did not take into consideration the taxes paid by the Standard Oil Company. I said that last year they earned $68,111,000, and I was told that taxes were not taken into consideration.

I refer to the report now—I have the report here for the benefit of those members who require it; it indicates that this sum of $68,111,000 was arrived at after deduction of $51,253,000 for taxes.

Also I want to call the attention of the members of the Senate to the fact that in taking these figures for this particular Company I did not include what are referred to in the report as items of non-operating income. I assume, from examination of the report, that income arising from their investments in securities in which they have funds would be included in non-operating income. It might interest the Senate to know that it amounted to $26,288,000. It also might be interesting to the members of the Senate to know that I did not include, in arriving at that profit of $68,111,000 an item of $92,512,000 was charged off for depreciation. If you look at this report you will find that the total profit aggregates $202,000,000 —against a capital investment of $1,800,000,000, or more than 10% on the capital.

I am making these statements not for the purpose of criticising the companies, because I don't hold any particular grudge against corporations; I hope they live long and prosper, so we will have plenty of employment through them, and, by means of their activities, reduce unemployment; but I do criticise their attitude toward and their approach to the tax problem. For instance, this company made the statement that the amount of taxes paid by them amounted to $3.20 per share as against $2.90 per share profit. Now let me read from the report, to show you how that tax of $3.20 per share is arrived at by this Company, and why I do not consider it an important matter because it is an utter misstatement of fact. The report states "In the United States, in 1935 our companies paid direct taxes of $40,417,813 and collected and paid $42,395,653 in consumer taxes on sales. This made a tax bill on the domestic business alone of $82,813,466, which is equivalent to $3.20 per share on this company's outstanding stock."

Of course, you cannot take into consideration taxes you do not pay, when stating what taxes will be paid on your dividend stock.

I think I have answered the two questions that have been raised. I want now to quote a somewhat more important and particular phase of the tax problem, and call particular attention of the Senator from Delaware, who is the Chairman of the Committee on Finance.

I understand that last week a meeting was held, of that Committee, and they considered the bill for a net corporate income tax increase from 6% to 10%. If the papers reported correctly, there were two gentlemen who objected to it, and made the statement that if these taxes were passed their companies would have to move from Pennsylvania. Now, that is the kind of argument which I think should be answered—in the discussion in which we are involved at this time. Here is a company—one of these two companies—which began in 1930, or, in 1930, had a profit of $986,000,—which were reduced to $818,000, and later—in 1935—increased to $935,000. This company has a surplus of over $4,000,000. I ask the question if this company would move out of Pennsylvania is obliged to pay a 4% increase in its taxes on profits, or, $36,000. I think it is un-American and unbelievable to think they would do such a thing.

I call the attention of the Senate to the other company whose representative said they would move out of Pennsylvania. They made a profit of $5,000,000 last year; and I think it just as unlikely that they would move if 4% more were taken from their profits.

This tax bill should not be retarded by arguments of that kind, and for that reason I am asking the privilege of interrogating the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will be glad to.

Mr. SHAPIRO. Mr. President, will the Senator from Delaware, Mr. McClure, state whether or not any action has been taken by the Committee on Finance with regard to the corporate net income tax bill.

Mr. McCLURE. Mr. President, in answer to the Senator from Philadelphia, Mr. Shapiro, I will state that I had announced that a meeting would be called this Wednesday at three o'clock to consider the bills before the Committee, but I now state that that meeting has been changed to next Monday at two o'clock, and at that meeting every bill before the Committee will be considered.

Mr. SHAPIRO. Mr. President, does that mean that this particular bill will be considered?

Mr. McCLURE. Mr. President, all the bills in Committee will be considered at the meeting to be held next Monday afternoon at three o'clock.

REPORT FROM COMMITTEE

Mr. PIERSON. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PIERSON, from the Committee on State Government, re-reported as amended, Senate Bill No. 55 (House Bill No. 59), entitled:

An Act to amend sections one three four seven nine ten fourteen fifteen sixteen and eighteen and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards and trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" by providing for the appointment of a board of trustees for each county changing the qualifications of mothers eligible for assistance requiring all counties to appropriate moneys for mothers assistance except under certain circumstances providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations providing for cooperation by the Department of Welfare with the Federal Social Security Board and authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States government for aid to dependent children providing substitute provisions in case Federal grants for aid to dependent children shall fail for any reason.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 85 (Senate Bill No. 77), entitled:

An Act to safeguard persons receiving or entitled to public relief from political coercion and to prevent political promises in return for public relief and prescribing penalties.

Which was committed to the Committee on State Government.

House Bill No. 95 (Senate Bill No. 78), entitled:

An Act to further amend section four of the act, approved the thirtieth day of June ,one thousand eight hundred eighty-five (Pamphlet Laws, one hundred ninety-three), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation' approved the seventh of June, one thousand eight hundred and seventy-nine," by requiring all corporations incorporated by or under the laws of any other State, or of the United States, and doing business in this Commonwealth to designate a resident treasurer for certain purposes.

Which was committed to the Committee on Finance.

House Bill No. 100 (Senate Bill No. 79), entitled:

An Act to further amend the title, subsection (e) of section one, and section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (Pamphlet Laws, five hundred twenty-one), entitled, as amended "Transfer Inheritance Tax Law," by defining as transfers, and taxing, the right of survivorship in property as to which such right exists, and providing for the extension of the Commonwealth's lien on real property for a further period of time.

Which was committed to the Committee on Finance.

House Bill No. 110 (Senate Bill No. 80), entitled:

An Act providing that no person shall be denied, refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate; and providing penalties.

Which was committed to the Committee on Military Affairs.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11 o'clock.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 P. M. until tomorrow morning, June 16, 1936, at 11 o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, June 15, 1936

The House met at 9:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend BERNARD T. McCONVILLE, O. S. A., of Villanova College, Villanova, Pa., offered the following prayer:

Direct, O Lord, we beseech Thee, all our actions and carry them on by Thy gracious assistance that every prayer and good work may begin from Thee and by Thee be happily ended. Through Christ, our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, June 9, 1936.

The Clerk proceeded to read the Journal of Tuesday, June 9, 1936, when, on motion of Mr. FLANAGAN the further reading was dispensed with and the Journal approved.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk:

PACKAGE BEER DEALERS

Petitions (9) numerously signed urging passage of legislation providing for a classification to be known as Package Beer Dealers.

Referred to the Committee on Ways and Means.

GASOLINE TAX AND TRUCK LICENSE FEES

A resolution from the Washington and Greene County Chapters of the Pennsylvania Motor Truck Association, Inc. protesting increase in gasoline tax and motor truck license fees.

Referred to the Committee on Ways and Means.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor, which were read as follows:

APPROVAL OF HOUSE BILL No. 1

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 4, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1, Printer's No. 102, entitled, "An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof."

GEORGE H. EARLE

APPROVAL OF HOUSE BILL No. 3

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 3, Printer's No. 89, entitled, "An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class providing for the collection of such taxes by the county treasurer and deputies and the payment of compensation and expenses therefor transferring employes from the office of the delinquent tax collector to the county treasurer's office and making said employes eligible to join and granting them certain credits upon joining the county retirement system," to which I have appended the following statement:

"I have been abvised by the Attorney General that there is a most serious question as to whether this bill is within the scope of my proclamation convening the General Assembly in special session, and that consequently it may be held unconstitutional.

"The bill accomplishes a great saving to the taxpayers of Allegheny County. It wipes out an unnecessary office and an abuse of long standing. Because of these most meritorious features, I hereby approve it, leaving the question of its validity to be passed upon by the courts."

GEORGE H. EARLE

APPROVAL OF HOUSE BILL No. 22

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 22, Printer's No. 117, entitled, "An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collecton and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board."

GEORGE H. EARLE.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 17

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 17, Printer's No. 90, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

RECONSIDERATION OF VOTE

Mr. EBERHARTER. Mr. Speaker, I move that the vote by which House Bill No. 17, Printer's No. 90 passed finally to be reconsidered.

The motion was agreed to.

Mr. EBERHARTER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 8 of the title, by striking out after "ing" and before the word "available" the word: "[moneys]" and inserting in lieu thereof the word: "monies"

Amend section 1, page 1, line 4 by striking out after "($11,000,000)]" the following: "[three mil-]"

Amend section 1, page 1 by striking out line 5 and inserting in lieu thereof the following: "seven million seven hundred sixteen thousand two hundred eleven dollars ($7,716,211) and any monies heretofore appropriated for unemployment relief purposes that remained unobligated and unexpended on May thirty-first one thousand nine hundred and thirty-six are"

Amend section 1, page 2 by striking out lines 2 and 3.

Amend section 6, page 4, line 11 by striking out after the word "making" and before the word "sum" the word: "[said]" and inserting in lieu thereof the following: "(1) the"

Amend section 6, page 4, line 17 by inserting after the word "thirty-six" and before the word "is" the following: "and (2) the sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211) and any monies previously appropriated for unemployment relief purposes that remained unobligated and unexpended on May thirty-first one thousand nine hundred and thirty-six available for expenditure for unemployment relief by the State Emergency Relief Board prior to the effective date of this act in accordance with Concurrent Resolution Serial number eighteen approved by the Governor June second one thousand nine hundred and thirty-six"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments. Is there objection?

Mr. WITKIN. Mr. Speaker, I do not arise to object to the granting of unanimous consent, but I would like to ask the gentleman from Allegheny, Mr. Eberharter, to please explain the purpose of these amendments to the House.

The SPEAKER. Will the gentleman from Allegheny, Mr. Eberharter, explain to the House the purpose of these amendments?

Mr. EBERHARTER. Mr. Speaker and members of the House, these amendments are for the purpose of taking care of relief for the month of May and also for part of the month of June, as long as the monies will last. This bill was originally passed to take care of the relief necessary only for the month of May. Afterwards, by resolution, the House and Senate appropriated an additional amount of money to take care of a part of the month of June. This bill was recalled from the Governor simply for the purpose of combining the purposes of the two resolutions and the act which had previously been passed into this one act.

Mr. WITKIN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Eberharter.

The SPEAKER. Will the gentleman from Allegheny, Mr. Eberharter, permit himself to be interrogated?

Mr. EBERHARTER. I will, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, do I understand that the figures that have now been inserted are a combination of the figures that have already been appropriated for the months of May and June, and only that combination?

Mr. EBERHARTER. Mr. Speaker, in answer to the gentleman from Philadelphia, there was no appropriation by an act of Assembly as I understand, for the month of June. There was simply a resolution passed, but the amount in the bill now will be the total of the original act passed to cover the month of May and the resolution as passed to cover part of the month of June.

Mr. WITKIN. Mr. Speaker, in addition to that, is that eight hundred and fifty thousand dollars added, or is that eight hundred and fifty thousand dollars excluded from this bill, as the gentleman has amended it?

Mr. EBERHARTER. Mr. Speaker, the amendments provide for any unexpended sum, which will include the eight hundred and fifty thousand dollars or thereabouts. That is in the language of the bill, namely, "and any unexpended sum heretofore appropriated."

Mr. WITKIN. The eight hundred and fifty thousand dollars, Mr. Speaker, as I understand it, ordinarily would have lapsed into the General Fund?

Mr. EBERHARTER. This is correct, Mr. Speaker.

Mr. WITKIN. Now, Mr. Speaker, is it the purpose of these amendments to add the amount of money asked by resolution of this House for May and the amount of money passed for June and, in addition thereto to add the eight hundred and fifty thousand dollars that would have lapsed if the gentleman had not amended this bill; is that correct?

Mr. EBERHARTER. Mr. Speaker, that is correct.

The SPEAKER. The Chair hears no objection and the amendments will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS GENERAL ASSEMBLY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in joint session this evening at 10:00 o'clock.

GEORGE H. EARLE

GOVERNOR INVITED TO ADDRESS GENERAL ASSEMBLY

Mr. AUKERMAN. Mr. Speaker, I move that the Governor be invited to the Hall of the House of Representatives to address the General Assembly at a time to be fixed by concurrent resolution.

The motion was agreed to.

SENATE MESSAGE

JOINT SESSION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 15, 1936.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session Monday evening, June 15, 1936, at 10:00 o'clock Eastern Standard Time, in the Hall of the House for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE TO ESCORT SENATE TO THE HALL OF THE HOUSE

Mr. GERARD offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, June 15, 1936.

Resolved, That the Chair appoint a committee of two to escort the Member of the Senate to the Hall of the House, Monday, June 15, 1936, at 10 o'clock, for the purpose of attending a Joint Session of the General Assembly.

COMMITTEE APPOINTED TO ESCORT SENATE

The SPEAKER. The Chair appoints as a Committee to escort the Senate to the Hall of the House, Messrs. Gerard and Mason.

LEAVES OF ABSENCE

Mr. Robinson asked and obtained leave of absence for Mr. WEISS.

Mr. Eberharter asked and obtained leave of absence for Mr. SARRAF.

Mr. Holstrom asked and obtained leave of absence for Mr. ZAPPALA.

Mr. Francis T. Baker asked and obtained leave of absence for Mr. JAMES L. SNYDER for tonight and tomorrow on account of death in the family.

REPORTS FROM COMMITTEES

Mr. EBERHARTER, from the Committee on Rules, reported as committed, House Resolution No. 21.

Mr. SIMON, from the Committee on Rules, reported as committed, House Resolution No. 25.

Mr. ANDREWS, from the Committee on Rules, reported as committed, House Resolution No. 26.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 15, 1936.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee) to escort his Excellency the Governor

to the Hall of the House to address the members of the General Assembly in Joint Session, Monday evening, June 15, 1936, at 10:00 o'clock Eastern Standard Time, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT ON COMMITTEE

The SPEAKER. The Chair appoints as a committee on the part of the House to act in conjunction with a similar Committee on the part of the Senate to escort the Governor to the Hall of the House, Messrs. LaRue, Peters and Achterman.

REPORT AND DISCHARGE OF COMMITTEE

Mr. GERARD. Mr. Speaker, your committee appointed to escort the members of the Senate to the Hall of the House for the purpose of attending a Joint Session has performed that duty and the members of the Senate are now in attendance.

The SPEAKER. The Committee is discharged with the thanks of the House. The President of the Senate is invited to preside over the Joint Session of the General Assembly; the President Pro Tempore is invited to a seat on the rostrum and the members of the Senate will be seated in the chairs provided for them in the front of the House.

JOINT SESSION

LIEUTENANT GOVERNOR THOMAS KENNEDY PRESIDING

The SERGEANT AT ARMS. Mr. President, I present the Committee appointed to escort the Governor to the Hall of the House.

SENATOR ROBERTS. Mr. President, I have the honor to present His Excellency the Governor of Pennsylvania.

LIEUTENANT-GOVERNOR KENNEDY. It is my privilege and pleasure at this time to present His Excellency the Governor of the Commonwealth, the Honorable George H. Earle, who will now address you.

GOVERNOR GEORGE H. EARLE. Ladies and Gentlemen of the General Assembly:

I have requested the privilege of addressing your honorable body on this occasion for two reasons.

The first is to acquaint you with the most encouraging changes which have taken place in the emergency relief situation since you convened here seven weeks ago.

The second is to discuss the most pressing problem of social security, as it relates to our cooperation with the Federal Government.

The other items in my Call, I am sure, have received your serious consideration and will in due course be met by appropriate legislation. Although important in themselves, they are not essentially controversial.

I am deeply disappointed that of the forty-three bills passed by the House and sent to the Senate for concurrence during the past six weeks, only five have been passed by the Senate and sent to my desk. I am even more disappointed by the fact that of these five only two, the tax abatement bill and the liquor tax bill, are designed to carry out the primary purposes of my Call for this extraordinary session.

I will say, however, that I have nothing but praise for those members of the House who have secured prompt passage of the bills before them, and for those members of the Senate who have sincerely attempted to expedite the work of this Special Session.

Your deliberations have been prolonged chiefly by differences of opinion over the question of relief needs. The greater part of this debate has been political speechmaking, which is understandable if not excusable. I feel, however, that the Commonwealth has now spent sufficient money in printing addresses and reports and resolutions on subjects outside the purposes of the Call. I now feel that after six weeks it is only reasonable to ask your honorable body to return to the business of this Session.

I am very happy to inform you that during these past six weeks the recovery policies of the national Administration have resulted in business and employment gains which exceed even the most optimistic expectations.

Our major industries are thriving. Corporation profits and dividends are increasing. Employment is steadily rising. The rapid recovery of steel is bringing substantial prosperity to Western Pennsylvania. Our great mills and factories in the eastern part of the State are showing corresponding gains.

This industrial and commercial revival is rapidly lightening our own burdens. It has averted the unemployment and distress which we had anticipated as a result of the disastrous floods of last March. This in turn means that our relief agencies have not been obliged to expand their rolls.

Our consistant gains in employment and business activity indicate that we are enjoying a real return to prosperity, and not merely a seasonal upturn. Thousands on relief rolls and on work relief projects have gone back into private industry. A substantial portion of our relief administration has been liquidated.

In addition to all this, United States Senator Joseph F. Guffey and I, after a conference last Friday with Edward N. Jones, State Works Progress Administrator, and Aubrey Williams, Acting Works Progress Administrator of the United States, secured concessions from the Federal Government which will permit employment of 30,000 persons now on our relief rolls. By extending the period of eligibility for six months, the Works Progress Administration is accepting these workers on current projects. This will mean a drop of more than 100,000 in the number of persons on relief.

In view of these most encouraging circumstances I have asked Karl de Schweinitz, State relief director, to submit estimates of relief needs which will take these factors into consideration. He has advised me that $55,000,000 will now suffice for the period to January 31, and recommends that this amount be appropriated by your honorable body. He further suggests that provision be made for the use of any balances unexpended by that date, indicating that if recovery continues at the same rapid pace the $55,000,000 may last until the end of the biennium. I therefore strongly urge that you appropriate this amount in order to repay the money we have borrowed for relief up to this time and to care for relief from now until January 31.

I am happy to have underestimated rather than overestimated the improvement in business conditions, and I

am more than pleased that through the whole-hearted cooperation of Pennsylvania's Works Progress Administrator, Edward N. Jones, we have been able to slash our relief rolls to a minimum.

The reduction of our relief needs by nearly $16,000,000 from $70,991,000 to $55,000,000 makes possible a substantial reduction in our estimates for total needs. Our estimate of the amounts needed for social security, State institutions, deficiencies and the like, is $9,627,592. This, added to our revised relief figure, gives us a grand total of $64,627,592. Since the House has passed revenue-raising measures to yield substantially this amount, the major problem of revenue now rests with the Senate.

I must remind you that in your consideration of relief and all other problems before this Session you must be guided by the fact that the primary function of all government is to promote the general welfare. To maintain our cherished democratic form of government, and to perpetuate the principles which inspired its founders, we must ever remember that fundamental function.

A solemn realization that we are our brother's keeper must at all times guide us in our deliberations and our actions.

Civilization has progressed only as knowledge has come that the individual man is not an isolated physical, moral, or economic unit.

Every civilized community provides for public health, because the citizens of those communities realize that their own health depends upon the health of their fellow men. They know perfectly well that they cannot maintain a complacent indifference to contagious disease in their midst without suffering the consequences of that indifference.

We require compulsory education for our children because we know that a low standard of education in any substantial group of our citizens lowers our own level of civilization, while a high standard is beneficial to the entire community.

In the same way we have come to realize during the last few years that we must be just as careful of the economic health of our fellow citizens as we are of their physical health.

We recognize that widespread poverty in any group quickly affects the more fortunate, and in the end brings disaster to rich and poor alike by decreasing mass purchasing power. We have grown more civilized in our attitude toward those unfortunates who, because of the viscissitudes of life, have become dependent upon the community.

We no longer say "Over the Hill to the Poorhouse" to our impoverished aged, our blind and our widowed mothers.

We recognize the fact that the veterans of industry and agriculture are entitled to consideration as are the veterans of our wars.

We know perfectly well that enlightened self-interest, as well as every humane consideration, requires that we make provision for the sick, the lame, the halt and the blind.

Only the accident of birth, in many cases, enables those of us who are blessed with good health, adequate financial resources, or profitable employment, to escape inclusion in the ranks of those who today are dependent upon public aid. There is no one among us who might not point to the poor unfortunate on relief and say—"There, but for the grace of God, go I."

Because of the crisis which confronts our needy unemployed men, women and children, I ask that you keep these thoughts in mind as you consider the problems before us.

Private charity is totally unequal to the task of carrying any substantial part of the unemployment relief load. Local governments likewise are unable to provide additional funds. There has been a heavy increase in their indebtedness, and tax delinquencies have risen until today they comprise more than a quarter of all the local taxes levied in any one year.

I am aware that the recent cessation of relief activities by our neighbor State of New Jersey has led many of you to question whether such a policy is not feasible here.

Because of the importance of the question involved, I have made inquiry into this matter, and at my request the Works Progress Administration has presented to me a report of preliminary findings in New Jersey, based upon a study of 1200 cases, 100 in each of twelve communities of that State. The communities studied were Atlantic City, Camden, Commercial Township, New Brunswick, Orange, Paterson, Trenton Millville, Buena Vista, and Linden. Studies were made also in Hamilton Township and Ewing.

The cases were selected at random, and the persons involved were questioned by a carefully trained staff under the supervision of agents of the Washington office of the Works Progress Administration.

The variety of relief methods adopted by the more than 550 seperate relief jurisdictions now set up in New Jersey is so great that few generalizations are possible. A few salient facts, however, stand out. One is that there were very few chiselers on New Jersey's relief rolls. Another is that many now without relief would have been stricken from the rolls anyway, because of an unprecedented boom in seasonal employment, particularly in seashore resorts. During the month just before relief ended, New Jersey authorities cut their rolls from 83,000 to 74,000 and even greater slashes would have been made in succeeding months because of this seasonal trend. The third is that those who have not been absorbed by private enterprise are not providing for themselves, but are simply starving to death.

I am submitting as a part of this Message not only my correspondence with the Pennsylvania relief director relative to our own situation, but also the complete report and attached case histories relating to New Jersey. You will note in these case histories the story of an infant who died for lack of milk. You will be interested in the story of the man who pushes chairs along the Boardwalk and is slowly dying of tuberculosis.

You may find some significance in the report of a poor board official that it is cheaper to feed the hungry than to bury them. The names listed are fictitious, but the facts are not.

You will be interested to know that Ewing Township in New Jersey has actually licensed its unemployed to beg. Their licenses permit them to go from door to door begging for food, which is collected at a central point and distributed to the needy. They ask for bread and they are given a license to beg. I need not point out

that such a procedure is both degrading to the unfortunate and a disgrace to the community.

Consider some of the New Jersey case histories.

Frank Hill, 64, partially paralyzed and suffering from fainting spells, and his wife, who has just enough strength to walk a half-mile from their broken-down two-room shack each day for drinking water, are living on $1.50 a week.

Barry Fuller, 56 and unable to work, had had nothing but bread and coffee for three days and was obviously starving when investigators found him. He gets no relief because he is single.

Mrs. Alice Jenkins, 66, her son John, 44, and her granddaughter, Lily, 11, live in one room. They have had no relief since State relief ended in April. She has tuberculosis. Her son has a serious illness and makes a dollar now and then picking berries. He is now trying to pick peas to keep the family alive.

Albert Fontella and his family of six are to be evicted June 20, and he is going to seek shelter in the local jail. They have no relief and little resources.

Mrs. Eva Amando is about 80. She gets no relief because the overseers of the poor insist that her children, who were themselves on relief, should support her.

Mr. Ratchesky, a plumber, receives seven loaves of moldy bread to feed his family of nine for five days.

In Atlantic County a mother and six children live on $3.00 a week. When neighbors are unable to give them food they live on bread and water.

Mr. and Mrs. Christopher Esti, of Atlantic County, are starving to death.

In Mercer County the Downing family of 13 lives chiefly on bread. Their baby died two weeks ago from lack of milk, and their 15 month-old child now has whooping cough. Mrs. Downing has heart disease.

In Pennsauken Township the Tomara family of six gets $4.00 a week and some canned goods. The boys beg, and when that fails they steal.

Boris Hanson, 78, is crippled. An aged neighbor on old age pension shares part of the pension with him occasionally. Another friend gives him a fish from time to time. He gets no relief.

Allen Black, a diabetic who is the head of a Burlington County family of six, has had to discontinue the use of insulin, which is essential to his life. One son in the Youth Program supports the family. They receive no relief.

Mrs. Jennie Jenkins lives in a crude houseboat within sight of the Atlantic City boardwalk. She begs and collects food from garbage dumps.

Mr. Desoto, 76, Atlantic County, is so thin and emaciated that he is barely able to cultivate his small vegetable garden. He is the sole support of his 55 year-old wife, who is a hopeless cripple. Both are slowly starving.

I submit to your honorable body that the New Jersey situation is not a pretty picture. To me it is revolting and barbarous. If a brief survey of 1200 cases produces such samples as these, God help the poor in New Jersey.

When communities not only permit but compel wholesale beggary, when the aged rummage in garbage cans for food, when infants die for lack of milk, when bread and water is standard diet—all this in one of our great sovereign Commonwealths—then human compassion is at a low ebb indeed.

These terrible reports of starvation, death, pauperism—these pathetic and heartbreaking accounts of human misery and despair in a great State—are an ominous warning.

We are justly proud of the greatness of our own sovereign Commonwealth. I believe we are all determined that no one shall starve. I warn you, then, to think twice before you even dream of forcing this Commonwealth into the path taken by our neighbor.

You will note in the New Jersey case histories a number of tragic situations involving aged persons, unable to work even if work could be found—many of them slowly dying for lack of proper food and shelter. These and many other cases of similar nature bring us to a consideration of another major problem, affecting relief and yet not directly allied to it, which is before your honorable body.

I refer specifically to social security. I do not need to tell you why enabling legislation to permit us to take advantage of the Federal Social Security Act should be passed. All of us recognize the imperative need for such legislation. Only last week the Republican Party, at its Cleveland Convention adopted a social security plank in its 1936 platform, which means that both major political parties are now committed irrevocably to the principle of social security. In addition, as I pointed out in my first message, Pennsylvania citizens will lose approximately $18,000,000 this year, approximately $36,000,000 next year, and approximately $54,000,000, each year thereafter if this legislation is not passed. I will not pursue that point further at this time.

I do wish to point out, however, that immediate action upon the State's social security bills is now urgently needed. June 20 has been established as a deadline, which means that if our bills are not passed by that time Pennsylvania will lose $4,000,000 in Federal security appropriations during the next three months. In other words, unless these bills are enacted into law during the present legislative week we will have deliberately thrown away $4,000,000. I cannot believe that your honorable body, most especially in view of the financial crisis we are now passing through, will permit this to be done.

The Federal Social Security Act provides for unemployment compensation, old age assistance and old age benefits, security for children, aid to the blind, extension of public health services, and vocational rehabilitation.

There can be no question of the value of these measures to the community. Nor can there be any doubt that to a certain extent the establishment of these economic safeguards in the long run will reduce by many millions of dollars our requirements for the needy and unfortunate.

I will tell you frankly that I have viewed with considerable dismay the disposition of some of your members to make political capital of human need. It had seemed to me that in a time like this we might remember that we are all neghbors, all citizens of a great State and a great Nation, all bound together by common ties of mutual interest and mutual need. I know we must have political parties, and we must tolerate a certain amount of political maneuvering in every legislative session. But I had hoped that this would be kept to a minimum. I had hoped, whether wisely or not, that we could meet in a spirit of friendliness, of mutual cooperation and understanding—as, for instance, all of us joined just a short while ago in helping our flood victims.

I still hope that we can be big enough—all of us—to

place public welfare first and political expediency second. I think I have been more than conciliatory. I have told you there is nothing in my program for this Special Session that cannot be changed except a few principles of fair dealing with which you have not as yet publicly disagreed. I repeat now that I am willing to cooperate with all of you in meeting this situation. I hope and believe that you will feel your responsibilities as keenly as I feel mine, and be as willing to make every possible concession in the interest of speedy and effective action.

When I addressed you six weeks ago I expressed my willingness to meet with any committee you chose to select, at any time, to discuss ways and means of solving the problems before us. I believe you have now been in session long enough to grasp and understand the many complex problems before you. I believe we are in position now to act. I am therefore not only repeating my invitation at this time, but making it more specific.

It will be impossible to expedite this Session until there is an agreement among the major party groups represented in the Senate and House of Representatives. There is no reason why an agreement cannot be reached.

Therefore I urgently request that you empower the President Pro Tempore of the Senate and the Speaker of the House of Representatives to appoint a legislative committee, in which each party shall have equal representation, to consider our relief needs and draft a tax program to meet them.

I shall be very glad to meet with such a committee at 10 o'clock tomorrow morning, or as soon thereafter as convenient to the committee members.

I warn you, however, that there are certain principles I will not sacrifice under any circumstances. I will not permit anyone in Pennsylvania to go hungry. I will not agree to any tax measures which are not based upon ability to pay. I believe those are reasonable conditions. If you accept them—and I frankly do not see how any of you can refuse—then I am sure we will be able to reach a speedy agreement.

Let us forget politics and political considerations. Let us view the present situation, not in the light of possible political advantage, but in the light of human need. Let us remember that regardless of our political affiliations we are all public servants, entrusted with a solemn obligation to discharge our duties to the Commonwealth with fidelity, honor and consideration for the public welfare.

CORRESPONDENCE

June 13, 1936.

Dr. Karl de Schweinitz,
Director, State Emergency Relief Board,
Harrisburg, Pa.

Dear Dr. de Schweinitz:

The Federal Works Progress Administration has made possible the employment on WPA projects of 30,000 additional persons now on the Commonwealth's direct relief rolls.

It has done so by extending the period of eligibility of direct relief employables for WPA employment from January 15 to June 15.

This action of the Federal Government followed a conference in Washington last Friday with Acting Federal Works Progress Administrator Aubrey Williams and State Works Progress Administrator Edward N. Jones, at which U. S. Senator Joseph F. Guffey and I presented Pennsylvani's unemployment relief situation.

In March, before the present special session of the Legislature convened, you estimated that $70,991,000 would be required to meet unemployment relief needs until January 31, 1937.

Subsequently, on May 29th, because of the progress of business and industrial recovery, you advised me that the $70,091,000 would probably be sufficient to meet relief requirements until the middle or even the end of March, 1937.

In view of the action of the Federal Works Progress Administration, which will take 30,000 cases from the direct relief rolls, involving more than 100,000 persons, I would appreciate a revised estimate of direct relief requirements until January 31, 1937.

Sincerely yours,

(Signed) GEORGE H. EARLE.

June 13, 1936.

The Honorable George H. Earle,
Governor of Pennsylvania,
Harrisburg, Pennsylvania.

My dear Governor Earle:

With the WPA able to take an additional 30,000 families from the relief rolls, as indicated in your letter of today, the requirements of the State Emergency Relief Board will be substantially reduced. If, also, the present upward trend in business and employment continues $55,000,000 would carry relief through January 31, 1937, and at the same time, would make possible the payment of additional rent and other necessary items, establishing the average grant per person at 35 cents a day instead of the present 31 cents a day.

If there should be an acceleration of business recovery, this fund might carry beyond January 31. On the other hand, to predict accurately what conditions will be seven or eight months from now is impossible and there is always the contingency that the needs of the unemployed may be greater than these more favorable expectations would indicate.

The Relief Administration is making every effort to conserve and prudently to administer its funds. The budget for April was underspent by $345,000. We have expended $700,000 less in May than the amount which the Legislature made available. Our total expenditures for May were $3,000,000 less than they were in December. During this period we have reduced our staff by more than 2,500 persons and our administrative costs by more than $300,000 a month. These reductions are due to the transfer of families to the WPA, to improved business conditions, and to efficiencies which we have introduced into our work.

As an aid, both to a continuation of economical administration, and of considerable assistance to the unemployed, I would suggest that the appropriation act contain a provision making any balances remaining on January 31, 1937, available for unemployment relief after that date.

Yours sincerely,

(Signed) KARL DE SCHWEINITZ.

REPORT TO THE GOVERNOR BY A. R. ECKLER, WORKS PROGRESS ADMINISTRATION, WASHINGTON, D. C.

THE PRESENT NEW JERSEY RELIEF SITUATION

(A Preliminary Report of an Investigation Made by WPA in Twelve New Jersey Communities of Relief Granted during April, May and June, 1936) *

The New Jersey Emergency Relief Administration made its final relief grants during the first two weeks of April, 1936. With the cessation of ERA relief needy cases turned to local public relief agencies for assistance. The sharp reductions in case loads and relief costs which resulted in a considerable number of municipalities have attracted widespread attention and have been freely cited as evidence of the advantages of local administration of relief.

To appraise the results of this return of relief cases to

* The communities studied were: Atlantic City, Camden, Commercial Township, New Brunswick, Orange, Paterson, Trenton, Millville, Buena Vista, Linden. Also Hamilton Township and Ewing.

the localities, a study in continuation of earlier studies of relief problems was undertaken by the Division of Social Research of the Works Progress Admnistration during the first two weeks of June. Approximately twelve hundred cases which received April relief grants from ERA were chosen at random from total relief loads during that month, 100 in each of 12 selected communities. A carefully trained staff, supervised by agents of the Washington office of the Works Progress Administration, interviewed each of these cases, obtaining data concerning relief grants and total incomes and the extent of private employment during April, May and the first week in June. The interviewers secured fully authenticated statements of the manner in which these cases were faring under local relief as compared to their situation under ERA. The following pages present a preliminary report of this investigation, together with some case histories showing a number of the extreme situations which now exists.

One outstanding conclusion obtained from this series of studies is that the variety of practices under the local administrations is so great as to make generalizations almost impossible. At present there are more than 550 separate relief jurisdictions in New Jersey. These have adopted almost every conceivable system for distributing relief funds. The care which relief cases receive depends on the amount of funds available for distribution in the locality, the attitude of the community toward the relief problem, and the point of view of the local overseer or of the director of the local agency giving general relief.

Reports indicate that a number of communities are following closely the relief standards and practices of the ERA, have accepted a very large percentage of the former ERA cases, and are granting relief in substantially the same amounts formerly granted by ERA. For example, in Paterson some 87 per cent of the April ERA cases were accepted by the local overseer, and the average grant for relief cases (without non-relief income), was $32.00 in May as compared with $36.50 in March. In Orange about 90 per cent of ERA cases have continued to receive relief, and the average relief grant for cases without non-relief income declined from $30.50 in March to $21.00 in May.

At the other extreme, some communities ceased almost entirely to give relief after the dissolution of the ERA. For example, in Commercial Township, only one case out of more than two hundred which received relief in April was granted cash relief in May. In Buena Vista only some 30 per cent of the April ERA cases received assistance from the local overseer in May. Most communities report sharp reductions both in the number of cases assisted and in the amounts expended for relief during the period of local aid as compared to the ERA period; these reductions varied between the extremes presented above.

Although it is difficult to generalize, the following observations may be advanced concerning the present relief situation:

I. A sharp increase in private employment normally takes place in many New Jersey communities in April, May and June. Opportunities for seasonal work in fishing and oystering industries, in agriculture (including truck farming), and in caring for the summer resort trade contribute to this usual increase. Evidence of this normal movement is to be found in the April-June movement of case loads in 1935 in a number of the communities studied. During this period last year the case load in Atlantic City declined about 15 per cent; Commercial Township more than 40 per cent; and in Linden about 13 per cent.

Confirmation of this normal seasonal movement is to be found in the data on private employment in these communities obtained from this study. In Atlantic City about 50 per cent of the cases reported private employment in May, as against 33 per cent in April. In Commercial Township 83 per cent of the cases had private employment in May as against 25 per cent in April; in Linden the corresponding percentages were about 43 per cent and 31 per cent.

II. Decreases in case loads and relief expenditures due to the advent of summer weather also effected a reduction in the needs for relief between April and June; this influence is reflected not only in the communities cited above, but in a number of other localities as well.

III. In many communities overseers of the poor or other agents are granting little more than the cheapest types of staple groceries together with small amounts of milk and kerosene or similar cooking fuel. In most cases no provision is being made to meet rent, medical care, clothing and other family needs.

The attached case histories indicate some of the serious situations which are arising due to the absence of provision for these items; particularly serious is the lack of medical care. For ten of the communities surveyed for which complete data are available on this point, the average relief grant (for cases without private income) which received assistance in May declined about 40 per cent below the March level. Great variation existed among the communities however; in Paterson average May grants by overseers were only about 11 per cent below March ERA grants, probably little more than the usual change between these months. At the other extreme, in Trenton and New Brunswick the percentage reductions were as high as 68 and 63.

Some of the results of this policy are not yet apparent. Landlords may allow rent to accumulate for a few months but cannot be expected to continue this practice indefinitely. A number of evictions were reported to the investigators during the period April 15th to June 1st.

Needed medical care may, in some cases, also be deferred but the results may be permanent injury or even death. A number of deaths caused directly by lack of medical attention or by malnutrition have been reported; one or two of these are described in the attached case records. Lack of sufficient food and clothing was reported by a great many of the cases visited by federal interviewers. In some instances children were unable to attend school because of lack of clothing, and some of the housing was far below any civilized standard.

IV. In a number of the communities surveyed local officials refused to give relief to many cases in serious need, and even in dire distress. Some communities have refused all assistance to single persons regardless of need. Others have eliminated from the relief rolls all cases with any private employment, regardless of the amount of income from such employment. Cases were reported in which large families with incomes of less than $1.00 per week were refused all aid because the case possessed private employment. Some communities have put into effect the provision of the poor law requiring five years residence before acceptance for relief.

In justice to local overseers of the poor, it should be stated that many of these officials recognize the inadequacy of the relief now being distributed in their communities; they commented freely to this effect to the investigators. Many of these officials have stated that they realize that relief cannot be continued at present levels without the most acute distress to needy families. One of numerous statements on this point made by overseers to the investigators is appended.

Careful investigation failed to discover any considerable number of "chiselers" in communities surveyed. In some of the communities no cases were found which could properly be accused of "chiseling," in others, isolated cases were discovered. It cannot properly be said, however, that the elimination of "chiseling" made possible any considerable reduction in the relief loads of any of the communities surveyed. Some of the so-called "chiselers" were cases which, because of the upturn in employment had been able to secure private jobs after they had received their last ERA grant. Most of the cases charged with "chiseling," however, were those with small amounts of private employment yielding an income clearly inadequate for their support.

Certain other observations reported by the investigators concerning the local distribution of relief, should be mentioned. In many communities it appears that application for relief was intentionally made repulsive to persons with self respect. In one community, as indicated in an attached statement, grocery orders bear the statement across the top, "I have declared myself a pauper." In some communities relief applicants were required to take a "pauper's oath;" and in others they were required to

stand in line in public places in order to receive their relief grant.

Reports show that in many places relief is being distributed by untrained workers who do not make proper investigation of the needs of the families.

The attached case histories indicate some of the more serious situations which now exist in the New Jersey localities studied:

D-2

The baby in the Downing family died two weeks ago from lack of milk. Their fifteen-month old child has whooping cough now. With a mounting drugstore bill and no money on hand, the Downings don't know where they will get further medical supplies or medical care.

Since ERA relief was shut off, this family of thirteen eats only bread and whatever bulk food the local relief agency supplies. They have no milk. The children can eat the bread, although they complain of being hungry all the time. Mrs. Downing is ill of heart disease, complicated by stomach trouble, and can eat little of the small food allowance received by the family. "I drink a cup of coffee now and then," she said.

For cooking fuel, the family burns anything the boys can collect from dump heaps: old rubber inner tubes and old shoes, for the most part.

This family lives in a dilapidated five-room house in Mercer County. Broken windowpanes have been haphazardly replaced with cardboard and wooden boards, and the place swarms with flies from the nearby swamp. Mr. Downing owns the house, but not the deed. Taxes, which amount to $15 yearly, are in arrears for seven years.

Under ERA, the family received two quarts of milk daily, a $22.50 food order every two weeks, clothing, sheets and pillow cases, and also 16 gallons of kerosene and one-half ton of coal every month.

H-6

Frank Hill is in urgent need of proper and adequate food, milk and medical assistance, but since the termination of the ERA relief, this is no longer possible. He is 64 years old, partially paralyzed as a result of a stroke two years ago, and suffers from continuous fainting spells.

The local relief supplies the Hills with $1.50 a week, and with that they buy a little flour, fat pork, potatoes and beans. This diet aggravates Mr. Hill's condition, and he is growing steadily worse. They live, without relatives or friends, in Atlantic County, occupying a broken-down two-room house that is entirely without modern conveniences. His wife is physically able to do little more than walk the necessary one-half mile to secure drinking water at a neighbor's well.

B-6

Barry Fuller, Middlesex County, is 56 years old but he looks to be nearly 70. Because he is single, the municipal relief agency will give him nothing. When visited in his home-made shack by the river, he was obviously starving. He had lived on nothing but bread and coffee for three days. He said he begged from the grocery store and was sometimes given food, evidently left-over Federal Surplus Commodities.

This man had a WPA job for a short time but was laid off as unable to work. He had been on relief the greater part of the past three years, but had always been marked down as unable to do heavy or even moderate labor. Occasionally he had been able to do some light work for his relief. Sometimes he made a little money selling junk and always when this happened, he did not come for his relief. He is in such poor health now that he has little energy to gather junk and is seldom able to make more than 50 cents a week.

Fuller built his shack out of cast-off pig iron and pans. It stands on a sandy patch only a few feet from the river. He even constructed a bathroom with a bathtub crudely enclosed with pieces of tin. He invited the interviewer into his shack to show how well he had fitted it out from the junk piles. He had covered the bed with ragged layers of something resembling bedding and had made himself some pillow cases out of flour sacks.

When he had employment, Fuller paid his debts to the local grocer. Now he is practically a begger in the community.

A-10

Mrs. Alice Jenkins, 66 years old, her son, John, 44 years old, and her granddaughter, Lily, 11 years old, were found living in one room about 12 by 10 feet in size in a small community located in the oystering section of southern New Jersey. They all ate and slept in this one room, cooking what food they could get on a kerosene stove.

They had received no relief since ERA ended in April. Mrs. Jenkins, who is amaciated and tubercular, had been unable to get a job this summer in the tomato cannery where she worked last year. Her son worked for the past two weeks picking strawberries at 75 cents to $1.20 a day, but he has been unable to put in a full day's work because of a serious intestinal disorder. He is now trying to pick enough peas to keep his family alive. Mrs. Jenkins is afraid he will be unable to find farm work during July and August. About the only regular employment the family ever has is in the fall and winter during the oyster season at Port North.

Both she and her son appeared undernourished. Mrs. Jenkins had never fully recovered from a serious cold she caught last winter when she went out poorly clad. Her son has been ordered by the doctor to drink milk regularly but he is unable to buy milk.

Under ERA Mrs. Jenkins had a special diet and medical care.

A-6

Albert Fontella a 36-year-old American-Italian of a small town near Camden, is going to ask the jail for shelter on June 20th, when his family of six is due to be evicted from their house. The family owes $30—two months' rent—and they now receive only $3.50 a week from local relief, in addition to surplus commodities of oatmeal, canned beef and vegetable soup every two weeks.

Before the ERA relief stopped, the family received $11.50 every two weeks, and two quarts of milk daily. The head of this family before the depression was a brakeman on the Pennsylvania Railroad and received $62 per week. Since that time he has had only occasional jobs for a month or more at a time.

Before Fontella cleaned cells in his town's police station last week, he had no idea where he would turn when the family is evicted. Their few relatives were not able to take care of them, and Fontella tried vainly to get help from his church.

Besides their need for food and shelter, the Fontellas have other troubles. Their 13-year-old daughter is growing too rapidly and looks emaciated. The 14-year-old son has an ulcerated tooth which needs immediate attention. The baby daughter, one year old, has no fresh milk.

"We are going to sell our furniture, but that money won't last long," Mr. Fontella told the interviewer. "There is nothing in this world I won't do to keep my wife and children from starving."

A-3

A township in Burlington County, New Jersey, has no money at all, and people formerly dependent on ERA relief are receiving neither money nor food. The Overseer of the Poor in this township went to the Council meeting last week and told its members that some of the former relief people were sick, could not work and were starving.

" I told the Council it was cheaper to feed people than to bury them, and it really is," he told the interviewer. "You can feed them for a couple odd dollars, but the undertaker gets $75 per person. Figure it out for yourself."

E-1

Mrs. Eva Amando, an Italian-American woman nearly 80 years old could not keep from weeping when she was questioned about conditions since ERA was terminated in Atlantic County. The Overseers had given her nothing, telling her that her children should support her. Her children themselves were on relief.

Since she was removed from ERA, she has been living on a most meager diet. All she had in the house when interviewed was potatoes and bread given her by relatives. Her finger was badly infected, and her general health appeared very poor.

In order to keep alive last month she had sold all her little treasures of Italian gold, getting a total of $5 from the sale. She had parted with her earrings and other small pieces of jewelry. All that was left was a plain gold wedding chain which she had had for 62 years. She showed this chain in a little box and wept bitterly. She said she would have to sell it soon.

B-7

A negro family living in Atlantic County was refused help from the township because, according to Mrs. Greene: "He told me I had a cart and a horse. As if we can eat a cart and a horse."

The father and mother of this family are both over 40 and have several daughters. They live in a poorly constructed three-room frame building on what looks like an old wagon trail running through a thickly wooded section of the village. The shack is poorly furnished and has no conveniences except for a dilapidated toilet outside. The walls and roof have been patched with cardboard and pieces of tar paper to prevent leaks. They have absolutely no income at the present time.

In 1928 Mr. Greene was a coal miner in a neighboring state. He was injured in the mines and now one of his legs is partially paralyzed. He can drive a truck but cannot do heavy work or anything that requires standing. His wife has recently developed a serious digestive trouble and has lost 40 pounds. They have had no food except what the grocer allowed them on credit, but now their credit is exhausted. On ERA they received food, milk, kerosene, medical care and clothing. Mrs. Greene told the interviewer: "It's been terrible since the relief closed. If the store man didn't let us have credit we would have starved to death. We ain't had a day's work this year. I might get a chance to drive a person to town and I would get 40 to 50 cents for that. When the relief was in, we got food, medical orders, and some cloths. I have indigestion so bad I have lost 40 pounds. I ought to be in the hospital right now but I ain't got no money."

C-4

"A sin before God Almighty", is what Mrs. Dodge thinks of the conditions in Mercer County since ERA ended. Her family consists of 13 persons, the oldest, her husband, 82 years old, the youngest, a child of three. On ERA they received $24.10 in cash and a food order amounting to $26 every two weeks.

On June 12 the Overseers of the Poor gave her 2 pounds of macaroni, 4 cans of beef, 1 can of corn, 1 can of tomatoes, half a pound of sugar, two cans of peas, two cans of salmon, one box corn flakes, one can of spaghetti, two pounds of flour, one pound of coffee, and a can of pork and beans. This was to be their food for the next five days.

Mrs. Dodge is getting no fresh milk for her children. She dilutes canned milk to put on cereal. The children are rapidly losing weight.

Rent is 12 a month, but the family has been unable to pay it for six months. The only fuel they have is wood picked up at the dump. With this, Mrs. Dodge cooks their food. When the interviewer was there, she was getting ready to fry some fish which a friend had given her. The fish and biscuits would be their dinner. Formerly the family got $14 a month from a son in the C. C. C. but they have not heard from him for four weeks.

The children are developing various ailments, but the county provides no medical care. One member of the family has asthma, another has epileptic fits, and others have had coughs.

When the interviewer asked Mrs. Dodge how county relief compared with state relief, she said, "It was much better when the state had it. We don't need coal now but you don't get medical care. I told the district supervisor about the children's coughs, but he said he couldn't do anything about it. I said because you live in the township you have to die before they do anything."

J-1

If Sam Jones, a 50-year old Negro, walks eight miles to a neighbor's pea field, he can make 75 cents for the work he does there. Last week, he cut some wood for another neighbor, who gave him $1.25. That $2.00 was the first money Sam had made in two months.

This Negro is healthy and optimistic, but he can't find work. Even the usual seasonal employment in the district has been very scanty. When the ERA relief was discontinued, he could no longer pay rent for his former dwelling, and was forced to move to a one-room shack. It is made of tin and tar paper, with a floor of slab lumber and dirt, and a ceiling of cardboard. The shack is without windows, and has no ventilation other than the door.

Three food orders of $1.50 each are all this man has had from the local relief agency in the last few weeks. His diet consists of beans, potatoes and bread—and he has very little of those on hand. He had vainly applied for further relief with the local Overseer of the Poor, who has told him that he will have to "make out" as best he can.

C-2

A mother and six young children in Atlantic County were trying to live on $3 a week which they got from the Overseer of the Poor. Mrs. Black's husband left her seven years ago, two months before her youngest girl was born. Her oldest daughter is 14 and the others, all girls, are 7, 9, 10, 11 and 13 years old. Mrs. Black worked as a charwoman for many years in order to support her family. About three years ago she became ill and could not work any more. She had no relatives to help her and went on relief.

On ERA she was able to keep her home together and feed and clothe her children, but the last grant was made in April and since then they have had to exist on a weekly $3 food order with no provision for rent. They expect to be evicted.

The mother had tears in her eyes when she talked to the interviewer. "I expect any day to be put out of my home because I can't pay the rent," she said. "If the neighbors didn't feel so sorry for my little girls and give them food, we would have starved to death."

The previous day she and her six daughters had nothing to eat but bread and water.

C-3

Mr. Ratchesky is a skilled worker, a plumber by trade, who saved enough to buy a house in Mercer County three years ago for $3,000. Since then he has been unemployed much of the time. In order to support his wife and eight children he mortgaged the house and is now about to lose it. He owes $975 on the mortgage which he cannot pay. He had three days work in May and has had three days so far in June.

The day the interviewer visited him he had received seven loaves of bread from the county relief office which was supposed to feed the family of nine for five days. He has a baby two years old and his oldest child is 15.

"The bread is bad and moldy," Mr. Ratchesky said. "The last few weeks it has been bad and went green before we could eat it. Canned food is bad. Some of the cans are rusty and the top is expanded. That's no good."

Evidently this food had been purchased by the Township Committee from damaged or condemned food shipments that had been under water.

"It is like starvation. You eat as though you were taking a dose of poison," Mr. Ratchesky said. "All the milk we get for nine people is two cans of evaporated milk a week. We get no fresh vegetables at all. One of us will be laid up sick sooner or later . It looks pretty bad for the winter with coal to buy and everything."

Mr. Ratchesky said his children's teeth were bothering them since they have been on this meagre diet, but he could not afford to take them to the dentist. Under the ERA the Ratcheskys got a food order of $18, coal, kerosene and three quarts of milk.

C-5

Mr. and Mrs. Christopher Esti, an old Italian couple

in Atlantic County, are starving to death. Mr. Esti has the distended stomach which is indicative of slow starvation on an almost exclusively starch diet. When questioned, he said he was never able to buy more than a bag of flour, potatoes, beans and olive oil. The only vegetables he had in his garden were lettuce and oninons. Although he had an acre of land, he was too feeble from old age and illness to do much work in it this year.

Mrs. Esti was walking around barefooted. She showed the interviewer the only shoes she had, a pair of sneakers full of holes. Both she and her husband were wearing clothes given them by the ERA.

The couple lived in a small dilapidated three-room house which Mr. Esti built more than 30 years ago.

"Me and my wife have lived together nearly 50 years but it would be better if we both died right now the way we have to live," the old man said, "especially when I got to see my wife barefoot all the time. The first time in her life that she ain't got clothes and something to eat. Look what we're cooking. We eat beans and doughballs and potatoes nearly all the time. Sometimes I think my belly is going to burst, and I will die. These relief people around here think we can live on nothing, but we can't. I hope the state takes it again."

A-11

When the interviewer stopped in to see the Tomara family in Pennsauken Township, New Jersey, Victor, his wife and four sons were sitting down to a thin supper of spinach and bread. They are on local relief, and the 12-year old boy who did most of the talking because his parents spoke poor English kept insisting that they were always hungry. Four dollars a week and some canned goods (Federal Surplus Commodities) constitute their relief allotment. The oldest boy is sixteen; the youngest of eight, a sickly-looking boy, can scarcely walk, because he doesn't get food.

Under ERA the family received $15 a month toward rent, a $19 food order every two weeks, and two quarts of milk a day. Now their garden has failed on account of the drought, and their chickens are laying only one or two eggs a day, so that their attempts at supplementing the slim relief which they get from local authorities have been frustrated. They are very discouraged; the boys have become so rebellious that they have been stealing food when begging failed.

All the boys were barefooted, and Mrs. Tomara was ashamed of their lack of adequate clothing. They have been on relief since the beginning of ERA because her husband, a stone mason, has not been able to find work. The son said that his father spent most of his time walking from place to place in search of work.

The Tomaras live in a double house belonging to an acquaintance who threatens to throw them out if they don't pay rent. The other half of the house is a beer parlor, and there are drunken men around the neighborhood most of the time.

The very evident effect of suffering on the Tomara boys points up all too well the social results of starvation.

B-2

Families are now forced to sign the paper's oath in order to get poor relief in one township in Morris County. The manager of the American store reported to the visitor from the ERA that all food orders now had printed across the top, "I have declared myself a pauper."

B-8

Boris Hanson is 78 years old (badly ruptured and with a wounded leg which pains him constantly) and alone in the world. He has not had a cent of income since ERA was discontinued in April. His one-room shack stands in a small community in the oystering section along the southern coast of new Jersey. The shack is about two city blocks from his nearest neighbor, and Mr. Hanson with his rupture, his advanced age, and his wounded leg can walk only a few steps. An old neighbor gives him small amounts from his old age persion and a Negro friend gives him fish from time to time. He has no other food. Recently a friend gave him some jam but he had no bread to eat it on.

The county overseers are doing nothing to help this man. "I would have died," he said, "if it hadn't been for my good neighbors who have gone without food themselves to keep me alive."

A-2

Allen Black, an elderly man and head of a family of six, of Burlington County, New Jersey, has for many months been totally dependent upon relief money for food fuel and shelter, and medical treatment from the State Emergency Relief Administration.

The head of the family has an advanced case of diabetes, and for many months has been undergoing a cure at a local hospital. His ERA relief made this medical care possible.

Since the ERA relief was discontinued, Mr. Black has had to leave the hospital and return home, as the city does not supply medical care.

The last food orders this family received were on April 16, when a $7 order was given, and on April 23, when a $3 order was given. At that time the family was told that there would be no further relief, as the city has no funds.

Since the ERA stopped, the family has been dependent upon a minor son, who is on the Youth Program. The boy's entire wage has barely paid for rent and for the plainest food. These expenditures have left no money to buy insulin, with which his father's diabetic treatment might be continued at home. The insulin, naturally, is essential to the man's life.

This is only one case where abandonment of ERA relief has not only deprived a family of its sustenance, but has made impossible continuance of vitally necessary medical care.

A-8

Annie Hunter, an elderly woman living in the berry and oystering section of New Jersey without family or friends is now totally dependent for her livelihood on the small wages she receives for picking strawberries. When the interviewer saw her, she had just made $3 for three days work.

After ERA relief stopped, she had neither money for food and shelter, or her medical supplies. This woman has heart trouble complicated by high blood pressure.

Because of her illness, she finds picking strawberries difficult, for this work involves working in the sun. She is not equipped to do any other kind of work and, besides, she is sick half the time from not eating sufficiently.

Frightened of her future, she said to the interviewer: "I think I would be better off dead."

B-9

The interviewer found an Italian, 83 years of age and blind in one eye, living alone in an old house in Atlantic County. The old man had been eating his lunch from a garden and was chewing a lettuce leaf as the interviewer approached. He looked tired and wan, and as the interviewer explained why he was there, he began to tremble.

"I thought you were bringing me something from the relief people," he said. "I asked for relief lots of times but they say 'Wait a little longer,' but I can't wait too long. I feel weak and dizzy. Today I could hardly get up from my chair. I know I'm going to die soon. In a few more days you wouldn't have found me here. The state took good care of me," he said. "I hope they do something soon before it's too late."

The man had no fuel to cook his garden vegetables. He needed clothes and medical attention. Obviously he did not have enough food.

S-3

Sidney Clarke is a 48-year old Negro living in Atlantic City. A native of New Jersey, he has worked in the shipyards at Camden trucking coke, in a brickyard, and since 1909 as a cementworker in Atlantic City until he contracted tuberculosis and become too ill to work.

On ERA he received about $11. a month. The last grant was made on April 7. A week later he got his first grant from the Overseers of the Poor, amounting to $4.50 twice a month. No rent is included and Clarke has to live in a filthy room in a tumbled down shack which has been condemned as unfit for human habitation. The room has only one window, and the house has no sanitary facilities. No gas or light are furnished. To pay for this hole-in-the-wall, Clarke has to take $1 from his meagre food

allowance. He is no longer able to get the milk which he had while on ERA.

Clarke goes to a clinic once a week for chest treatment, but he really needs institutional care as well as medical attention, and a special milk allowance which the doctor has prescribed. His tubercular condition has been seriously aggravated by the unsanitary living quarters he occupies as well as by his poor diet.

J-10

In sight of the impressive Atlantic City Boardwalk is a crude houseboat, the home of Mrs. Jennie Jenkins. The home amounts to little more than a water-front shack approached by a primitive bridge of boards wide enough to enable one person to pass. Mrs. Jenkins, a native-born American citizen, has resided in Atlantic City for fifteen years, but she owes her present shelter to the generosity of a 78-year old friend, who makes a meager living by junking. She frankly admits begging and picking up food from dumps, and claims that her destitution has driven her to this.

Until the recent discontinuance of ERA relief in April, this woman received $8.80 per month. For a while the Overseer of the Poor continued giving her this relief, with the exception of milk and kerosene grants, but in May she, along with the closing of all other single employable cases, was barred from the relief rolls.

Mrs. Jenkins, who has been separated from her husband since 1910, was formerly a maid in one of the large Atlantic City hotels, but is now unable to find work.

D-1

Mr. Desoto of Atlantic County is 76 years old, pitifully thin and emaciated, and it takes great effort for him to hobble about the yard to tend his small vegetable garden. Old and infirm as he is, he is the sole support of his 77 year old wife, who is a hopeless cripple, and unable to leave her chair without asistance.

Coffee constitutes their breakfast, and for lunch they have only a dry meal of bread. At night, they eat beans and potatoes from the garden, provided they have fuel to cook with. The ERA relief supplies them with kerosene for cooking, in addition to food, milk, medical assistance and clothing. But since the kerosene and the other state aid have stopped coming, they are on some days unable to prepare what little food they have because Mr. Desoto is physically unable to chop wood.

The garden produces a few onions, but Mr. Desoto said, "I am so tired of eating them." Recently someone gave them an old goat, which Mr. Desoto traded for a kid. This supplies a pint of milk daily, which is used by his wife, whose condition, he says, is more serious than his.

When the interviewer called, Mrs. Desoto could not move from her chair to be photographed, for her dress consisted only of a shirtwaist, and a ragged petticoat made of flour sacks.

Both Mr. and Mrs. Desoto began to weep hysterically when the interviewer explained the purpose of his visit.

"Thank God that the government is going to help us again," the old gentleman said. "I hope so, for we can't go on much longer living like this. I am getting so thin I have trouble helping her to move around. And sometimes I think it would be better if, when we go to sleep at night, God will never let us wake up again. Then we would be out of our misery and would never bother anybody anymore"

S-4

Sam Lozowick has been pushing chairs on the Atlantic City boardwalk this month. During the week of May 31 to June 6 he made $1 in tips. The Overseers of the Poor gave him $1.80 and with this $2.80 he had to get enough food to keep up his strength to push tourists along the walk. He owes $24 for rent which he has not paid and his shoes and clothes are in such bad condition that it is doubtful if he can continue this type of work long at his present income. His heart and lungs are impaired and he is in serious need of medical care.

Before ERA was cut off in April, he got about $8 a month for food besides Federal Surplus Commodities. Altogether in March his relief under ERA amounted to $8.05. He had been on ERA for two years.

Lozowick immigrated here from Russia in 1914. He has worked as a laborer in shipyards, construction companies, and in a salt factory where his lungs became infected and he was forced to quit. He worked as a dishwasher in Atlantic City for ten years until three years ago when heart trouble set in. Although he never earned more than $15 or $20 a week, he took out two insurance policies, one for life insurance valued at $300 and a $1,000 endowment policy. He had to drop both when he became unemployed.

S-6

Saul Franklin, his wife and three children, one a crippled boy, were evicted from their home in New Brunswick April 15, after ERA stopped. The family was broken up. Mr. Franklin went to live with his father and mother, both past sixty, and his sister. All of them are unemployed.

Mrs. Franklin and the children went to live with her parents, and her sister and brother whose only income is what they get from the Overseer of the Poor. This amounted to $9.00 twice a month from April 18 to June 1.

Mrs. Franklin tried to get extra money for the crippled boy who is supposed to be getting fresh vegetables, fruit and milk. He had this diet while on ERA. The overseers refused to grant the extra amount.

A-9

A man who has been operated on for appendicitis and gallstones should have milk and certain other special foods. But since the close of the ERA relief, Irving Arkwright, of Cumberland County, has been living almost entirely on the peas and greens from his garden.

Knowing that he needed other food, he tried to dredge for clams, but was physically unable to continue. One day recently his wife earned $1.20 picking peas on a neighbor's farm, and with that they bought the first milk, eggs and bread they had had for some time. A doctor has told Mr. Arkwright that he should stop work altogether, but the need for food drives him to pick up what odd jobs he can.

LIEUTENANT GOVERNOR KENNEDY. The Chair wishes to express the thanks of the General Assembly to His Excellency, The Governor, for the splendid message delivered to us this evening. I express the hope that as a result of his suggestion we may have enacted a prompt legislative program that will meet the needs of the situation. Thank you very much.

ADJOURNMENT OF JOINT SESSION

LIEUTENANT GOVERNOR KENNEDY. The business for which the Joint Session of the General Assembly was convened having been transacted, the Joint Session is adjourned. The Senators will immediately assemble in the Senate Chamber.

The SPEAKER (Roy E. Furman) in the Chair.

RESOLUTION

Mr. POWERS presented a resolution which was filed with the Clerk under the rules.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 122 entitled:

An Act to suspend the laws of this Commonwealth authorizing the collection of local taxes by distress and sale of goods and chattels

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 81 entitled:

An Act to amend section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire department twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by providing that the provisions of said act shall be mandatory and prohibiting any diminution of salary or compensation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 82, entitled:

An Act to amend section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" as amended by changing the hours of the day and night shifts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 46, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protection along the Delaware River at Matamoras and Milford Pike County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 18, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 60, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public nonsectarian libraries Pennsylvania State Library public nonsectarian libraries and public school libraries damaged or destroyed by flood and providing procedure to ascertain the amount of damage.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 9, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes levees and river bank protections along the Delaware River at Morrisville Borough Bucks County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 130, entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and by adding a new section imposing a temporary emergency tax upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons engaged in the water and natural or artificial gas business.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Ageeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 77, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by permitting the taxation for State purposes of property taxable for county purposes by making further provision with regard to penalties and by making certain information confidential and imposing penalties

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as last amended by the act approved the twenty-first day of April one thousand nine hundred thirty-three (Pamphlet Laws fifty-four) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all personal property of the classes hereinafter enumerated owned held or possessed by any person persons copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock

company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or Government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including cartrust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of the Commonwealth all monies loaned or invested in other States Territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest bearing accounts in any bank or banking institution savings institution or trust company And provided That the provision of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purpose [or for State purposes] under the laws of this Commonwealth And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated hereafter received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any State or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any State or government other than this Commonwealth and not doing business within this Commonwealth

The second section was read as follows:

Section 2 That section two of said act is hereby amended to read as follows

Section 2 That the board of revision of taxes or board for the assessment and revision of taxes or commissioners of every county in this Commonwealth shall annually furnish the assessors of the several townships boroughs and cities of the respective counties with blanks to be prepared by them and it shall be the duty of each of said assessors to furnish a copy of the same in duplicate to every taxable person copartnership unincorporated association joint stock association and company limited partnership and corporation in his respective ward district borough or township or to any officer agent or employe found at the place of business of any such limited partnership or corporation in his ward district borough or township upon which blank each taxable person copartnership unincorporated association company limited partnership joint stock association and corporation shall respectively make return annually in duplicate of the aggregate amount of all the different classes of personal property made taxable by the first section of this act held owned or possessed by said person copartnership unincorporated association company limited partnership joint-stock association or corporation either in his her or its own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company limited partnership joint-stock association or corporation [which] The original return shall be made and sworn or affirmed to by such taxable person and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof Provided That any corporation joint-stock association or limited partnership doing business in more than one county shall be liable to make such return only in the county in which its principal office within this Commonwealth is situated

The duplicate return shall be forwarded by the com-

missioners board of revision of taxes or board for the assessment and revision of taxes to the Department of Revenue for its use and information

On the question,

Will the House agree to the section?

Mr. HARKINS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 7, line 2 by inserting after the word "or" and before the syllable "com-" the word: "the".

Amend section 2, page 7, line 9 by striking out after the word "association" and before the words "association and" the words "[joint stock]" and inserting in lieu thereof the word "joint-stock".

Amend section 2, page 7, line 16 by striking out at the beginning of the line before the word "association" the words "[joint stock]" and inserting in lieu thereof the word "joint-stock".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 That section three of the said act is hereby amended to read as follows

Section 4 (a) That the affidavit required to be made by [the last preceding section] section two of this act shall be made before the proper assessor or other person authorized to administer oaths and shall set forth that the return is full true and correct to the best of his or her knowledge and belief and any person or officer who shall wilfully and corruptly make a false and fraudulent return as aforesaid shall be guilty of wilful and corrupt perjury and upon his or her conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment by separate and solitary confinement at labor not exceeding seven years and thereupon be forever disqualified from being a witness in any matter or controversy

(b) Any person who shall fail neglect or refuse to make the return required by section two of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred dollars and costs of prosecution or to undergo imprisonment not exceeding six months or both in the discretion of the court

On the question,

Will the House agree to the section?

Mr. HARKINS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 8, line 14 by striking out after the figure "[3]" and before "(a)" the figure: "[4]" and inserting in lieu thereof the figure "3".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 3 That section thirteen of the said act is hereby amended to read as follows

Section 13 (a) That any wilful failure on the part of the county commissioners board of revision of taxe borough township district and ward assessors recorders o deeds prothonotaries and clerks of courts to carry out th duties imposed upon them by the several sections of thi act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shal be sentenced to a fine not exceeding five hundred dollar and imprisonment not exceeding one year

(b) Any information gained by the county commis sioners board of revision of taxes board for the assess ment and revision of taxes Department of Revenue an borough township district and ward assessors as a resul of any returns investigations hearings or verifications re quired or authorized by this act shall be confidential ex cept for county city and State purposes and any perso or agent divulging such information shall be deeme guilty of a misdemeanor and upon conviction thereo shall be sentenced to pay a fine not in excess of five hun dred dollars or to undergo imprisonment for not mor than three years or both in the discretion of the court

On the question,

Will the House agree to the section?

Mr. HARKINS. Mr. Speaker, I desire to offer the fol lowing amendment.

The SPEAKER. The amendment will be read by th Clerk.

The amendment was read by the Clerk as follows:

Amend section 4, page 9, line 8 by striking out after th word "Section" and before the word "That" the figur "[3]" and inserting in lieu thereof the figure "4"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read and agreed to as follows:

Section 5 This act shall become effective immediatel upon its final enactment

The title was read as follows:

An Act to further amend the act, approved the seven teenth day of June, one thousand nine hundred thirtee (Pamphlet Laws, five hundred seven), entitled, "An act t provide revenue for State and county purposes, and, i cities coextensive with counties, for city and county pur poses; imposing taxes upon certain classes of persona property; providing for the assessment and collection of th same; providing for the duties and compensation o prothonotaries and recorders in connection therewith; an modifying existing legislation which provided for raisin revenue for State purposes," by permitting the taxatio for State purposes, of property taxable for county pur poses; by making further provision with regard to pena ties; and by making certain information confidential an imposing penalties.

On the question,

Will the House agree to the title?

Mr. HARKINS. Mr. Speaker, I desire to offer the fol lowing amendments.

The SPEAKER. The amendments will be read by th Clerk.

The amendments were read by the Clerk as follows:

Amend page 1, line 13 of the title, by striking out afte the word "making" and before the syllable "pro-" th word "[further]"

Amend page 1, line 14 of the title, by inserting after th word "penalties" and before the word "and" the follow ing: "and for duplicate returns by taxpayers and for th use thereof"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second me and agreed to as amended.

Ordered, To be transcribed for a third reading.

STATEMENT BY MR. WOODSIDE

Mr. WOODSIDE asked and obtained unanimous consent) make the following statement:

Mr. Speaker and members of the House, We have been ssembled in this extraordinary session to deal primarily ith the problem of relief. For me to discuss the factors hich made this session necessary might lead to partisan ebate which I desire to avoid at this time.

Allow me to make clear from the beginning that I am ot presuming to speak for the Republican Party or any f its leaders. What I say is my opinion and must be laid) my doorstep and to mine alone.

We are told that we must feed the starving, that if we) not appropriate vast sums for Relief we face revolution, ie implication being, of course, if we do not appropriate iese vast sums, we are not only inhuman but also fools. nd so we all rise in our turn and repeat, "the poor must e fed."

Neither we nor the taxpayers should be misled by the ppealing phrases of the theorists. Unemployment relief as advanced far beyond the point of "feeding the poor." he NRA established a minimum wage, but the SERB ent far beyond that. It established a minimum income, nd a standard of living—in many instances the best that as ever known to the beneficiaries.

Thus arose the situation such as recently told me by a ilkman, who served a territory in which employment as more or less irregular. During the time the people re working they make good wages, a minimum of approximately five dollars a day. As soon as industry shuts own, large numbers of them find their way to the relief olls. While the Government is taking care of them, this ilkman delivers to their door, at the expense of the tate, two, three, four and five quarts of milk a day, but s soon as the head of the family goes back to work at ve dollars or more a day, he delivers to that same house- old one or none.

We have heard tonight a considerable number of exmples of the relief situation in New Jersey. We might ite any number of examples of relief situations in Pennylvania, which are just as serious. I might call to your ttention the fact that the WPA workers in this county f Dauphin, who had worked, some of them, as many as ix weeks, were faced on Thanksgiving Day with not a bite) eat, because they did not get their checks, and it was ie Dauphin County Poor Board that went into their omes and gave them their Thanksgiving dinners.

But why take up time to cite specific instances? Anyne of you can cite any number of specific instances, which ill prove that relief is not being handled as it ought to e handled. In my opinion it is time to call a halt long nough to apprize ourselves of the place from which we ame, the spot on which we stand, and the destination to hich we are being hurled.

Tonight the Governor said in his speech:

"Our major industries are thriving. Corporation profits nd dividends are increasing. Employment is steadily ising. The rapid recovery of steel is bringing substantial prosperity to Western Pennsylvania. Our great mills and factories in the eastern part of the State are showing corresponding gains."

In his speech made to the Democratic Committee the Governor spoke of the depression in the past tense. The "emergency," as we call it in the unemployment relief law, is over, according to his remarks. The Patriot and The Evening News, the outstanding Democratic newspapers of this part of the State, for some purpose have taken upon themselves, by articles and editorials, to point out that employment, at least in Dauphin County, is practically up to the 1927 level, the year taken as normal. That is true of Dauphin County.

There is no necessity to argue whether there is a depression now or not. In 1932 there was. We spent two million dollars in Pennsylvania for direct relief, and no one starved. In 1933, you will recall that the banks were closed, and there was a depression. We spent less than seven million dollars for relief and no one starved. During this period we did not have the assistance of the WPA, PWA, CCC, NYA, Rural Rehabilitation, Old Age Pension, Blind Pension and many other similar funds.

Then came 1935, with all these agencies and funds and aids. And with them all, and in addition to them all, we spent for direct relief in Pennsylvania that one year over two hundred and three million dollars. Mr. Speaker, that is not priming the pump; that is diverting a river into our well and polluting our economic waters.

Now, after three long years, it is 1936. Our alphabetical agencies are working, the depression is over, says the Governor, employment is nearly normal, says the former Democratic National Chairman, and yet we are asked to appropriate for direct relief approximately seven million dollars a month, to be added to the twelve million to twenty million being spent by WPA, not to mention many other millions being spent by numerous other Governmental agencies. What price relief?

We are burdening industry with new taxes. To the cheers of radicals, we are throwing the fear of God into business, making expansion by it too perilous to attempt. That is not all.

Before the change of administration in Pennsylvania, and before the vast relief expenditures, practically all the taxes necessary to run or maintain the General Fund of the State Government were obtained from corporations and large estates. The average man never paid a red copper direct into the General Fund unless he happened to have a rich uncle who died and left him some money. Now what? Every cigarette smoker pays his tribute. Every day a farmer runs his tractor, he buys with his gas tax a bushel of coal for some non-worker. Every time a mother takes her children to the community movies, she helps fill the relief coffers. Every time the farmer goes to market, the family auto runs out of the garage, or the working man rides to his employment, the State collects. When the home owner mortgages his property to keep going, he pays his tribute. Since early in 1935 the poor man is beginning to feel the pinch of relief taxes, both directly and indirectly. Those taxes are destined to become more and more severe, unless we here and now call a halt.

It is the line of least resistance to carry on with relief in the present manner. We should be industrious enough and courageous enough to meet the issue to which we all know the answer. The solution and the only solution is to give relief back to the local governments to administer.

In my determination that the present system of administration of relief must go, I am uncompromising. This position I take for three reasons. First, we cannot afford to continue the system; second, its effect on the morale of the people is degrading; and third, it is a system which can and will be used to set up an economic socialism and political dictatorship.

As to the detailed method of carrying on relief and its administration by local units, I am willing to compromise. There are many ways which would be a marked improvement over the present expensive and dangerous system of carrying it on.

Mr. PFAFF. Mr. Speaker, I move the previous question.

The SPEAKER. The Chair hears no second to the motion for the previous question. The gentleman from Dauphin will proceed.

Mr. WOODSIDE. Mr. Speaker and members of the House, as to the detailed method of carrying on relief I am willing to compromise. As I have said, there is more than one method which would be satisfactory, and many which would be an improvement over the present dangerous and expensive method.

My suggestion is that we enact a bill similar to the first Talbot Act, appropriating sixteen million dollars, or two million dollars a month, for the period from July 1, 1936 to March 1, 1937.

I know whereof I speak when I say to you, give the Dauphin County Poor Board their pro rata share of the two million dollars per month, and the worthy poor and needy of this County will be provided for. The Poor Board having done this when we were worse off than now, are willing to assume the responsibility of doing it again. Of course, they would not import people from other states to administer the funds. The number of employees would be substantially cut. Many now on relief will not apply, and many others will be known to be unworthy and removed.

We recently saw where the relief list in a certain New Jersey community dropped from three thousand to ninety, when the administration was taken over by local officials.

As to the cost of administration, it might be interesting to review the period when in 1932 the Dauphin County Poor Board was administering the relief fund with ten investigators, four of whom were regular employees and six of whom were extras employed to assist in the administration of the Talbot funds. They were investigators who knew the people of the community in which they were working; they were operating under a system that was more interested in relieving need and want than in preparing reports and case histories. The day that relief was taken over by the local division of the SERB, the employees increased, I am told, from six to sixty, and within one month they had increased to approximately one hundred. These employees were under the supervision of a succession of directors, all imported from other states. I make no attack upon relief officials or employees. Many are fine, high type, sincere people. It is the system which is destroying the beneficiary and the benefactor alike.

Of course, it would not be necessary for the State to appropriate even sixteen million dollars for unemployment relief at this time, if the Federal Government would keep its promise made by the President himself, to take care of all employables. But evidently there is no intention to keep that promise, and through the failure of the Federal Government to do so, I presume that the duty of making these provisions falls upon us.

The money I would attempt to raise, first, by the method provided in the resolution of the Honorable Elwood J. Turner, calling upon the WPA to return to the State the money spent by us to "relieve" Federal employees. Secondly, a substantial part of this sum could be raised by economies in the State Government. For months we have noticed in the papers almost daily, articles of a few dismissals and many hirings on Capitol Hill.

Not until there has been an honest effort to balance the budget by economies and by obtaining from the Federal Government that to which we are entitled, will I consider voting for an additional tax burden on the people of my County and my State. My colleague, Mr. Habbyshaw, and I have constantly during this session voted against every tax bill. We did not do that capriciously. We did it because we are not convinced that new taxes are necessary at this time. We believe that if a program similar to that I am suggesting would be adopted, these vast burdens could be avoided.

The enactment of a bill at this session similar to the first Talbot Act is not suggested as the ultimate solution of our relief problem. In my opinion a committee should be appointed by the Legislature to determine the best method of decentralizing the administration of relief, and to recommend to the regular session what legislation is necessary to carry out this program of decentralization. In my opinion a fair share of the cost of relief should eventually be handed back to the local government. This does not mean an additional burden on real estate for we should at the same time lift from local government some of their present burdens by further subsidizing schools, taking over additional roads, assisting in police protection, and in other ways aiding them financially. In addition to this, it probably will be necessary for a time at least to create a fund somewhat similar to our fund for relief of destitute school districts, whereby the Department of Welfare could assist certain districts which are extremely hard hit due to the complete collapse of their chief or only industry.

I know that there are some on this side of the House who do not agree with my proposal. I know there are some on the other side of the House who will not agree with my proposal, but I am confident that a majority of this House are of the opinion that the proposal which I recommend is the only solution.

At the beginning of this session the Governor asked for a political holiday. I assume that he was sincere. I assume that he was referring to the Democrats as well as the Republicans. I further assume that this is a deliberative body, the House calling, the Marx loving gentleman from Berks to the contrary notwithstanding. I would like to assume that the Legislature still has not only the legal right but also the actual privilege of "making" laws. Therefore, my Democratic friends, if my assumptions are correct, if the political holiday was sincerely declared, you are free to vote your own opinions and to do what I am confident the majority of you consider to be correct, and that is, get back to earth with the problem of relief and carry out the suggestions which I have made.

COMMITTEE TO CONFER WITH GOVERNOR

Mr. COHEN. Mr. Speaker, I move that a committee of six be appointed to represent the House in conference with the Governor tomorrow morning.

On the question,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker and members of the House, I shall ask the membership of this House to vote in favor of this motion. However, I want to say but a few words with respect to the address made by His Excellency, the Governor of Pennsylvania, just a short while ago. I accept the apology of His Excellency, the Governor, for having submitted to this Legislature six weeks ago a grossly exaggerated figure necessary for relief, $70,991,000. I accept that apology because, coupled with it, he admitted he was in gross error, and has reduced his figure by the sum of $16,000,000. Thanks to the Senate for not having swallowed his figure forthwith, else we could have needlessly, according to his own admission, burdened the taxpayers of Pennsylvania with at least sixteen million dollars too much in taxes. The delay complained of has saved the taxpayers sixteen million dollars, and no one has starved in the interim. The excuse that in six weeks conditions have changed, is feeble, to say the least.

I note with a great deal of interest that his Excellency, the Governor, in investigating relief conditions in New Jersey, called upon the Works Progress Administration in Pennsylvania or in the Nation to investigate direct relief in New Jersey. But he refuses, and is part and parcel of those who refuse to permit direct relif to investigate WPA in Pennsylvania. I call upon his Excellency, the Governor to permit us to investigate the WPA administration in Pennsylvania and I ask him to confer with Washington and requst them that we be permitted so to do.

The motion made by the gentleman from York, Mr. Cohen, is a proper motion. A committee ought to sit down and I have no objection to their sitting down with the Governor in an endeavor to iron out any disagreements. But, as we sit down, I say to the membership of this House, the very first thing that I intend to ask him to do is to lift the mystery from WPA, and let us investigate it here, because if we can use it to investigate direct relief in New Jersey he ought to permit us to investigate WPA in Pennsylvania.

Mr. COHEN. Mr. Speaker and members of the House, I rise to ask the membership of this House to support the motion, and in so doing I wish to make a few passing comments on the remarks of the minority leader.

His remarks are both incorrect and in bad taste. This House just had the opportunity to hear an address from His Excellency, the Governor of Pennsylvania. Those remarks were not made with any attempt to indict or incriminate any particular group or branch of this House. They were given to the membership of this House with all sincerity. He had an outstretching hand in an effort to compromise the solution of the problem. I say that the minority membership of this House, through their leader, attempts to prostitute that particular endeavor and to convert it into a political chicanery.

We are here confronted with a problem of solving the relief requirements for the balance of the biennium, if possible. The figures given at the inception of the meeting of this House did not indicate that these figures would last for the entire biennium, but it was clearly indicated that had we appropriated the sum of seventy million dollars or more for relief that these monies could be utilized up until the end the the biennium, and were not limited by necessity to the end of January 31, 1937. The reduction of sixteen million dollars has been adequately explained by the Governor. I feel that this House was paying attention to those remarks of His Excellency, the Governor, but I will take this opportunity to enumerate them again for the benefit of the minority membership of this House. In the first place, the ravaging flood, rather than having a deterrent effect upon our relief rolls, apparently had no effect whatsoever. Secondly, the Governor has here indicated that through the co-operation of the Works Progress Administration we have been able to secure employment for thirty thousand additional workers, each worker representing three and one-half people or more on direct relief. Further, in addition, since the inception of this session and for some time before, industrial employment has been on a steady increase, which again indicates a lower relief roll.

To the gentleman from Philadelphia and to the minority membership of this House I say that in order to pervert the extended arm of His Excellency, the Governor, whereby the possibility is presentd to this House of solving the problem of taxation or relief, and to convert it into political fodder is a disgrace to the conscience of this House. We are here as deliberative body; we are here in an effort to solve the problem and not to put oil on it. If that is the extent to which the committee will cooperate, I feel there is no necessity so to do. But I still feel that the Republican leadership, I still feel that the minority members of this House, are not willing to strike at the hand of compromise. I feel that they are willing to sit down, as any deliberative group, and solve the problem with which we are confronted.

Mr. WITKIN. Mr. Speaker and members of the House, there is only one remark of the gentleman from York that I believe ought to be given the dignity of a reply. That is the remark dealing with thirty thousand persons with respect to the WPA. I think it is high time that we do not merely have to take utterances of people. We want the facts, and I want proof of the thirty thousand persons with respect to the WPA. I challenge the gentleman from York to give me the proof, because everybody, high and low, in the Democratic party in the State of Pennsylvania, including his Excellency, the Governor of the Commonwealth, refused to give us proof. We want facts, not words. When they tell me something, they ought to be able to prove it or forever hold their tongue. I say that if an attempt is made to call my talk political, it is political in the sense that I am going to continue to shout that the Democrats are hiding the facts because they are afraid of the facts, because no man ever refused to state that which he knows or to divulge that which is in his possession, unless he is hiding something, and if he is hiding something then there is something crooked in Denmark.

Mr. ACHTERMAN. Mr. Speaker and members of the House, the gentleman from Phladelphia seems quite insistent on having an answer. I point out to the gentleman from Philadelphia that only a short time ago a Republican judge, Judge McDevitt, I believe of Philadelphia, gave him the answer. He told him in no uncertain words and in no uncertain terms that the Federal agencies in Pennsylvania could not be investigated by either the Senate or this House. He apparently is not satisfied with the statement of law laid down by his own judge. Might I suggest that if he wishes WPA to be investigated that he go to the fountain seat where it should be investigated, that is in the Congress of the United States and not this

House. I believe he has received his answer from a member of his own party.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

APPOINTMENT OF COMMITTEE

The SPEAKER. In accordance with the motion just agreed to, the Chair appoints the following committee: Messrs. Burke, Eberharter, Achterman, Peters, Roan and Witkin.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 110, entitled:

An Act providing that no person shall be denied refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate and providing penalties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197

Achterman,	Eberharter,	Mason,	Shaw,
Alexander,	Eroe,	McCreary,	Shepard,
Allen,	Falkenstein,	McDermott,	Shortz,
Altenburg,	Ferko,	McDevitt,	Shreiner,
Anthony,	Finnerty,	McElroy,	Shugarts,
Arnold,	Fitch,	McHenry,	Siegel,
Atkins,	Flanagan,	McKinney,	Simon,
Aukerman,	Flinchbaugh,	Melchiorre,	Simpson,
Baine,	Flynn,	Mentzer,	Sinwell,
Baker, F. T.,	Forrest,	Merrell,	Sloan,
Baker, J. J.,	Gates,	Moomaw,	Smith, J. A.,
Baldi,	Gerard,	Mooney,	Smith, W. G.,
Barber,	Gillette,	Moore,	Snyder, F. E.,
Barnhardt,	Greenstein,	Moran,	Sowers,
Beadman,	Habbyshaw,	Moul,	Sproul,
Bernhard,	Haberlen,	Muir,	Stank,
Blumberg,	Hagerty,	Munley,	Stevens,
Boose,	Haluska,	Murrin,	Stewart,
Boyd, R.,	Hamilton, F. P.,	Nagel,	Stockham,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stone,
Bradley,	Harkins,	O'Keefe,	Stott,
Brancato,	Harmuth,	Ominsky,	Sumney,
Brennan,	Hartman,	O'Neill,	Surface,
Brown, H. S.,	Hefferon,	Panton,	Sweeney,
Brown, J. E.,	Hermansen,	Parks,	Tahl,
Brownfield,	Hetrick,	Patterson, Cliff,	Terry,
Brumbaugh,	Hindman,	Patterson, J. W.,	Tronzo,
Burke,	Hirsch,	Pearson,	Trout,
Cannon,	Hoffner,	Perry,	Tumelty,
Caputo,	Holland,	Peters,	Turner,
Carr,	Holstrom,	Pfaff,	VanAllsburg,
Carson,	Hoopes,	Phillips,	VanSickle,
Castor,	Horst,	Piole,	Wall,
Chervenak,	Jackson,	Powers,	Wasserman,
Coakley,	Jones,	Reising,	Weidemann,
Cochran,	Kane,	Reynolds,	Welliver,
Cohen,	Kelder,	Rhys,	Welsh,
Coleman,	Kelso,	Rinn,	Westrick,
Condon,	Kenney,	Roan,	White,
Coolahan,	Kilroy,	Robinson,	Wickersham,
Cooper,	Kinney,	Rooney,	Winner,
Cordier,	Klingler,	Root,	Witkin,
Davies,	Kobelak,	Royer,	Wood,
Decker,	LaRue,	Ruffennach,	Woodside,
Dent,	Linderman,	Scanlon,	Yeakel,
Diehl,	Long,	Schaeffer,	Yourishin,
Dilley,	Longaker,	Schrock,	Zappala,
Downey, G. E.,	Lovett,	Schrope,	Zimmerman,
Downey, J. J.,	Male,	Schwab,	Furman,
Duffort,	Mallen,	Serrill,	

NAYS—2

Andrews,	Lynch,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmatve.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 100, entitled:

An Act to further amend the title, to re-enact and further amend paragraph (e) of section one, to further amend section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (Pamphlet Laws, five hundred twenty-one), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by defining as a transfer and taxing the right of survivorship in property as to which such rights exists, and providing for the extension of the Commonwealth's lien on real property for a further period of time.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135

Achterman,	Dent,	Kinney,	Powers,
Alexander,	Diehl,	Klingler,	Reising,
Allen,	Dilley,	Kobelak,	Rinn,
Andrews,	Downey, G. E.,	LaRue,	Robinson,
Anthony,	Downey, J. J.,	Linderman,	Ruffennach,
Arnold,	Duffort,	Long,	Scanlon,
Atkins,	Eberharter,	Lovett,	Schaeffer,
Aukerman,	Eroe,	Male,	Schrope,
Baine,	Falkenstein,	Mason,	Schwab,
Baker, J. J.,	Ferko,	McCreary,	Shaw,
Baldi,	Finnerty,	McDermott,	Shepard,
Barber,	Fitch,	McDevitt,	Shortz,
Barnhardt,	Flanagan,	McElroy,	Shugarts,
Blumberg,	Flinchbaugh,	McHenry,	Siegel,
Bradley,	Gates,	Melchiorre,	Simon,
Brancato,	Gerard,	Mentzer,	Sinwell,
Brennan,	Haberlen,	Moomaw,	Smith, J. A.,
Brown, H. S.,	Hagerty,	Mooney,	Smith, W. G.,
Brown, J. E.,	Haluska,	Moran,	Stank,
Brownfield,	Hamilton, F. P.,	Moul,	Stevens,
Brumbaugh,	Harkins,	Munley,	Stone,
Burke,	Harmuth,	Murrin,	Sumney,
Cannon,	Hartman,	Nagel,	Tahl,
Caputo,	Hermansen,	O'Keefe,	Tronzo,
Carson,	Hetrick,	Ominsky,	Tumelty,
Chervenak,	Hindman,	O'Neill,	VanAllsburg,
Coakley,	Hirsch,	Panton,	VanSickle,
Cochran,	Holland,	Patterson, Cliff,	Welliver,
Cohen	Holstrom,	Patterson, J. W.,	Welsh,
Coleman,	Hoopes,	Pearson,	Westrick,
Coolahan,	Kelder,	Pfaff,	Witkin,
Cooper,	Kelso,	Phillips,	Yourishin,
Davies,	Kenney,	Piole,	Furman,
Decker,	Kilroy,		

NAYS—42

Altenburg,	Jones,	Shreiner,	Turner,
Beadman,	Kane,	Simpson,	Wall,
Boyd, R.,	Longaker,	Sowers,	Weidemann,
Boyer,	Lynch,	Sproul,	White,
Cordier,	McKinney,	Stewart,	Wickersham,
Flynn,	Merrell,	Stockham,	Winner,

Gillette,	Moore,	Stott,	Wood,
Greenstein,	Muir,	Surface,	Woodside,
Habbyshaw,	Nothnagle,	Terry,	Yeakel,
Hoffner,	Perry,	Trout,	Zimmerman,
Horst,	Peters,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 88 as follows:

An Act imposing and providing for the collection of a tax for State purposes on the gross receipts of fines and penalties of persons co-partnerships associations and corporations derived from the collection of fines and penalties imposed upon delinquent accounts incident to the business of supplying water electric current and natural or artificial gas for domestic and industrial purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "company" as used in this act shall be construed to include persons copartnerships associations and corporations but shall not include municipal and quasi-municipal corporations.

Section 2 Every company engaged in the business of supplying water electric current natural or artificial gas or any admixture of natural and artificial gas which imposes and collects a fine or penalty upon delinquent accounts shall be assessed and be liable to pay a tax for State purposes of fifty per centum upon each dollar of the gross receipts of such fines and penalties received by said company upon the business done wholly within this State

Section 3 For the purpose of ascertaining the amount of the tax it shall be the duty of every person or the treasurer or other proper officer or member of every copartnership association and corporation to transmit to the Department of Revenue on or before the first days of January and July of each year a report under oath or affirmation of the amount of gross receipts of the said company derived from fines and penalties imposed and collected by said company upon the business done wholly within this State during the period of six months immediately preceding the first days of December and June of each year.

The time for filing reports may be extended by the Department of Revenue as is now provided for by the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commnwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" (Commonly known as "The Fiscal Code") and its amendments in the case of taxes on gross receipts of corporations associations copartnerships and individuals from business done wholly within this Commonwealth

Section 4 The taxes imposed by this act shall be settled by the Department of Revenue on reports filed and shall be collected in the same manner and subject to the same procedure in all respects as is provided by the said Fiscal Code for the settlement and collection of taxes on gross receipts from business done wholly within this Commonwealth Promptly after the date of any settlement the Department of Revenue shall send by mail or otherwise a copy thereof to the company with which the settlement was made

Section 5 If the Department of Revenue is not satisfied with the report filed by any company it is hereby authorized to make a settlement and determine the tax due based upon facts contained in the report or upon any information within its possession or that shall come into its possession and send such settlement promptly as hereinbefore required

Section 6 If no report has been filed as required by this act within the time prescribed by law or any extension thereof granted by the Department of Revenue then after demand by the Department of Revenue to file any report necessary to enable the department to settle any tax against the company if the department should deem it more conducive to the public interest because of the supposed smallness of the tax or for any other reason not to proceed to compel the exhibition of the taxpayers account it may make an estimated settlement from any previous account or from any other reasonable data of the probable amount of the account of the delinquent but in every such case it shall add to every such estimated settlement an amount not exceeding fifty per centum to include any losses which might otherwise accrue to the Commonwealth from such neglect or refusal to furnish accounts and the Department of Revenue shall proceed to recover the amount so due the Commonwealth as in other cases of tax accounts

From any estimated settlement there shall be no right to file a petition for review or to appeal but the Department of Revenue with the approval of the Department of the Auditor General may upon petition permit the required report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement From the department's refusal to permit the filing of a report in such cases there shall however be no right to file a petition for review or to appeal

Section 7 The tax imposed by this act shall become due and payable sixty days after the date of settlement unless there shall be a resettlement in which case the amount of the resettlement shall become due and payable sixty days after the date of the resettlement All such taxes shall bear interest at the rate of twelve per centum per annum from sixty days after the date of settlement until the same is paid except where appeals have been taken from settlements made by the Department of Revenue or by the Board of Finance and Revenue Any judgment recovered on such tax except where appeals have been taken as aforesaid shall bear interest at the rate of twelve per centum per annum until paid and where resettlement has been made the balances finally found to be due the Commonwealth shall bear interest at the rate of twelve per centum per annum from sixty days after the date of the first or original settlement

Section 8 Any company aggrieved by a settlement made by the Department of Revenue may petition the department for a resettlement request by petition the Board of Finance and Revenue for a review of any resettlement made and appeal from the decision of the Board of Finance and Revenue or in case of its failure to act in the same manner and within the same periods of time in all respects as is provided in the said Fiscal Code approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) in the case of taxes on gross receipts of individuals done wholly within the State

Section 9 This act shall become effective

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. OMINSKY. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 95, entitled:

An Act to further amend section four of the act, approved the thirtieth day of June, one thousand eight hundred eighty-five (P. L. 193), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, one thousand eight hundred and seventy-nine," by requiring all corporations incorporated by or under the laws of any other State, or of the United States, and doing business in this Commonwealth to designate a resident treasurer for certain purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—131

Achterman,	Davies,	Keiger,	Piola,
Alexander,	Decker,	Kelso,	Powers,
Allen,	Dent,	Kenney,	Reising,
Andrews,	Diehl,	Kilroy,	Robinson,
Anthony,	Dilley,	Kinney,	Royer,
Arnold,	Downey, G. E.,	Klingler,	Ruffennach,
Atkins,	Downey, J. J.,	Kobelak,	Sarraf,
Aukerman,	Eberharter,	LaRue,	Scanlon,
Baine,	Eroe,	Long,	Schaeffer,
Baker, F. T.,	Falkenstein,	Lovett,	Schrope,
Baker, J. J.,	Ferko,	Lynch,	Schwab,
Baldi,	Finnerty,	Male,	Shaw,
Barber,	Fitch,	McDermott,	Shepard,
Barnhardt,	Flanagan,	McElroy,	Shugarts,
Beadman,	Flinchbaugh,	McHenry,	Siegel,
Bernhard,	Gates,	Melchiorre,	Simon,
Bradley,	Gerard,	Mentzer,	Sinwell,
Brancato,	Haberlen,	Moomaw,	Smith, J. A.,
Brown, H. S.,	Hagerty,	Mooney,	Smith, W. G.,
Brown, J. E.,	Haluska,	Moran,	Stank,
Brownfield,	Hamilton, F. P.,	Moul,	Stevens,
Brumbaugh,	Harkins,	Munley,	Stone,
Burke,	Harmuth,	Murrin,	Sumney,
Cannon,	Hartman,	Nagel,	Tronzo,
Caputo,	Hermansen,	O'Keefe,	Tumelty,
Carson,	Hetrick,	Ominsky,	VanSickle,
Chervenak,	Hindman,	O'Neill,	Weiss,
Coakley,	Hirsch,	Panton,	Welliver,
Cochran,	Holland,	Patterson, C.,	Welsh,
Cohen,	Holstrom,	Patterson, J. W.,	Westrick,
Coleman,	Hoopes,	Pearson,	Yourishin,
Coolahan,	Kane,	Pfaff,	Furman,
Cordier,			

NAYS—39

Altenburg,	Muir,	Stewart,	Weidemann,
Blumberg,	Nothnagle,	Stockham,	White,
Duffort,	Perry,	Stott,	Wickersham,
Flynn,	Peters,	Surface,	Winner,
Gillette,	Root,	Tahl,	Witkin,
Habbyshaw,	Serrill,	Terry,	Wood,
Hoffner,	Shreiner,	Trout,	Woodside,
Jones,	Sloan,	Turner,	Yeakel,
Longaker,	Sowers,	Wall,	Zimmerman,
Moore,	Sproul,	Wasserman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 85, as follows:

An Act to safeguard persons receiving or entitled to public relief or working in private employment from political coercion and to prevent political promises in return for public relief or a position of private employment and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person directly or indirectly to deny relief or a position of private employment or to take away or procure the taking away or to threaten to take away or threaten to procure the taking away any grant of relief or a position of private employment to or from any person who is lawfully entitled thereto for the reason that such person registered or refused to register in a certain political party or voted or refused to vote for the candidate or candidates of a certain political party or directly or indirectly to promise to grant or to promise to secure a grant of relief or a position of private employment for any person whether or not lawfully entitled thereto if such person promises or agrees directly or indirectly to register in a certain political party or to vote the candidate or candidates of a certain political party It shall be unlawful for any person whether or not lawfully entitled to relief directly or indirectly to promise or agree to register in a certain political party or to vote the candidate or candidates of a certain political party in order to procure or aid in procuring or to prevent the taking away of any relief or a position of private employment or to solicit relief or a position of private employment by directly or indirectly promising to register in a certain political party or to vote the candidate or candidates of a certain political party Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to suffer imprisonment not exceeding one year or both

The word "relief" as used in this act shall mean any cash or check or any relief order redeemable in merchandise or any merchandise in kind paid for paid or payable out of public moneys appropriated or made available for the support of residents of this Commonwealth who are unemployed and without means of support.

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed.

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. REISING. Mr. Speaker and members of the House, I would like to make a few remarks with regard to this bill, with respect to its intentions and purposes and especially pertaining to the amendment.

In the section of the State where I come from, coercion and intimidation of our people has reached very serious proportions, and it would appear at this time that we ought to go along with this bill and its amendment, so that we may correct a serious evil.

In the big industrial towns and especially those that are dominated by the steel interests, our people are not permitted to exercise their citizenship, as guaranteed to them by the Constitution. I know of cases, not only a few but hundreds—yes, I would say thousands of them where men's jobs are dependent entirely on how they are registered, how they are lined up to vote, and they are checked closely. They have even got to the point where they check the records to find out how the wife and the members of the family, of voting age, are registered, the re-

quirement being that they register in accordance with the desires of the employer, so that the bread-winner may hold his position.

I can show coercion in political matters in our distrct, can prove it beyond any reasonable doubt. We have a town called Aliquippa, where in 1934 there was approximately one hundred and fifty registered Democrats and there were nearly twelve thousand registered Republicans. The general election, however, brought forth approximately five thousand votes for the Democratic candidate, while it brought forth only three thousand votes for the Republican candidate. Where conditions of that kind exist, it is quite evident, it is self-evident that intimidation and coercion are carried into the workship, and private employers have gone far beyond their rights under the Constitution, and they are telling them if they don't like it to go on relief. They are really forcing men to sacrifice their rights as Americans and citizens and the right to vote and register as they please, and the right of the franchise, the right of life, liberty, and the pursuit of happiness in this state and in this nation. In these industrial towns, I want to say that it is a sad plight. I hope that the membership of this House will take advantage of the opportunity by voting for this bill and its amendments, in order that we may be able to correct something that is serious in various sections, especially in Beaver County.

Mr. WITKIN. Mr. Speaker and members of the House, I cannot help but express my deep sense of appreciation, that we shall have reached the stage in this House where a Democrat speaks in behalf of a bill introduced by myself, and I thank him from the bottom of my heart.

Mr. SHUGARTS. Mr. Speaker and members of the House, I, too, would like to make a few remarks on the bill of my good friend, Mr. Witkin.

Well do I remember the year of 1932 when I was first a candidate for the Legislature, and the many ways in which an attempt was made by certain Republican leaders in my district to coerce the voters. Relief at that time, you will remember, was being handled by local boards supposed to be appointed without regards to politics. Somehow or other, the boards invariably had a ratio of approximately five Republicans to two Democrats. In many cases, six Republicans and one Democrat and then somehow the most active Republicans were placed on the different boards.

In the month of October, 1932, the following letter was sent to the different boards in my district: "The allocation for relief in your district for the month of November is so much (the amount being named). However, this money will not be available until you have used your October allowance. You will, therefore, upon receipt of this letter, proceed to distribute any excess funds you may have on hand in order to receive your November allowance promptly." What happened? The remaining funds were doled out with the following admonition, "This is good Republican money and there will be more forthcoming. If you appreciate it and desire to continue receiving relief funds, you should support the straight Republican ticket." At Woodland, Pennsylvania, Bradford Township, Clearfield County, the relief funds were distributed from the office of the Harbison Walker Refractories Company, Hope Plant. Ordinarily, the relief was given out on Saturday of each week starting at about 8:00 a. m. and continuing until all relief recipients in that district had been taken care of. On the Saturday before the general election in 1932, when the recipients of relief appeared at this office, the office was locked. At about 9:00 a. m., when practically all of the recipients had gathered there the bookkeeper appeared saying, "I am sorry to have kept you waiting but Mr. Stewart (who was assemblyman from that district) was to be here to address you. However, as he is ill, Mr. McClure will speak to you. Mr. McClure was and is, Superintendent of the Harbison Walker Refractories in that place. Whereupon, Mr. McClure proceeded to deliver a lecture on the necessity of supporting the Republican ticket. On election day, 1932, men were stationed at or near many of the polling places "buttonholeing" especially those on relief and promising additional flour or additional relief for a vote for the Republican ticket. Later, under our former "Governor", Mrs. Pinchot, our present relief set up was inaugurated and how was the personnel of that set-up selected? It has never been denied in my district, that the personnel including the investigators, were selected by the followers of our former governor and in the majority of cases were not selected upon ability to do the work but upon the ability to control votes. To be sure, about 5% of the personnel were Democrats in order that the set-up didn't smell too bad. In 1934 when our present governor was elected, or 1935 rather, when he took office, the relief situation in my county was very bad. Our governor appointed a relief director whom the most of you remember, Mr. Johnson. Having been pestered nearly to death by relief recipients and others in my district in regards to the coercive methods being used by our dis- Mr. Edward Jackson Thompson, held a conference with Mr. Johnson laying our complaints before him. Mr. Johnson very sauvely asked us if we would be willing to face the director of our district with our accusations to which we all agreed and a conference was arranged for the following day in Mr. Johnson's office. But what happened? Mr. Johnson happened to make a speech in Philadelphia that same evening and in his remarks used the following words: I quote: "Three politicians visited me in my office today threatening to murder a certain relief director unless he was immediately removed. As far as I am concerned, they will get exactly nowhere." Needless to say, we held no conference with Mr. Johnson as he had already passed judgment before the case was tried and he was told in language not any too polite, just where to go and how to get there. Having read his articles in the Saturday Evening Post some time ago, I was very highly amused at some of his statements how he endeavored to keep politics out of relief and called in the members of the Legislature from the different districts to talk over the qualifications of the personnel of the different boards to be established. So far he is correct in my case but what he did not tell reveals more truly the type of a relief director he was. One name submitted from my district was the name of a man who is his own worst enemy, if you know what I mean. In plain language, a man given to imbibe not wisely but too much. This happens very often and when his name was mentioned by Mr. Johnson as a good Democrat, I was forced by all rules of common sense and decency to object and tell Mr. Johnson why I objected. Before my colleague Mr. Hamilton and myself left Mr. Johnson's office he made the following remark, "I wish you

would agree to the name of this man as a member of the board in your district as he is recommended to me as a very good Democrat." Now, I have since wondered whether or not Mr. Johnson was interested in making a success out of his work or in trying to blacken the Democratic administration of which he was a part, although by registration, a Republican.

I have always been opposed to any attempt to influence voters by coercive methods. I have been opposed to the making of political gestures to those who are in need or to making false promises to the needy or aged in return for their votes. I have seen in my district, men and women penalized both in relief and industry for the reason they were registered other than with the Republican Party. I have consistently refused to use my influence in relief matters except to see that all were given fair treatment regardless of party affiliation and ladies and gentlemen, our relief set-up in my district shows little change from the set-up originated during the Pinchot regime except a reduction in personnel and I can truthfully say to the membership of this House and the State as a whole, that I have never had aught to do with the selection of any of our relief personnel and investigators despite the fact that I am accused in my district by the editor of our daily paper of dipping my fingers in the precious patronage oils and of basking in the light of our Governor and state chairman of our party. Therefore, ladies and gentlemen of this House, I ask your support for this bill in its entirety in order to guarantee the right of free speech and the right of franchise that is promised us by our Constitution.

Mr. SHEPARD. Mr. Speaker and members of the House, I am arising in support of House Bill No. 85, because I think it is one of the finest pieces of legislation that has been introduced into this House for some time. It represents a new emancipation of thousands and thousands of my constituents and virtually reassures my relection to this House, because many of my friends have said to me "I would like to register and vote Democratic and support you and your party but my boss tells me, even though I am but a cook or maid in his house, I must register and vote Republican."

This bill releases them from all those restrictions, and I want to thank the minority leader of this House for his contribution to my campaign.

Mr. WITKIN. Mr. Speaker and members of the House, I want to thank the gentleman from Philadelphia, Mr. Shepard, and I also want to be equally frank with him and tell him that I did not introduce this bill in order that he might be reelected. The reason I introduced it was that when I walked down the street in any part of the city of Philadelphia, in every corner of the city of Philadelphia and talked to anybody who is politically minded and particularly the WPA-ers and the recipients of relief, I want them to be in a position where they will be able to say to me in the future, and not as they have in the past, "we are glad you put that bill over, because even though we are getting relief, and even though we are working on the WPA and getting paid for our work, we still want to vote for the best party for the Commonwealth and for the country, the Republican party."

Mr. JOHN A. SMITH. Mr. Speaker and members of the House, in rising to support this bill I am reminded of an Irish funeral. Casey was dead and comfortably placed in his coffin.

The friends and members of the family had assembled for the usual Irish wake and sat around the corpse exchanging familiar and complimentary reminiscences of their deceased friend. The widow sat in silence.

The friends knew Pat was not a good husband, he had beaten his wife, he had abused the children and he had very meagerly supported his family when sober and not at all when drunk.

At last in characteristic Irish loyalty the widow broke her silence with a sigh. "Poor Pat" she said, "he sure was a foine husband. Every Saturday night he came home and gave me his pay envelope, just as regular as Saturday night came around. Of course there was never anything in it but it was the principle of the thing that counted!"

This is exactly why I am for this bill.

We know the record of the Republican party in Pennsylvania. Never since the days of Abraham Lincoln has it presented a measure to protect the voters from coercion, intimidation, nor bribery.

So now with charactertistic Democratic loyalty to our deceased and departed political brother, we must forget the abuses, contempt and bedeviled memories of the past and pay our compliments meagerly and solely upon the principle of the thing.

For forty-four years the Democrats of Pennsylvania have "taken it on the chin" and have come up smiling. This meaningless and empty duplication of the Act of 1860 is a clear demonstration that the languishing and demoralized Republicans are smarting under the lash of conscience and defeat and "cannot take it."

But why should the gentleman of Philadelphia feel so excited about the possibilities of relief as an inquisition of coercion and abuse? Does the gentleman from Philadelphia know from party tradition or history the very possibilities of political coercion among relief recipients?

In the vast experience of the Republican party in Philadelphia and Pennsylvania, does he have some precedent to arouse his suspicions and excite his curiosity?

Verily "out of the fullness of the heart the mouth speaketh." I take it for granted that the gentleman knows whereof he speaks and I accept his judgment in supporting this bill.

But we are not without sustaining facts in supporting the principle of the bill. On the very eve of the election that swept the Republican party from power, we participated in the arrest of an assistant highway superintendent who allegedly bribed, coerced, or threatened workmen for political support. The case was listed for trial in the Federal Courts of the Middle District of Pennsylvania but has never, to my knowledge been brought before the court.

The accused was not dismissed until the Administration changed and has recently been employed by one of the fiscal officers of this Commonwealth which now supports the party that sponsors this legislation.

I say if this bill is necessary to arouse the Republican party to the consummation of this case, we Democrats should be for it.

trict emergency relief director and his staff of investigators, I together with my colleague of Center County, Mr. John W. Decker and the Senator from our district,

In the same election reports were brought to me of offers of food orders for votes for the Republican candidates from within a stones throw of my home. In my

investigations of relief conditions in my county I found that food orders were cashed at certain stores by political domination until one elderly relief worker exclaimed in vehemence "this is worse than Russia." I myself saw relief slips in a cross roads community which showed seventeen relief recipients regimented to patronize the store of the political leader of the Republican party of that community.

In the findings of the legislative committee to investigate Area 4 it was shown that the political complexion of the relief workers was preponderantly Republican.

In Cumberland County a poll of Relief Administrative employees showed 33 Republicans, 5 Democrats, and 5 not registered.

In our first CWA set-up we found 16 Republicans, 5 Democrats, and 4 not registered.

We found in the Works Division, 8 Republicans and 1 Democrat.

In Butler County I am reliably informed that the force of investigators contained one Democrat to 18 Republicans.

When recent orders were issued from Harrisburg to curtail the force the one Democrat was dismissed. If this legislation will serve to assure the Democrats a prorated representation in the personnel of the State Emergency Relief Administration we would be extremely thankful for a genuine application of the law of averages. But the purpose of this bill is not to provide safeguards to the voters of Pennsylvania. Neither is it presented to protect the relief recipients of the State. Genuine relief is not in the category of the legislative attainments of the Republican party. Even in providing funds for relief the policy of borrowing and raiding in the past is equalled now by evading and quibbling today.

The whole relief scheme is not ours "either in person nor in thought. It is the foundling which was laid at the doorstep of this Administration without food nor rainment except that which was snatched from the firemen, the highways and schools and hospitals of the State.

With an empty treasury we assumed parentage for your baby and without as much as washing its dirty face we accepted the responsibility of nurturing an infant which was conceived in iniquity and dedicated to the proposition that politicians must first be served.

If this bill serves us in the exposition of the evils of the present system I am for this bill.

In the report of the legislative investigating committee of Lawrence County recommendation No. 1, reads "The present method of employing administration employees including foremen and timekeepers on projects is an ideal set-up for either party or office politics as it is possible to give positions to those not in need of relief."

In an editorial in the Johnstown Democrat more than a year ago, we find this statement, "Robert L. Johnson, executive director, State Emergency Relief Administration and members of his Biddleized staff have been literally thumbing their fingers at the various pending efforts being made to investigate relief activities in particular local areas.

Johnson and members of his executive staff, composed of men and women whom Eric Biddle created in his own image, when confronted with evidences of graft, incompetency, favoritism, political bias, prejudice, personal politics and lack of moral qualifications enter only one defense. They say "It isn't so" We know better."

This arbitrary power of the SERB is most clearly emphasized in the report of the Committee to investigate Relief in Allegheny County in which relief officials are termed as both "judge and jury" in all disputes with clients. Commenting on the political control of the SERB as conceived and nurtured by its Republican parentage, Ed. Jones in a speech at Wilkes-Barre last December made these unchallenged remarks:

"I don't need to tell you—because you know—that there is not a single administrative member of the relief staff in Luzerne County who does not owe his job either to Judge Fine, Ambrose Langan, "Tug" Burns or Morgan Bird, every one of them political lieutenants of Gifford Pinchot."

That's Mr. Guyler—the gentleman who was Chief Lieutenant of Dole Dispenser Biddle through whom Dole Dispenser Biddle has continued to operate the State Emergency Relief Administration of Pennsylvania." If the bill of the gentleman from Philadelphia will cure the political defects and infections of our unruly and expensive foundling, I am for the bill.

We are now told that relief belongs to the counties. I am inclined to believe it. I sincerely regret that my bill 37 cannot be reported out of committee because it is not within the scope of the Governor's call.

I am convinced that we should have both local responsibility and local participation in relief disbursements not by sudden transition which will disrupt the orderly processes of transfer but by gradual assumption of the administration by agencies of local concern and local understanding.

But who created this bureaucratic system and why? We had local control and local participation under the Talbot acts. The system was faulty to be sure but not hopelessly so. Why then was it abandoned?

From the history and depredations of the SERB we must judge for two reasons, namely,

1. To provide a medium for playing "politics with human misery" and

2. To create a paradise for the social service graduate by stilted government subsidy rather than the effective functioning of theory in practical application and service.

In the splendid report of the Allegheny Committee this important statement stands in bold relief. "The necessity for less State control and more local control cannot be over emphacized. The SERB should be retained, for the purpose of determining allotments to various counties and with power to correct local conditions when necessary, but, subject to this, the manner, organization, distribution and planning of relief is a local problem." From the very beginning we have drifted farther and farther from local control. Dr. Wilbur F. Norcross, head of the Department of Psychology of Dickinson College resigned from the Chairmanship of the Relief Committee when the corroding and sinister hand of politics reached out under the former Administration to strangle free thought and local control.

His successor testified that most willingly did the Harrisburg office accept the resignation of local board members until all control was centered in Harrisburg. The bill under consideration does not strike at the heart of the situation.

It is not intended to. It is merely a vehicle for a play to the gallery. It is a cheap trick in political magic to divert the mind of the voter and taxpayer from the real

issues before us. It is a bauble of morbid desire to be heard in political diatribes—empty and meaningless repetitions of stale and assinine arguments comparable only to the recordings of a cracked and battered phonograph record.

I am for this bill because it is in keeping wit hthe traditions of the Democratic minority in this house for generatons.

I am for this bill because it is in keeping with the tradiposes the apprehensions of the Republican minority when control passes from their counsels but I am for it most of all because we have clean hands and because the abuses and political chicanery of the SERB fall on the personnel collected and installed by the former administration and as yet undisturbed by the present Administration.

Mr. TURNER. Mr. Speaker and members of the House, I think if I speak from down here.—I know you all want to go down town—

Mr. WITKIN. Mr. Speaker, I wonder if in order to prevent my bill getting licked it is necessary for me to move the previous question.

The SPEAKER. The Chair hears no second. The gentleman from Delaware will proceed.

Mr. TURNER. Mr. Speaker and members of the House, I know that you all want to get down town, and I don't want to delay you after that marvelous address by the gentleman from Cumberland. The gentleman from Philadelphia was correct when he attempted to move the previous question to prevent his bill from getting licked because I was for this bill up until the time the gentleman from Beaver, Mr. Reising and Mr. Shugarts and Mr. Mr. Smith and the others got on this floor and started to talk for this bill. I am now against it.

Now, Mr. Speaker and members of the House, very seriously speaking I feel—I don't make many speeches in this House—the trouble with the gentleman from Cumberland is that he is talking about something that happened in the past, while the gentleman from Philadelphia intends this bill to correct present abuses. Now, I was with him on that. I thought after seeing the fancy way in which these votes have been mustered, I was absolutely for this bill but when Mr. Reising arises on this floor and tells us that he knows of a thousand cases out in his county and out in his district, and I hear these others tell me of the things that we have been trying to do in our own county,—I have been trying to get the manufacturers to do the things that you fellows have been talking about, and we can't get it done. Therefore, I don't want to do anything to discourage them at the present time.

Very seriously I have been sitting over on the other side of this hall among those distinguished men, excluding the gentleman from Philadelphia.

POINT OF ORDER

Mr. WELSH. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Fayette, Mr. Welsh, will state his point of order.

Mr. WELSH. The gentleman is not talking on the bill, Mr. Speaker. He is telling where he has been sitting, and one thing and another.

The SPEAKER. The point of order of the gentleman from Fayette is well taken.

Mr. WELSH. He is taking up too much time.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I arise to a point of order. The gentleman has already stated his point of order and now he is talking again.

Mr. WELSH. Mr. Speaker, if I may permitted to do so, I would like to make an announcement.

The SPEAKER. The gentleman will be permitted to do so.

Mr. WELSH. Mr. Speaker and members of the House, there will be a meeting of the Republicans at the Penn-Harris Hotel at midnight, June 15, for the purpose of joint debate, and I hope you will soon call the roll.

Mr. TURNER. Mr. Speaker, I hope this House will be in order when the gentleman is speaking, because I realize that in that white suit he ought to have a chance to be heard and seen both when he is speaking.

I covered about the first hour of my speech, but unfortunately Mort Witkin took my notes and gave them to Herb Cohen. If you fellows will take me seriously for a moment, I want to say, Mr. Welsh, that I sat with you on this side of the House — — —

QUESTION OF PARLIAMENTARY INQUIRY

Mr. VANSICKLE. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Northampton, Mr. VanSickle will state his question of parliamentary inquiry.

Mr. VANSICKLE. Mr. Speaker, should not the gentleman be at his seat that he is talking about under Rule 62?

The SPEAKER. The gentleman from Northampton is correct, inasmuch as the gentleman from Delaware is not speaking from his own seat.

Mr. HOOPES. Mr. Speaker, I move the previous question.

The Speaker. The Chair hears no second to the motion. The gentleman from Delaware will proceed.

Mr. TURNER. Mr. Speaker, in the second episode where Marjory returns to her mother—

The SPEAKER. The Clerk will call the roll.

POINT OF ORDER

Mr. TURNER. I rise to a point of order, Mr. Speaker. I heard no motion and I heard no count from the Chair. Therefore, there has been no previous motion made or seconded. I ask for the privilege of proceeding. I demand my constitutional rights.

The SPEAKER. The gentleman from Delaware, Mr. Turner will proceed.

Mr. HOOPES. Mr. Speaker, I renew my motion for the previous question.

The SPEAKER. The gentleman from Berks renews his previous motion. Are there any seconders to the motion? The Chair does not hear enough seconders. The gentleman from Delaware will proceed.

Mr. TURNER. Mr. Speaker, in the third episode, where Herman returns in time to save the mortgaged premises and father is allowed to vote as he pleases—I merely want to say this in conclusion, that I felt I would vote for this bill, but when so many of the Democrats are in favor of this bill I cannot break the custom of this session in the midst of the session,—I shall not swap horses in mid-stream I shall continue to vote "No" against any bill that this Democratic side feels is such a wonderful piece of legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the years and nays were taken and were as follows, viz:

YEAS—198

Achterman,	Duffort,	Mallen,	Schwab,
Alexander,	Eberharter,	Mason,	Serrill,
Allen,	Eroe,	McCreary,	Shaw,
Altenburg,	Falkenstein,	McDermott,	Shepard,
Andrews,	Ferko,	McDevitt,	Shortz,
Anthony,	Finnerty,	McElroy,	Shreiner,
Arnold,	Fitch,	McHenry,	Shugarts,
Atkins,	Flanagan,	McKinney,	Siegel,
Aukerman,	Flinchbaugh,	Melchiorre,	Simon,
Baine,	Flynn,	Mentzer,	Simpson,
Baker, F. T.,	Forrest,	Merrell,	Sinwell,
Baker, J J.,	Gates,	Moomaw,	Sloan,
Baldi,	Gerard,	Mooney,	Smith, J. A.,
Barber,	Gillette,	Moore,	Smith, W. G.,
Barnhardt,	Greenstein,	Moran,	Snyder, F. E.,
Beadman,	Habbyshaw,	Moul,	Sowers,
Bernhard,	Haberlen,	Muir,	Sproul,
Blumberg,	Hagerty,	Munley,	Stank,
Boose,	Haluska,	Murrin,	Stevens,
Boyd, R.,	Hamilton, F. P.,	Nagel,	Stewart,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stockham,
Bradley,	Harkins,	O'Keefe,	Stone,
Brancato,	Harmuth,	Ominsky,	Stott,
Brennan,	Hartman,	O'Neill,	Sumney,
Brown, H. S.,	Hermansen,	Panton,	Surface,
Brown, J. E.,	Hetrick,	Parks,	Sweeney,
Brownfield,	Hindman,	Patterson, C.,	Tahl,
Brumbaugh,	Hirsch,	Patterson, J. W.,	Terry,
Burke,	Hoffner,	Pearson,	Tronzo,
Cannon,	Holland,	Perry,	Trout,
Caputo,	Holstrom,	Peters,	Tumelty,
Carr,	Hoopes,	Pfaff,	Van Allsburg,
Carson,	Horst,	Phillips,	Van Sickle,
Castor,	Jackson,	Piole,	Wall,
Chervenak,	Jones,	Powers,	Wasserman,
Coakley,	Kane,	Reising,	Weidemann,
Cochran,	Kelder,	Reynolds,	Welliver,
Cohen,	Kelso,	Rhys,	Welsh,
Coleman,	Kenney,	Rinn,	Westrick,
Condon,	Kilroy,	Roan,	White,
Coolahan,	Kinney,	Robinson,	Wickersham,
Cooper,	Klingler,	Rooney,	Winner,
Cordier,	Kobelak,	Root,	Witkin,
Davies,	LaRue,	Royer,	Wood,
Decker,	Linderman,	Ruffennach,	Woodside,
Dent,	Long,	Scanlon,	Yeakel,
Diehl,	Longaker,	Schaeffer,	Yourishin,
Dilley,	Lovett,	Schrock,	Zimmerman,
Downey, G. E.,	Lynch,	Schrope,	Furman,
Downey, J. J.,	Male,		

NAYS—1

Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. REISING. Mr. Speaker, I desire to call up at this time, House Bill No. 61, Printer's No. 114, on page 4, of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. REISING.

The House resumed the consideration on final passage of House Bill No. 61, entitled:

An Act imposing an income tax for State purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons partnerships associations corporations State officers employes and departments making an appropriation and imposing penalties.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. EBERHARTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. REISING. Mr. Speaker, I desire to rise to oppose this motion. To my mind the time is here now that we should carry this bill forward because it plays a vital part in helping our real estate taxpayers. After hearing what we have heard here tonight it is self-evident that there is no need to longer hold this bill on the calendar for any purpose other than that which the bill calls for at this time. I would ask the members of this House to vote the motion down.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. WITKIN and Mr. WICKERSHAM.

Mr. WITKIN. Mr. Speaker, I ask for verification of the roll.

The roll was verified and was as follows:

YEAS—95.

Achterman,	Downey, J. J.,	Klingler,	Rinn,
Alexander,	Eberharter,	Kobelak,	Robinson,
Allen,	Eroe,	LaRue,	Ruffennach,
Anthony,	Falkenstein,	Long,	Scanlon,
Arnold,	Ferko,	Male,	Schaeffer,
Aukerman,	Finnerty,	McDermott,	Schwab,
Baine,	Fitch,	McElroy,	Shaw,
Baker, J J.,	Flanagan,	McHenry,	Shepard,
Barber,	Flinchbaugh,	Melchiorre,	Shugarts,
Bradley,	Gerard,	Moomaw,	Siegel,
Brancato,	Haberlen,	Mooney,	Simon,
Brown, H. S.,	Hagerty,	Moran,	Sinwell,
Brownfield,	Hamilton, F. P.,	Moul,	Smith, W. G.,
Burke,	Harkins,	Munley,	Stank,
Chervenak,	Harmuth,	Murrin,	Stevens,
Coakley,	Hartman,	Nagel,	Sumney,
Cochran,	Hetrick,	O'Keefe,	Tronzo,
Cohen,	Hindman,	Ominsky,	Tumelty,
Coleman,	Hirsch,	Patterson, Cliff.	Welliver,
Coolahan,	Holland,	Patterson, J. W.,	Welsh,
Decker,	Holstrom,	Pearson,	Westrick,
Diehl,	Kelso,	Pfaff,	Yourishin,
Dilley,	Kilroy,	Piole,	Furman,
Downey, G. E.,	Kinney,	Powers,	

NAYS—81.

Altenburg,	Hamilton, R. S.,	Nothnagle,	Stott,
Andrews,	Hermansen,	Panton,	Surface,
Baldi,	Hoffner,	Parks,	Sweeney,
Barnhardt,	Hoopes,	Perry,	Tahl,
Beadman,	Horst,	Peters,	Terry,
Bernhard,	Jones,	Phillips,	Trout,
Blumberg,	Kane,	Reising,	Turner,
Boyd, R.,	Kelder,	Reynolds,	VanAllsburg,
Boyer,	Kenney,	Roan,	Van Sickle,
Brennan,	Linderman,	Royer,	Wall,
Brown, J. E.,	Longaker,	Schrock,	Wasserman,
Cannon,	Lovett,	Serrill,	Weidemann,
Carr,	Mallen,	Shortz,	White,
Condon,	Mason,	Shreiner,	Wickersham,
Cooper,	McCreary,	Simpson,	Winner,
Davies,	McDevitt,	Snyder, F. E.,	Witkin,
Flynn,	McKinney,	Sowers,	Wood,
Gates,	Mentzer,	Sproul,	Woodside,
Gillette,	Merrell,	Stewart,	Yeakel,
Greenstein,	Muir,	Stockham,	Zimmerman,
Habbyshaw,			

So the question was determined in the affirmative and the motion was agreed to.

ANNOUNCEMENTS

COMMITTEE MEETINGS

The Committee on State Government will meet tomorrow at 11:45 a. m. in Room 324.

The Committee on Ways and Means will hold a public hearing on House Bill No. 130 tomorrow at 2:00 P. M. in the House Caucus Room.

MEMORIAL SERVICES

Mr. LARUE. Mr. Speaker and members of the House, tomorrow afternoon, at three o'clock, is the hour and day set for the memorial services of the four deceased members of this House.

We would ask as many members of the House as possible to be present at that hour, to try and make this program a success.

RESOLUTION

Mr. MURRIN offered a resolution which was filed with the Clerk under the rules.

ADJOURNMENT

Mr. CHERVENAK. Mr. Speaker, I move that this House do now adjourn until 12:00 o'clock noon.

The motion was agreed to, and (at 12:42 A. M.) the House adjourned until Tuesday, June 16, 1936, at 12:00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., TUESDAY, JUNE 16, 1936. No. 20.

SENATE

TUESDAY, JUNE 16, 1936.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Our Father and our God, in moments of thoughtfulness we stand amazed before the accomplishments of man's intellect, ingenuity and inventive power. These have wrought wonders and have revolutionized the earth. They have benignly touched every department of our being, radiating light, lifting burdens, relieving pain, preserving life and conquering space.

We would lay all these miracles at Thy feet, O God, because the men who have performed them are Thy children and have inherited their genius from Thee. As we enjoy the wonderful world in which we live, tune our life to sing Thy praise—gird us to fight to keep our earthly abode beautiful, so that it may increasingly express Thy glory and Thy creative power. May the actions of this Senate help unveil the face of God to a beholding humanity.

We ask these favors in the name of our Master. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. EALY, the further reading was dispensed with, and the Journal was approved.

PETITION

FAVORING ENACTMENT OF PENDING LEGISLATION ON SOCIAL SECURITY BILLS

The Chair cleared his table and laid before the Senate telegram from the State Aerie Fraternal Order of Eagles favoring enactment of pending social security bills to conform with legislation enacted by Congress.

Which was referred to the Committee on State Government.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 16, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Jeannette Burkhart, Wilkinsburg.

CLARION COUNTY

Freas E. Powell, Clarion.

MERCER COUNTY

Miss Rebecca Bennett, Sharon.

NORTHAMPTON COUNTY

Mrs. Beulah Huff, Hellertown.
A. S. Kichline, Hellertown.

GEORGE H. EARLE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 16, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

BUCKS COUNTY

Paul D. Fretz, Perkasie, June 27, 1936.

ERIE COUNTY

C. Manton Emery, Erie, June 27, 1936.

LUZERNE COUNTY

Joseph R. Sherman, Hazleton, June 27, 1936.

MONTGOMERY COUNTY

Harry H. Schultz, Lansdale, June 27, 1936.

PHILADELPHIA COUNTY

Miss Lillian N. Beby, Philadelphia, June 27, 1936.

GEORGE H. EARLE

COMMITTEE TO DRAFT RESOLUTIONS ON THE DEATH OF THE LATE SENATOR FROM BERKS HONORABLE JAMES E. NORTON

The PRESIDENT. The Chair has appointed the following committee to arrange for the memorial services for the late Senator from Berks Honorable James E. Norton.

The Senator from Berks, Mr. Ruth, the Senator from

Somerset, Mr. Ealy, the Senator from Schuylkill, Mr. Staudenmeier, the Senator from Allegheny, Mr. Harris and the Senator from Northampton, Mr. Roberts.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED (Dauphin). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Dauphin, Mr. Reed, will state his question of personal privilege.

The Committee on State Government, of which I have the honor to be Chairman, had committed to it at various times the following measures:

House Bill No. 49 (Senate Bill No. 39), which is an amendment to certain sections of the Mothers' Assistance Law.

House Bill No. 59 (Senate Bill No. 55), which broadens the scope of the Mothers' Assistance Law, and

Senate Bill No. 14, relating to Old Age Assistance.

Nothing has been introduced in the Senate, nor come to us from the House, suggesting any statutory changes in the Pennsylvania system of Pensions for the Blind, and it is assumed therefore that none is necessary.

It is appropriate to group these measures as being the measures necessary to bring the existing Pennsylvania pension systems into conformity with the Federal Social Security Law.

With the exception of Senate Bill No. 14, these measures are of Democratic sponsorship in the lower House, which passed them with the general understanding that they were administration measures and in such form as to meet with the approval of the Attorney General's office. Certainly we have the right to assume as much, because I have not heard of any expressions to the contrary, and as Chairman of the Committee on State Government, there has been no communication to me from the Attorney General's office of disapproval or criticism.

Senate Bill No. 14, is sponsored by our able Democratic colleague, the gentleman from Allegheny, Mr. Frey, and I am certain that in a matter of such importance, he would not offer to this Senate the bill now before us unless it had the approval of the distinguished Attorney General.

What is intended to be accomplished by these measures is not the establishment of a system of pensions embracing assistance to mothers with dependent children, and old age assistance to the indigent, but the intent is to change the Pennsylvania statutes placed upon our books years previously by Republican Administrations so as to procure from the Federal government additional sums for these purposes. It should be remembered that before the present so-called Social Security was born in Washington, with the Townsend Plan as its father, and the Huey Long Share-the-Wealth as its mother, Pennsylvania had established and in operation, and made actual by millions of dollars of state money appropriated, plans to help those who needed it. The Republican Party, therefore, has by concrete works, evidenced a sincere desire to solve these questions. What I do wish to make clear is that while the interest of the Republican Party is emphatically continued, as legislators we must not be held responsible for any failure that may arise out of the incompetent and hasty legislative treatment of the subjects as they are now before us.

To this end, the Committee on State Government feels the necessity of preserving the Pennsylvania systems as they presently exist against future collapse, which may occur either by reason of the unconstitutionality of the Federal act, or the discontinuance of Federal grants. That the latter contingency is not far-fetched is evidenced by the Federal government's arbitrary and unexpected treatment of Pennsylvania in the matter of unemployment relief, when the President by decree stopped unemployment relief grants and left Pennsylvania with an account receivable which has not yet been paid, amounting to over $15,000,000 as the distinguished Senator from Cumberland, Dr. Prince, has recently demonstrated upon the floor of this Senate.

In order that we may not again be left holding an empty bag, automatic repeals have been attached to these measures so that insofar as it is legislatively possible, if Washington should suddenly issue another mandate or decree, Pennsylvania will surely return to its Republican-created plans of pension without loss or detriment to those who have been the beneficiaries of them.

The Committee found it impossible in the matter of mothers' assistance to change the elective system to a compulsory system, which the Federal law requires as compliance with it, without violence to our Constitution. That fundamental question has been hurdled in these bills by the provision that the counties which have refused to comply with the provisions of the law as to organize mothers' assistance, will be able to receive, without the expenditure of a dollar by them, as much in one year as the complying counties have received over a two-year period by matching with county funds the sum contributed by the State.

There was appropriated at the 1935 session $4,115,000 for mothers' assistance. According to the provisions of existing law, $4,082,072 was ear-marked for distribution to sixty-two counties, with mothers' assistance boards organized, the money to be distributed pro rata according to population. This meant that an equal sum contributed by these sixty-two counties would be available for the same purpose. The following counties were not at the time of the enactment of the appropriation measures, and have not since organized mothers' assistance boards; consequently, the State Treasurer, in accordance with law, has set aside for their use the sums hereafter indicated, contingent upon organization:

Elk County	$14,284
Forest County	2,214
Fulton County	3,944
Perry County	9,290
Pike County	3,196
	$32,928

In addition thereto, the following three counties, which have organized Mothers' Assistance Boards, have failed to certify that they have appropriated county money to meet the requirements of the Mothers' Assistance Law, and consequently no funds have been paid from the State Treasury upon the allocation made under the existing law.

These counties, with the amount allocated for the biennium, are as follows:

Beaver County	$68,644
Clearfield County	37,200
Fayette County	85,542
Total	$191,386

After a careful study of this question, we are of the opinion that the amendments to State Law now proposed will make the total sums set aside for these counties available to them for the second year of the biennial period, without contribution by them for the first year, to the discrimination of the fifty-nine counties that are matching the State funds. I submit that this raises a grave question, and further would seem to be an encouragement to other counties to discontinue their contributions.

When political sub-divisions, not contributing, may receive equally generous treatment, how long will the county contribution or matching system continue under these circumstances? If the system so carefully set up as to equal responsibility is to be destroyed, then our Democratic friends must assume the responsibility for it.

There is another glaring inconsistency in the treatment of the subject. Pennsylvania has accorded assistance to mothers because they have had dependent children. The Federal act contemplates care of dependent children regardless of whether they are in the custody of the mother or otherwise. The fundamental thought underlying Pennsylvania's treatment of the subject is the preservation of the home and the retention of the child under maternal care. These measures complacently ignore this entire subject of variance of treatment, even to the point of failing to define what is a dependent child.

The Republican platform, adopted at Cleveland last Thursday, declares that:

"Society has had an obligation to promote the security of the people, by affording some measure of protection against involuntary unemployment and dependency in old age security."

One of the principles upon which this policy is based, is stated in the platform to be:

"Each state and territory, upon complying with simple and general minimum standards, should receive from the Federal Government a graduated contribution in proportion to its own, up to a fixed maximum."

The Federal "Social Security Act," while admirable in its purposes of enabling the several states to make more adequate provision for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health, and unemployment compensation, nevertheless places drastic restrictions upon the several states. It prescribes the legislative discretion of Pennsylvania and of every other State, by forcing the state to comply with the Federal plan, even though the Federal plan may be in defiance of the mandates of the Constitution of the state. The Federal act, therefore, in its restrictive features, is not in harmony with the policy of the Republican party which demands that grants shall come from Washington to the several states upon simple and general minimum standards. As contrasted with New Deal policy, the Republican party concedes that the right of the state to pass laws upon subjects reserved to the state, a right guaranteed by the Constitution of the United States, shall remain inviolate.

Hence Republican members of the Senate are confronted with a dilemma; whether to support bills we believe to be hastily drawn, uncertain as to interpretation; inequitable in operation, and of doubtful constitutionality; or to amend them in vital features, thereby risking Washington's refusal to make grants.

Under these conditions, we dare not amend them, as we would, were it possible to exercise freely our discretion as legislators. We are at the mercy of a bureaucracy at Washington, which may withhold grants unless we abdicate our Legislative discretion and bow in submission to the will of the Social Security Board. Whatever our views may be as to the wisdom of certain provisions in the three bills which are today on our third reading calendar, we must pass them in their present form, lest by any further act of ours in perfecting these bills by amendment, the Federal Social Security Board may find it advantageous for political reasons to further withhold grants provided for under the Social Security Act, which grants are imperatively needed by Pennsylvania's aged, and by Pennsylvania mothers with dependent children.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 39 (House Bill No. 49), as follows:

An Act to amend sections four and five of the Act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" by providing for the payment in newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium and suspending certain provisions of this act in case Federal aid for dependent children shall fail for any reason

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met it is hereby enacted by the authority of the same That section four and five of the Act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" are hereby amended to read as follows

Section 4 No county shall receive its allotment of the

State appropriation available for any year under the method of distribution provided by this act unless such county [has accepted the provisions of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) as amended and] has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year [No county shall receive any sum from the State under sections two and three of this act unless such county shall appropriate a like sum for the same purpose] or such other amount if any as the Department of Welfare shall determine in the manner provided by law

Section 5 Out of the amount hereinbefore appropriated there shall be set apart for the counties not organized under the Mothers' Assistance System on the first day of June one thousand nine hundred and thirty-four a sum equal to the amount that would be their allocation if the amount available for Mothers' Assistance were allocated to counties on the basis of population The amount thus allocated to any unorganized county shall be [divided by the State Treasurer into two equal parts and one such part shall be available for each] available during the second fiscal year of the biennium to such county after it becomes organized as required by law Any unorganized county organizing during the [first or] second fiscal year of the biennium shall be required to match only such portion as would have been available for the [months of] [the year or] second fiscal [period remaining after such acceptance] year had such county been organized at the beginning of the fiscal period

Section 2 The purpose of this act is to qualify all counties of this Commonwealth under the Mothers' Assistance Law and thus to enable the Commonwealth to receive Federal grants for aid to dependent children under Title four of the Social Security Act

In the event that Title four of the Social Security Act shall be held unconstitutional by the Supreme Court of the United States or shall be repealed and Federal grants for aid to dependent children shall fail for such or for any other reason whatever then so long as Federal grants for aid to dependent children shall not be available to this Commonwealth no county shall receive any sum from the State under sections two and three of this act unless such county shall appropriate a like sum for such purpose The Department of Welfare shall have no power to determine that any county may appropriate any other amount in order to receive its allotment of the State appropriation To the extent of any inconsistency the foregoing provisions of this act shall in such cases be suspended so long as Federal aid for dependent children shall not be available to this Commonwealth and the provisions of this section shall be in force

Section 3 This act shall become effective immediately upon its final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SHAPIRO. Mr. President, last night when this bill was on the calendar, there were amendments offered, and having listened to the amendments as they were read from the desk, I was of the opinion that the amendments would have the effect of possibly destroying the bill and delaying this procedure. This morning I have read the amendments carefully and I have discussed the matter with the Senator from Dauphin, Mr. Reed, and I am of the opinion that the amendments are proper and will not affect the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Aron,	Harvey,	Pytko,	Sones,
Batchelor,	Howell,	Rankin,	Sordoni,
Bean,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Roberts,	(Westmoreland)
Frey,	McCreesh,	Rodgers,	Trainer,
Gelder,	Owlett,	Ruth,	Woodward,
Graff,	Pierson,	Salus,	Homsher,
Harris,	Prince,	Shapiro,	Pres. Pro. Tem.

NAYS—1

Buckman,

A majority of the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 14, as follows:

An Act providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons providing for the recovery of moneys expended for assistance in certain cases prohibiting political activity by employes of the board providing substitute provisions in case Federal grants for old age assistance shall fail for any reason providing penalties and repealing inconsistent acts

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Short Title This act shall be known and may be cited as the "Old Age Assistance Law"

Section 2 Definitions The following words and phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Assistance" means financial assistance to aged indigent resident citizens qualified to receive assistance under this act or payments toward the funeral expenses of such persons as provided in this act

"Beneficiary" means a person who is receiving financial assistance in accordance with the provisions of this act

"Board" means the Board of Trustees of the Mothers' Assistance Fund in a particular county established by law and herein invested with powers to administer this act

"Department" means the Department of Welfare of the Commonwealth of Pennsylvania

"Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several states to make more adequate provisions for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes"

"Social Security Board" means the Social Security board established by the Social Security Act

Section 3 Administration of Act This act shall be ad-

ministered by the department and the boards in the several counties of this Commonwealth

Section 4 Cooperation with Federal Board The department is empowered and directed to cooprate with the Social Security Board in carrying out the provisions and purposes and the administration of title one of the Social Security Act and is further empowered to supervise the disbursement of all funds provided bv the Federal Government for use in this Commonwealth for assistance to make such reports in such form and containing such information as the Social Security Board may from time to time require and to comply with such orders and regulations as such board may from time to time make to assure the correctness and verification of such reports

Section 5 Qualifications for Assistance Assistance may be granted under this act only to an applicant who

(a) Has attained the age of seventy years or upwards or who after December thirty-first one thousand nine hundred and thirty-nine attains the age of sixty-five years or upwards

(b) Is a citizen of the United States

(c) Resides in this Commonwealth and (1) has so resided therein for five years during the nine years immediately preceding the date of making application for assistance (2) has so resided continuously for one year immediately preceding the date of making application for assistance and (3) has a legal settlement in this Commonwealth Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the Commonwealth if a domicile has not been required outside the Commonwealth

(d) Is not at the date of making application an inmate of a public reform or correctional institution or public mental hospital

(e) Has not within two years preceding the date of application for assistance been a professional tramp or beggar

(f) Is indigent and has no relative responsible under the law of this Commonwealth and financially able to support him or her

(g) Shall not have voluntarily relinquished or given up any gainful employment without just cause within six months preceding the date of making application for assistance

(h) Shall not have conveyed or transferred his or her real or personal property of the value of five hundred dollars ($500.00) or upwards without fair consideration within two years preceding the date of making application for assistance

Section 6 Application for Assistance All applications for assistance shall be made to the board of the county in which the appelicant resides in such form as the department shall prescribe Forms of such applications shall be furnished by the department to the respective board

An application for assistance shall not be approved until the board is satisfied after proper investigation that the applicant is qualified for assistance under the provisions of this act

Any beneficiary under existing law repealed by this act shall without further qualification become eligible to receive assistance under the provisions of this act In case this act operates to qualify applicants previously rejected for lack of funds or for lack of qualifications such applicants shall be entitled to priority

All applicants for assistance shall be sworn to or affirmed by the applicant setting forth that all facts are true in every particular Any member or employe of a board shall have authority to administer such oath or affirmation and shall' not charge or receive any fee for so doing

Section 7 Investigators' Reports Before any assistance is granted to any person under the provisions of this act a complete report shall be made by an investigator of the board of all matters stated in the application giving (a) the name of the applicant (b) the number and kinds of relatives legally liable for support of the applicant (c) the financial condition of such relatives and (d) all other matters which shall be from time to time required by the department and the Social Security Board All such reports shall be made upon forms supplied for the purpose by the department All such reports shall be made in triplicate One copy shall be retained in the office of the board and if the application is approved one shall be forwarded to the department and one copy shall be forwarded to the Auditor General Each report shall be sworn to by the investigator which oath may be administered by any member or other employe of the board Before any assistance is granted the application and the report of the investigator shall be approved by a matjority of all the members of the board

Section 8 Amount of Assistance Payments from State and Federal Funds The maximum assistance allowed by any board under the provisions of this act shall not exceed thirty dollars ($30.00) per month for any beneficiary Such payments shall be made from state appropriations for old age assistance and grants from the Federal Government to the Commonwealth for assistance to aged needy individuals but in the event that Federal grants are not available payments may be made entirely from State appropriations

All payments of assistance shall be made direct to the beneficiary by warrant after requisition by the department as provided by law in other cases In the event of the death of any beneficiary the department may authorize the payment of any assistance due to such beneficiary to the wife children father mother sister or brother (preference being given in the order named) of the deceased beneficiary as the board directs without requiring letters testamentary or of administration to be issued upon the estate of the deceasd beneficiary

Section 9 Other Relief No beneficiary shall at the same time receive any other relief assistance benefit compensation or pension from the United States or from the Commonwealth or from any political subdivision thereof except for medical or surgical assistance Provided however That where such other relief assistance benefit compensation or pension is less than thirty dollars ($30.00) per month the board may grant assistance in an amount so that the total received by a beneficiary from all such sources shall not exceed thirty dollars ($30.00) per month

Section 10 Trustees for Certain Beneficiaries The department may appoint a trustee to take charge of the expenditure of the assistance granted any beneficiary when in its opinion such trustee is necessary In such cases payment shall be made direct to such trustee A trustee shall serve without compensation and shall be subject to such rules regulations and accounting as the department shall prescribe

Section 11 Beneficiary Becoming Disqualified If the condition or circumstances of a beneficiary change in such a way that he or she does not possess all the qualifications required to receive assistance hereunder the assistance to such beneficiary shall be revoked immediately by the board

Section 12 Refusal of Beneficiary to Furnish Information If any beneficiary shall refuse or neglect to comply with any reasonable request of the board or of the department for information concerning the continued need of or qualifications for assistance or shall on request fail neglect or refuse to authorize any other person firm or corporation to furnish such information about the beneficiary or his affairs the board shall suspend all payments to such beneficiary until he or she shall have complied with such requirements

Section 13 Appeals by Applicants and Beneficiaries Any person may within six months after notice by the board that his or her application for assistance has been refused or that the assistance of a beneficiary has been to the department The Secretary of Welfare or the employe or employes of the department designated by him shall as agents of the department on a day and at a time fixed of which at least ten days' written notice shall be given to all parties interested hear such testimony as may be offered for and against the allowance of assistance or the continuance of assistance and determine whether or not the said person is entitled to assistance or to the continuance of assistance if a beneficiary The department shall report its findings to the board from whose action the appeal has been taken which board shall carry into effect the order of the department The action of the department on any appeal shall be final

Section 14 Funeral Expenses On the death of any

beneficiary such reasonable funeral expenses not exceeding one hundred dollars ($100.00) for burial shall be paid to such persons as the board directs if the estate of the deceased is insufficient to defray the same

Section 15 Liability of Beneficiary and Estates The real and personal property of any beneficiary shall be liable for the repayment of assistance received under this act or the act repealed by this act whether such property was owned at the time such assistance was granted or acquired thereafter Claims for assistance furnished shall have the same force and effect against the real and personal property of a deceased beneficiary as other debts of a decedent and shall be recoverable in the same manner One-half of the net amount recovered from any beneficiary or from his or her estate by the Commonwealth or any political subdivision shall be promptly paid to the United States and the remainder shall be paid into the State Treasury and shall be credited to the current appropriation for old age assistance

Section 16 Allocation of State and Federal Funds Allocations of amounts available from State and Federal moneys for old age assistance and assistance to aged needy individuals and for administration purposes shall be made among the several counties by the department under such equitable system based upon need and past experience as the department shall from time to time set up Any money so allocated and unused in any fiscal year in any county shall be added to the amount of money subject to allocation for the following fiscal year under the current or any future appropritaion

Section 17 Cost of Administration Political Activity Prohibited The boards in the several counties shall appoint such investigators and clerical assistants as may be necessary to enable them to distribute assistance in their respective counties but as far as possible the investigators engaged in the administration of Mothers' Assistance Law shall also perform the work necessary for the administration of this act At no time shall the additional expense of administering this act in any county exceed in amount six per centum of the allocation to such county of moneys for assistance

The county commissioners of the several counties shall upon requisition of the boards pay such expenses of investigation and clerk hire in their respective counties and other administrative expenses subject always to the limitations upon such expenses imposed by this section But the liability of the county to pay such expenses shall be reduced by the amount of any moneys allocated to the county by the department for the payment of administrative expenses

No investigator clerk or other employe of the Board shall be a member of or delegate or alternate delegate to any political convention nor be present at any such convention nor serve as a member of or attend meetings of any committee of any political party or take any active part in political management or in political campaigns or use his position to influence political movements or influence the political action of any other person nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted or the vote or ballot box is being returned save only for the purpose of marking and depositing his ballot nor be within fifty feet of any polling place during voting hours and the counting of the ballots except for the purpose of residence or travel Any person who shall violate any of the foregoing provisions shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding $500 and forfeit his position

Section 18 Receipt Deposit and Expenditure of Federal Moneys The department is hereby authorized to receive contributions from the United States Government or any agency or instrumentality thereof for assistance to aged needy individuals All contributions so received shall be paid into the State Treasury through the Department of Revenue and be credited to the biennial appropriations to the department for the payment of assistance

Section 19 Rules and Regulations Supervision by Department The department shall have power to adopt and promulgate rules and regulations for the administration of this act

Such supervisors and assistants as shall be necessary in the department to exercise general supervision over the administration of this act shall be appointed and their compensation fixed by the Secretary of Welfare subject to approval by the Governor as provided by the Administrative Code

Section 20 Penalties Any person who by means of a wilfully false statement or misrepresentation or by impersonation or other fraudulent means secures or attempts to secure or aids or abets any person in securing assistance under this act to which he or she is not entitled shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 21 Responsibility of Counties Cities and Poor Districts Saved This act shall not relieve any county city or poor district from responsibility for the maintenance either in an institution or otherwise of any person of sufficient age but who cannot otherwise qualify for assistance under this act or who cannot be provided for under current funds for carrying out the provisions of this act

Section 22 The purpose of the preceding provisions of this act is to provide assistance to certain aged residents and to bring the Old Age Assistance Law of this Commonwealth in accord with Title one of the Social Security Act of the United States thus enabling the Commonwealth to receive Federal grants for old age assistance

In the event that Title one of the Social Security Act shall be held unconstitutional by the Supreme Court of the United States or shall be repealed and Federal grants for old age assistance shall fail for such or for any other reasons whatever then so long as Federal grants for old age assistance shall not be available to this Commonwealth the Department of Welfare and the boards of trustees of the several counties of this Commonwealth shall grant assistance only to a resident of this Commonwealth who possesses the following qualifications to wit

(a) Has attained the age of seventy years or upwards

(b) Has been a citizen of the United States for at least fifteen years before making application for assistance

(c) Resides in the Commonwealth and (1) has so resided continuously for at least fifteen years immediately preceding the date of application but continuous residence in the State shall not be deemed to have been interrupted by periods of absence therefrom if the total of such periods does not excees three years or (2) has so resided forty years at least five of which have immediately preceded the application Provided That absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residenie in the State if a domicile be not acquired outside the State

(d) Is not at the date of making application an inmate of any prison jail workhouse insane asylum or other public reform or correctional institution

(e) For six months or more during the fifteen years preceding the date of application for relief if a husband has not deserted his wife or without just cause failed to support her and his children under the age of fifteen years or if a wife has not deserted her husband or without just cause failed to support such of her children as were under age and as she was bound to support

Section 23 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 24 Effective Date The provisions of this act shall become effective immediately upon final enactment and shall be retroactive to the first day of June one thousand nine hundred and thirty-six

Section 25 Repeal The act approved the eighteenth day of January one thousand nine hundred and thirty-four (Pamphlet Laws two hundred and eighty-two one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four) entitled "An act providing for and regulating subject to certain restrictions limitations and

liabilities assistance to and the bural of certain aged indigent persons and the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation" is hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Aron,	Harvey,	Pytko,	Sones,
Batchelor,	Howell,	Rankin,	Sordoni,
Bean,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Roberts,	(Westmoreland)
Frey,	McCreesh,	Rodgers,	Trainer,
Gelder,	Owlett,	Rupp,	Woodward,
Graff,	Pierson,	Salus,	Homsher,
Harris,	Prince,	Shapiro,	Pres. Pro. Tem.

NAYS—1

Buckman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 55 (House Bill No. 59), as follows:

An Act to amend sections one three four seven nine ten fourteen fifteen sixteen and eighteen and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" by providing for the appointment of a board of trustees for each county and for the appointment of boards of trustees in all counties jointly by the Governor the courts of common pleas and the county commissioners prohibiting political activity by members and employes of such boards changing the qualifications of mothers eligible for assistance requiring all counties to appropriate moneys for mothers assistance except under certain circumstances providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations providing for cooperation by the Department of Welfare with the Federal Social Security Board and authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for aid to dependent children providing substitute provisions in case Federal grants for aid to dependent children shall fail for any reason

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" as amended by the act approved the twenty-second day of May one thousand nne hundred and twenty-three (Pamphlet Laws three hundred seven) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representative of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that in each county of the Commonwealth [which by the action of this county commissioners accepts the provisions of this act] the Governor shall appoint three women residents the court of common pleas shall appoint three women residents and each county commissioner shall appoint one woman resident who together shall constitute a board of trustees composed of [seven] nine women residents of the county to be called the Board of Trustees of the Mothers' Assistance Fund.

[Except as herein otherwise provided] such trustees shall hold office for a term of six years and until their successors are duly appointed and qualified

[Whenever any county shall hereafter accept the provisions of this act the] [first board of trustees] [shall be appointed as follows two for two] [years each two for four years each and three for six years each from the first day of June next succeeding]

In all counties which have [heretofore accepted the provisions of this act the board! boards of trustees now in office such boards shall continue in office as heretofore un[less removed by the Governor] [but the Governor shall before the first day of June one thousand nine hundred and twenty-three designate two of said trustees to hold office for two years each two for four years each and three for six years each and where such board has less than seven trustees the Governor shall appoint additional trustees so that the total number may be seven and he shall accordingly fix their terms] until the first day of August one thousand nine hundred thirty-six when the new boards authorized to be appointed by this act shall take office In counties having no such boards the appointments authorized by this act shall be made as soon as may be possible after the effective date of this act

If the terms of trustees shall expire the [Governor] appointing power shall appoint successors for terms of six years each

Vacancies other than those due to the expiration of a term shall be filled by appointment by the [Governor] appointing power for the unexpired term

[All counties which have heretofore availed themselves of the provisions of the acts repealed by this act shall be deemed to have accepted the provisions of this act and shall be entitled to the benefits thereof]

No member of the board and no investigator clerk or other employee of the board shall be a member of or delegate or alternate delegate to any political convention nor be present at any such convention nor serve as a member of or attend meetings of any committee of any political party or take any active part in political management or in political campaigns or use his position to influence political movements or influence the political action of any other person nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted or the vote or ballot box is being returned save only for the purpose of marking and depositing his ballot nor be within fifty feet of any polling place during voting hours and the counting of the ballots except for the purpose of residence or travel Any person who shall violate any of the foregoing provisions shall

be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding five hundred dollars ($500) and forfeit his position or office

Section 2 That section three of said act as amended by the act approved the twenty-second day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred seven) is hereby further amended to read as follows

Section 3 The [State Supervisor] Department of Welfare shall have general supervision over the boards of trustees of the several counties [and shall act as general field] [organizer She shall be on the staff of the Department of Public Welfare]

The [State Supervisor] Department of Welfare shall formulate and issue to the boards of trustees of the various counties rules of procedure by which they shall be governed to the end that uniformity of interpretation and practice shall obtain throughout the Commonwealth [She] The department by its duly authorized agents shall visit at least twice each year the boards of trustees of each county [accepting the provisions of this act]

She shall as general field organizer visit the county commissioners of those counties which have not availed themselves of the provisions of this act and shall explain to such commissioners the benefits accruing from the act and the advantages of coming within its provisions and shall assist such county commissioners in the organization of boards of trustees

She shall make public a report annually to the Commission of Public Welfare reviewing the work done under the provisions of this act by the trustees of the various counties laying special stress upon educational conditions of the assisted families]

Section 3 That section four of said act is hereby amended to read as follows

Section 4 Subject to the general supervision of the Department of Welfare [The] the administration of this act within the several counties shall be solely in the hands of the boards of trustees appointed by the [Governor] [subject] however to the rules adopted and issued by the State Supervisor] as provided in this act The members of the boards of trustees shall serve without compensation but shall receive all actual and necessary expenses incurred in the performance of their duty

Section 4 That section seven of said act is hereby amended to read as follows

Section 7 In order to prevent the alienation of the citizenship of those who may receive the benefits under this act no family shall be a beneficiary thereunder unless the mother has been a resident continuously of the State for a period of] [two years] [and of the county in which she applies for assistance for a period of one year] is a resident of the State at the time of making application for such assistance and unless the child assisted (1) has resided in this Commonwealth for one year immediately preceding the date of application for such assistance or (2) was born in this Commonwealth within one year immediately preceding the date of the application for assistance and whose mother has resided in the Commonwealth for one year immediately preceding the birth

No family entitled to receive the benefits of this act in any county shall be deemed to have lost its residence in such county within one year after removal therefrom but any such family shall if it returns to the county in which it was entitled to receive assistance within said year be immediately entitled to assistance in such county

Section 5 That section nine of said act is hereby amesded to read as follows

Section 9 The [combined] maximum [payment] assistance allowed by any board of trustees shall in no case exceed [twenty] eighteen dollars per month for the first dependent child and [ten] twelve dollars per month for each additional dependent child in the same family A mother shall be entitled to assistance under this act for an unborn child in like manner as for other children if she has one or more children living which entitle her to the benefits of this act

Section 6 That section ten of said act is hereby amended to read as follows

Section 10 Before any payment is made to any family under the provisions of this act a complete report of such family shall be made in quodruplicate giving the name of the mother the number of children with their full names their ages and place of residence. One copy of such report shall be placed on file in the office of the board of trustees as a record and if the application is approved one copy shall be forwarded to the [State Supervisor] Department of Welfare and two copies shall be forwarded with each application for a warrant for the use of the Auditor General and the county treasurer The copies forwarded to the Auditor General and the county treasurer shall be sworn to by the investigator and shall be approved by a majority of the board of trustees The affidavit on any such report may be taken before any member or employe of the board

Section 7 That section fourteen of said act as amended by the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred seventy-five) is hereby further amended to read as follows

Section 14 [No county shall receive its allotment of the State appropriation available for any year under the classification appointed by the act making an appropriation to carry into effect the provisions of this act unless such county has accepted the provisions of this act and has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year] It shall be mandatory upon each county of the Commonwealth to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation (exclusive of Federal moneys) for such county for such year Provided That if any county is financially unable to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such county in such year the county commissioners of that county shall file a written application with the Department of Welfare on a form prescribed by it asking further appropriation of State funds to that county of a sum equal to the whole or any portion of the amount already allocated under this act to said county for said year such further State appropriation to be in lieu of all or a part of the appropriation required by this act to be made by said county for said year The Department of Welfare shall thereupon conduct an administrative inquiry on a day and at a time fixed of which at least ten days' written notice shall be given to all parties interested and shall hear the testimony of the county commissioners and of such other county officials and other persons as the department may in its discretion require to appear before it and after considering the financial condition of the said county the department shall determine whether the said county is entitled to the additional State appropriation requested or any part thereof in lieu of an appropriation by the said county and the department shall thereupon allocate from any appropriation available for the purpose whatever amount the department shall have determined

Section 8 That section fifteen of said act is hereby amended to read as follows

Section 15 [On the first day of June of the second fiscal year following each State appropriation the State Treasurer shall apportion among the various counties which have accepted the provisions of this act before the end of the first fiscal year a sum equal to the amount apportioned to such county during the first fiscal year according to the aforesaid classification including therein all unexpended balances from the previous fiscal year credited to the several counties accepting the provisions of this act which unexpended moneys shall remain available during the second fiscal year for use by the counties to which theretofore credited and excluding all moneys apportioned to the several counties which have not availed themselves of the provisions of this act he shall likewise exclude from said apportionment all moneys appropriated for the second fiscal year for counties which have not accepted the provisions of this act before the end of the first fiscal year] Any mother of a dependent child may within six months after notice by the county board of trustees that her application for assistance has been refused or that the assistance if formerly a beneficiary has been dis-

continued take an appeal from the action of the county board of trustees to the Department of Welfare The department on a day and at a time fixed by it of which at least ten days' written notice shall be given to all parties interested shall hear such testimony as may be offered for and against the allowance of assistance or for and against the continuation of assistance and shall determine whether or not the said mother is entitled to assistance if an applicant or to the continuation of assistance if a beneficiary The Department of Welfare shall report its findings to the county board of trustees from whose action the appeal has been taken which board of trustees shall carry into effect the order of the department The action of the department on any appeal shall be final

Section 9 That section sixteen of said act is hereby amended to read as follows

Section 16 [All funds set aside from year to year for counties which have not availed themselves of the provisions of this act shall be set aside into a surplus fund The surplus fund shall be available during the second fiscal year in the counties which have availed themselves of the provisions of this act before the end of the first fiscal year but no county shall be entitled to an amount from such fund in excess of twenty-five per centum of the aggregate sum apportioned and set aside by the State Treasurer to that county for the two year period and no such county shall participate in such surplus fund unless it shall in addition to the appropriations hereinbefore required appropriate a sum equal to the amount which it desires from the surplus fund] The Department of Welfare is empowered and directed to cooperate with the Federal Social Security Board in carrying out the provisions and purposes and in administration of title four of the act of the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several states to make more adequate provisions for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes" and is further empowered to make such reports in such form and containing such information as the Federal Board may from time to time require and to comply with such orders and regulations as the said board may from time to time make to assure the correctness and verification of such reports

Section 10 That section eighteen of said act is hereby amended to read as follows

Section 18 [A detailed report of the number of beneficiaries the amount expended and the advantages and disadvantages of the system with recommendations for improvement shall be made by the State Supervisor to the General Assembly at the beginning of each session of the General Assembly Such report shall be printed by the State Printer upon requisition by the Superintendent of Public Instruction to the Department of Printing and Binding] The Department of Welfare is hereby empowered and authorized to cooperate and enter into cooperative agreements with an dto receive contributions from the United States government for aid to dependent children eligible for assistance under this act All contributions received hereunder from the United States government shall be paid into the State Treasury through the Department of Revenue and credited to the current appropriations to the Department of Welfare for the payment of assistance to mothers eligible for assistance under the act

Section 11 That said act is hereby further amended by adding thereto the following section

Section 18.1 The purpose of the foregoing amendments is to bring the Mothers' Assistance Law of this Commonwealth in accord with Title four of the said Social Security Act and to enable the Commonwealth to receive Federal grants for aid to dependent children

In the event that Title four of the said Social Security Act shall be held unconstitutional by the Supreme Court of the United States or shall be repealed and Federal grants for aid to dependent children shall fail for such or for any other reason whatever then so long as Federal grants for aid to dependent children shall not be available to this Commonwealth the Department of Welfare and the boards of trustees of the several counties of this Commonwealth shall administer this act in accordance with the following provisions of this section and to the extent of any inconsistency the foregoing provisions of this act shall for the time being be suspended

(1) It shall not be mandatory upon each county of the Commonwealth to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year but no county shall receive its allotment of the State appropriation available for any year under the act making an appropriation to carry into effect the provisions of this act unless such county has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year

(2) The Department of Welfare shall have no power to receive and consider in accordance with section fourteen of this act as amended written applications from county commissioners of counties financially unable to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such county in such year asking further appropriation of State funds to that county nor any power to allocate any such additional appropriations to such counties

(3) No family shall be a beneficiary hereunder unless the mother has been a resident continuously of the State for a period of two years and of the county in which she applies for assistance for a period of one year

(4) The combined maximum payment allowed by any board of trustees shall in no case exceed twenty dollars ($20) per month for the first child and ten dollars ($10) per month for each additional child A mother shall be entitled to assistance under this act for an unborn child in like manner as for other children if she has one or more children living which entitle her to the benefits of this act

Section 12 That section two of said act and the amendment thereto be and the same is hereby repealed

Section 13 The provisions of this act shall become effective immediately upon final enactment and shall be retroactive to the first day of June one thousand nine hundred and thirty-six

And said bill having been read at length the third time and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. THOMPSON (Centre). Mr. President, back some twenty-four years ago, this State inaugurated the system of administration of the Mothers' Assistance Boards. Those Boards were appointed by the Governor, and, as far as I have known, have uniformly, in each county, been composed of women of the most reputable character and the highest standing. I have not known of these Boards containing any Democratic personnel—at least, in the territory from which I come; but, nevertheless, the Boards have always been uniformly of a high character.

This present bill, as it was passed by the House and as it came into the Senate, provided for the same system of administration of the Mothers' Assistance Fund as has prevailed in this State since the inauguration of the Act. This bill as it has come from Committee and is now on the calendar marks a radical departure from the administration of the Mothers' Assistance Fund as it has existed in this State for more than twenty years. We see in this present bill the first attempt to plunge the Mothers' Assistance Boards into the arena of political maneuvering. If you will examine this bill as it appears on the calendar, you will find that the appointive power of the members of the Mothers' Assistance Boards is now shared among the Governor's office, the County Commissioners' office

and the Courts of the Common Pleas of the respective counties. I think we can all take notice of the fact that there is a no more politically active set of public officers than county commissioners. Mr. President, from the very nature of their offices they must be politically active. I am sure that the distinguished Senator from Philadelphia County, Mr. Shapiro, when he introduced these amendments last night, was entirely cognizant of the fact that the county commissioners' office in Philadelphia County has been the most conspicuous political garbage heap in the State of Pennsylvania, and I am likewise confident, Mr. President, when the distinguished Senator from Allegheny County seconded the amendments, that he is entirely familiar with the county commissioners' office of Allegheny County for the two or three terms preceding the last advent of county commissioners in Allegheny County, and I submit that this is an unfortunate departure that we, in the Senate, are trying to bring about to change the administration of the Mothers' Assistance Fund. Certainly the members on the other side of this House take some pride in the way that this system has been administrated by even so politically-minded administration as was the last Pinchot Administration, and I appreciate that it will not add to the efficacy of these bills or these funds to throw the Mothers' Assistance Boards back into the arena of county politics, and, Mr. President, not only are these Boards thrown into the arena of county politics at general elections, but at every primary election of each party. Certainly there should be some institution, some form of administration in this State, that you can point to with some pride and say "Here is an administration which we want to keep clean, we want to keep out of the influence of county politics as they are played practically in every county in this State, and certainly conspicuous examples are in the counties from which the protagonists of these questions come.

Mr. President, not only do we plunge these Mothers' Assistance Boards back into the arena of politics, but we do more than that, we imperil the very existence of these boards and the administration of these funds which the distinguished Chairman of the Committee on State Government has rightfully taken credit for this morning. If we will examine the Federal Social Security Act, we will see that one of the terms, one of the "musts" for the State to do, the State plan must provide for the establishment, or the designation of a single State agency to administer the plan. Mr. President, those are the terms of this Act. We are at the deadline, so to speak, of the passage of this legislation, and why should we, for the sake of a political maneuver, prejudice the existence of this legislation at the present time? We are not only making a departure of two decades from our regular system of administration, we are not only throwing the whole system back into the arena of county politics, but we are prejudicing, by the form of this bill, the very existence of the system itself, and prejudicing not only the benefits to the mothers' assistance and to old age assistance and every form of assistance that this State might render unto the Federal Social Security Act.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

Mr. President, therefore I move you that the Senate now go into committee of the whole for the purpose of considering the following special amendments, which are entirely in the nature of strike-outs.

Mr. FREY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BUCKMAN. Mr. President, I had not intended to speak on this measure, nor on the two measures which have preceded it. I note from the record of my vote on the two former bills that they were the only ones registered against their passage. I have no apology to make for those votes. My reason for having voted as I did was this: that I consider that a Senator who votes to spend the State's money should likewise be willing to vote to raise that money to pay the bill. As I do not intend to vote for the majority of the tax bills before this Legislature, I felt it my duty to be consistent and not to vote to spend the money unless I was going to vote to raise the money to pay the bills.

Mr. President, As to this bill now before us, I agree with the Senator from Centre, that up to the present Administration the Mothers' Assistance Fund was as nearly non-political as it was possible to be. Surely under the administration of Governor Pinchot that was true of Governor Fisher's administration of the earlier administration of Governor Pinchot that was certainly true, and it is a fact that the Trustees in my county at least, and I believe in other counties, were as far removed from the arena of politics as possibly could be. However, since the incoming of the present administration this has been entirely reversed, and in my county, at least, and I am sure in other counties, every member of the Mothers' Assistance Board was removed and replaced with Democrats. Not only that, but their whole system of functioning was changed, their employes, their investigators, their people who traveled over the counties so much, and their questionnaires, and the registrations, were all scrapped and new records and questionaires made out, and among those questionaires is the question "Are you registered Republican, or are you registered a Democrat?" If that is not placing the Mothers' Assistance in the arena of politics, I do not know what it is, and for those reasons which I have already stated, Mr. President, I intend to vote against this bill.

Mr. WOODWARD. Mr. President, I am speaking against the motion to go into committee of the whole because, while I am in favor of Civil Service, and have introduced a joint resolution to amend the Constitution for the merit system, the day has not quite arrived, I am afraid, for such a counsel of perfection. So that these amendments offered by the Senator from Philadelphia, Mr. Scott, I believe in, and I would dislike to see them stricken out. If they do no other good they will at least clip the wings of the very sagacious politicians in Allegheny County.

I have an official statement here in my hand which states that in Allegheny County there are 65,000 persons on relief, and in Philadelphia County there are 67,000; and yet Allegheny County spent $400,000 more for relief than Philadelphia County did in the same period of time. That, it seems to me, is a good argument in favor of putting the brakes on these gentlemen. I can verify these figures, if anybody wants to see them.

Now then, in this set-up we shall receive $600,000 for administration—this money is to be used for personnel at

Harrisburg and in the offices of the Boards of Trustees of the Mothers' Assistance Fund in the sixty-seven counties of the State. In my opinion, $600,000 ought to be safeguarded.

And, as a final fling, I would like to say that it should be possible to amend these Old Age and Mothers' Assistance Acts to provide that the personnel in these services like the S. E. R. B., should be appointed on the merit system—without the necessity of political endorsement, for these services constitute a similar form of relief.

Mr. REED (Dauphin). Mr. President, and members of the Senate, although as has been stated, I was not the author of those particular amendments, I feel that in view of what has been said I should explain to the Senate what has dominated the thought of the Committee in bringing out this bill with the amendments, which are now under discussion.

I agree entirely with the statement of the Senator from Centre, that most of the Mothers' Assistance Boards in the past have not been dominated, so far as I know, by political influence in the administration of the funds. We are now, however, confronted with an entirely new situation. The very purpose of these bills is to secure additional grants from the Federal Government. The base of these particular boards, or those who come under them, is very much increased. The money coming into those boards will greatly increase, and under a new condition, and that is, that funds come from the Federal Government. In view of this fact, it was thought that it would be well to safeguard these boards, as far as possible, from political influence. Three of the members of these boards are appointed by the Court of the County, three, as now, appointed by the Governor, and it was felt that the very agency, namely, the county commissioners, which must secure in part the money, should make appointments to the boards to which the county funds come. That was the thought of the Committee and we expressed it in that way, and, therefore, I trust that this Senate will support this Committee, which gave the matter favorable consideration and recommended that the bill be passed in its present form.

Mr. SHAPIRO. Mr. President, I read the Mothers' Assistance Act before I read the one on the calendar today as amended, and I did not notice any such great concern about political activities of the members of the Boards, or the employees in the Mothers' Assistance setup, in the last fifteen or twenty years; and I am not so familiar with the activities in other counties—of the Mothers' Assistance Boards—but I have met all the ladies who are presently active in the Mothers' Assistance Board in Philadelphia County, and they are the same type, and the same faces, I have seen in Philadelphia for the last fifteen years.

I do not propose to vote for this bill, and that is the reason I am placing myself on record as to my reasons, which are: First, because nobody can tell me that in Philadelphia the appointment of three persons on this Board by county commissioners—with all due respect to them; and I am not casting any reflection on them as individuals—is going to improve the Board. I do not think that anybody who wants to be frank about this, and is not jockeying for position or playing for some other purpose, will deny the fact that not only is this situation not going to be improved but it is going to be injured by supporting the amendment which gives each of the county commissioners the right to place on this Board which gives each of the county commissioners the right to place on this Board an appointee of his own.

There has been some talk about calling a spade a spade, and I want the public to know that I do not believe, and I do not think that those who take this situation seriously can believe, that there is going to be any improvement in this way.

The Courts of Common Pleas do not want this job of making appointments to these various Boards. They have enough to do, and are sufficiently annoyed by political activities, not to want to take on any more activities which will bring them into such a public situation. Their function is not to appoint Boards of this kind but to decide questions of law that came before them, and I am unalterably opposed to increasing their burdens when their duties are not in conformity with those prescribed by the purposes for which they were elected.

I read this amendment with reference to political activities, and I say it is a shame to impose those restrictions upon any person who might be fit for the Board. It even goes so far as to prohibit a member of the Board from attending a Convention. If, out of curiosity or a desire to listen to the thoughts expressed at a public meeting of that kind, one of these members should happen to go into a convention, such member, according to this Act, is disqualified. In addition to this, these amendments appear to have been as hastily drawn as has been referred to by the Senator from Dauphin, Mr. Reed, with regard to another bill.

In Section 9 it says, "The maximum assistance allowed by any board of trustees shall in no case exceed eighteen dollars per month for the first dependent child and twelve dollars per month for each additional dependent child of the same family."

On Page 15 of the bill an amendment is offered which says, "The combined maximum payment allowed by any board of trustees shall in no case exceed twenty dollars ($20) per month for the first child and ten dollars ($10) per month for each additional child."

I do not understand those two, in my opinion, conflicting sections; and I think the bill in its original form was sufficient to take care of the situation. But I think the bill in its present form is capable of creating that situation which if it did not exist previously will exist in the future.

For these reasons I do not propose to vote for this bill. And so that there may be no misunderstanding or improper implications, to the effect that I am opposed to Mothers' Assistance, I place myself on record—this being a motion that the Senate shall resolve itself into a committee of the whole for the purpose of receiving amendments—I shall vote for that motion.

Mr. THOMPSON (Centre). Mr. President, at the risk of repetition, let me just again state that the amendments here calculate to strike out the amendments placed in this bill last week, providing that the Mothers' Assistance Boards be placed in the arena of county politics. The amendments offer to strike out those amendments in the bill. That was the purpose of these amendments, to maintain a high level in the administration of the Mothers' Assistance Boards.

Mr. President, last year, we held up our hands in holy horror in this Senate, when there was a bill in the Senate Committee providing for the ripping out of office of one goofy Mayor of Pittsburgh. Today we see the majority

in this Senate fighting to rip out of office, approximately five hundred of the finest type of women in the State of Pennsylvania, and I challenge the Senator from Bucks, or from any other county in this State, to point out one instance where the Democratic administration has not appointed to these Mothers' Assistance Boards the very highest type of women available in the counties. Mr. President, this is the worst piece of ripper legislation that has ever been before the Senate of Pennsylvania that I know of. To think of it, to take out our little spite on the very finest type of women in the State of Pennsylvania.

Mr. President, I appeal to you and to the members of this Senate to vote for this motion to go into committee of the whole to strike out these politically active members.

Mr. BUCKMAN. Mr. President, I rather take the last remarks of the Senator from Centre to be, in effect, a question for me to answer. I would say to him, in answer to his remarks, that so far as I know, the Democratic members of the Mothers' Assistance Boards, those appointed throughout this State, are of high calibre, and I also say to him that the Republican members of those Boards that were removed throughout the State, were of equally high calibre.

The PRESIDENT. The question is on the motion to go into committee of the Whole for amendment, and being special amendments, they will be read.

The amendments were read as follows:

Amend title, page 2, lines 4, 5, 6 and 7, by striking out the words "and for the appointment of boards of trustees in all counties jointly by the Governor, the courts of common pleas and the county commissioners"; also section 1, page 3, lines 18, 19, 20 and 21, by striking out with heavy-faced brackets the words "three women residents, the court of common pleas shall app9oint three women residents, and each county commissioner shall appoint one woman resident who, together shall constitute"; also page 3, line 21, by striking out with heavy-faced brackets the brackets before and after the word "seven"; also page 3, line 22, by striking out with heavy-faced brackets the word "nine"; also page 3, line 24, by striking out with heavy-faced brackets the bracket before the word "Except"; also page 3, line 24, by striking out with heavy-faced brackets the bracket after the word "provided"; also page 3, line 24, by striking out with light-faced brackets the word "Such" and insert in lieu thereof such; also page 3, line 28, by striking out with heavy-faced brackets the brackets before and after the word "The"; also page 3, line 28, by striking out with heavy-faced brackets the brackets before the word "first" and after the word "trustees"; also page 3, line 28, by striking out with heavy-faced brackets the bracket after the word "county"; also page 3, line 29, by striking out with heavy-faced brackets the bracket before the word "shall"; also page 3, line 29, by striking out with heavy-faced brackets the bracket after the word "two"; also page 4, line 1, by striking out with heavy-faced brackets the bracket before the word "years"; also page 4, line 2, by striking out with heavy-faced brackets the bracket after the word "succeeding"; also page 4, line 6, by striking out with heavy-faced brackets the brackets before the word "unless" and after the word "Governor"; also page 4, line 13, by striking out with heavy-faced brackets the words "until the first"; also page 4, lines 14 to 18, by striking out with heavy-faced brackets all the words in said lines, both inclusive; also page 4, line 19, by striking out with heavy-faced brackets the brackets before and after the word "Governor"; also page 4, line 20, by striking out with heavy-faced brackets the words "appointing power"; also page 4, line 23, by striking out with heavy-faced brackets the brackets before and after the word "Governor"; also page 4, line 24, by striking out with heavy-faced brackets the words "appointing power"; also section 3, page 6, line 29, by striking out with heavy-faced brackets the brackets before the word "by" and after the part-word "Gov-"; also page 7, line 1, by striking out with heavy-faced brackets the brackets before and after the word "ernor"; also page 7, line 2, by striking out with heavy-faced brackets the words "as provided in this act"

And the question recurring,

Will the Senate agree to the motion?

The PRESIDENT. The Chair wishes to state that this being a special amendment, a vote in the affirmative will carry with it the insertion of the amendment, a vote "no" will mean that the bill shall stand in its present form. And also, being a strike-out, the bill immediately afterwards will be subject to final passage by the Senate. A vote "aye" will be to insert the amendments, and a vote "no" will be not to insert the amendments.

The yeas and nays were required by Mr. THOMPSON (Centre) and Mr. FREY, and were as follows, viz:

YEAS—16.

Cavalcante,	McCreesh,	Reed,	Rupp,
Frey,	McGinnis,	(Washington)	Shapiro,
Kahle,	Pytko,	Roberts,	Sones,
Lanius,	Rankin,	Rodgers,	Thompson,
Law,			(Centre)

NAYS—26.

Aron,	Gelder,	Owlett,	Sordoni,
Batchelor,	Graff,	Pierson,	Staudenmeier,
Bean,	Harris,	Prince,	Thompson,
Buckman,	Harvey,	Reed,	(Westmoreland)
Chapman,	Howell,	(Dauphin)	Trainer,
Coyne,	Mallery,	Salus,	Woodward,
Ealy,	McClure,	Scott,	Homsher,
			Pres. Pro. Tem.

So the question was determined in the negative.

On the question,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BATCHELOR. Mr. President, In the regular session of 1933, when the distinguished Senator from the Seventh Senatorial District of Philadelphia made a motion to discharge the Committee from further consideration of a proposed amendment to the Pennsylvania Constitution, which, if adopted would have permitted or required Counties, Cities, Boroughs and Townships to contribute to Old Age Pensions, and inasmuch as 90% of the taxes so collected are paid by real estate I opposed this motion for the reason that I believed real estate was carrying all of the burden of taxation that it was possible for it to carry without confiscating peoples homes.

Notwithstanding the fact that I believe in Old Age and Mothers' Assistance and have supported every measure in the Senate providing for such assistance and have voted for every appropriation bill to provide money for such assistance, Metropolitan newspapers like the Pittsburgh Press have published grotesque cartoons and carried news articles intended to create the impres-

sion that everyone opposed to placing the cost of these worthy charities upon real estate were opposed to such charities. Members of the Senate, I now find myself to be in the position of the man who was between the proverbial devil and the deep blue sea. I intend to support this most worthy of all charities (Mothers Assistance) but I do not like to issue a mandatory order to all the counties of the Commonwealth to increase the taxes on real estate to provide their share of the money to pay for the same. In many counties of the state this is a mandatory order to increase the county tax millage.

Only last night I understood the Governor to say that 25% of the home owners of the Commonwealth were unable to pay their taxes and the distinguished Senator from Allegheny County was complaining that 90% of the tax burden had been placed upon real estate.

In fact the pages of the Legislative Journal are full of speeches about the tax burden on real estate but as Josh Billings says about the weather, everybody is complaining about it but nobody does anything.

The provisions of this bill seem to indicate that the waiting list is to be wiped out and all eligible applicants are to be provided for, but the Act may easily be interpreted by the Attorney General to provide that the counties shall pay a sum equal to the combined Federal and State contribution and if so the present tax on real estate of the counties for this purpose will be more than trippled.

Another provision of this bill may make it exceedingly costly to border counties for it will require them to provide for Mothers and children dumped into their confines from other States who do not have a Mothers' assistance act or who have a much lower standard and provide much less for such dependents than does Pennsylvania.

In other words this is an invitation for many states to send their dependent mothers and children to Pennsylvania for local taxpayers to take care of.

I regret that the cost of this very worthy charity must be so largely shared by taxes on real estate.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Aron,	Harvey,	Pierson,	Scott,
Batchelor,	Howell,	Prince,	Sones,
Bean,	Kahle,	Pytko,	Sordoni,
Cavalcante,	Lanius,	Rankin,	Staudenmeier,
Chapman,	Law,	Reed,	Thompson
Coyne,	Mallery,	(Dauphin)	(Centre)
Ealy,	McClure,	Reed	Thompson,
Frey,	McCreesh,	(Washington)	(Westmoreland)
Gelder,	McGinnis,	Roberts,	Trainer,
Graff,	Miller,	Rodgers,	Woodward,
Harris,	Owlett,	Rupp,	Homsher,
		Salus,	Pres. Pro. Tem.

NAYS—2

Buckman, Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 66 (House Bill No. 83), entitled:

An Act relating to the keeping of animals wild by nature in captivity upon any street or highway or upon land adjoining any street or highway or in vicinity of any commercial establishment for the evident purpose of attracting trade preventing cruel improper and inhuman treatment of such animals and protecting the public from injuries thereby providing for the granting of permits for roadside menageries as herein defined conferring powers and imposing duties on the Board of Game Commissioners and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,	Harvey,	Prince,	Shapiro,
Batchelor,	Howell,	Pytko,	Sones,
Bean,	Kahle,	Rankin,	Sordoni,
Buckman,	Lanius,	Reed,	Staudenmeier,
Cavalcante,	Law,	(Dauphin)	Thompson,
Chapman,	Mallery,	Reed,	(Centre)
Coyne,	McClure,	(Washington)	Thompson,
Ealy,	McCreesh,	Roberts,	(Westmoreland)
Frey,	McGinnis,	Rodgers,	Trainer,
Gelder,	Miller,	Rupp,	Woodward,
Graff,	Owlett,	Salus,	Homsher,
Harris,	Pierson,	Scott,	Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 67, as follows:

An Act to provide for the public sale by cities of the first class of tax anticipation certifioates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city of the first class may when authorized by ordinance duly adopted by the council of such city sell from time to time at public sale delinquent registered tax anticipation certificates representing all or such parts of the registered delinquent taxes due to such city as may be determined in such ordinance The said certificates shall be in such form and in such denominations as shall be prescribed by said ordinance and may be for an undivided interest in the delinquent registered taxes due such city or for designated parts or units thereof Such parts or units shall be listed in separate schedules which same shall include a statement of the locations of the properties and the years and amounts of delinquent registered taxes due upon each of said properties and the moneys realized from the parts or units of the registered delinquent taxes shall be segregated for the retirement of the certificate or certificates issued against said parts of units The said certificates shall be executed and signed by the mayor of said city and shall bear interest at a rate not exceeding five per cent per annum until they shall be paid to the holder or holders thereof as hereinafter provided Any such city issuing said certificates shall proceed to collect

the said delinquent registered taxes as now provided by law The proceeds of the collection of the delinquent registered taxes against which such certificates may be drawn shall be set apart in the city treasury as a special fund for the retirement of such certificates and may be invested in bonds of the said city the Government of the United States or the State of Pennsylvania as directed by ordinance and neither the amounts of delinquent taxes so collected nor the interest nor principal of such investments shall be used for any other purpose until a sufficient amount thereof has been collected to retire all of the certificates sold which are based on said delinquent registered taxes or such designated part or unit thereof When and as the receipts of delinquent taxes contained in the schedule against which such certificates shall have been issued shall together with the accretions thereon aggregate the total amount of such certificates together with any unpaid interest thereon said certificates shall be paid in full and surrendered to the city At the option of any such city appropriations from current or other funds except for debt service may be utilized for the purpose of aiding in or hastening the retirement of such certificates or any of them

Section 2 Upon the authorization by ordinance of the sale of delinquent registered tax anticipation certificates as hereinabove provided the mayor the city solicitor and the city controller or any two of them may make and transmit to the city council an estimate of the amount which may reasonably be expected to be realized from the sale thereof during the current calendar year and the council of such city shall thereupon have authority to appropriate for the current or other purposes of said city in addition to other appropriations the amount so estimated as reasonably expected to be realizable therefrom during such year Should the actual receipts from such sale or sales be greater than the sum or sums so estimated the excess sums so realized may alo be made the subject of additional appropriation Provided however That the power to make such additional appropriations as herein conferred shall extend only to the excess of such estimates or actual receipts above the amount of estimated receipts from delinquent taxes which shall have theretofore been made a basis for the current appropriations in the financial program of such city for such year

Section 3 The council in passing such authorization ordinance shall have the power to regulate and prescribe the method of public sale of such delinquent registered tax anticipation certificates the amount thereof which shall be offered for sale the minimum or upset price or prices which are to be accepted therefor the times and methods of public advertisement of such sales the registered delinquent taxes on the specific property or properties which shall form the basis for the issuing of the particular certificates so authorized to be sold the form of such certificates and the authorization of re-sale of any portion of any issue which may not be fully sold at the original sale thereof and such other incidental matters details and requirements as may be deemed by the said council proper adequate and desirable for that purpose

Section 4 All acts or parts of acts inconsistent herewith to the extent of such inconsistency be and the same are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Aron,	Howell,	Prince,	Scott,
Batchelor,	Kahle,	Pytko,	Shapiro,
Bean,	Lanius,	Rankin,	Sones,
Buckman,	Law,	Reed,	Sordoni,
Chapman,	Mallery,	(Dauphin)	Staudenmeier,
Coyne,	McClure,	Reed,	Thompson,
Ealy,	McCreesh,	(Washington)	(Westmoreland)
Frey,	McGinnis,	Roberts,	Trainer,
Gelder,	Miller,	Rodgers,	Woodward,
Graff,	Owlett,	Ruth,	Homsher,
Harris,	Pierson,	Salus,	Pres. Pro. Tem.
Harvey,			

NAYS—2

Cavalcante,	Thompson, (Centre)

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole beng in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 51 (House Bill No. 52), as follows:

An Act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth under certain conditions in lieu of the redemption thereof and defining the powers and duties of the Governor the Auditor General the State Treasurer and the duly authorized loan and transfer agent of the Commonwealth in relation thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Auditor General and the State Treasurer upon such terms as they may deem to the best interests of the Commonwealth and under such conditions as they may specify may reduce the rate of interest payable upon any outstanding callable bond of the Commonwealth of Pennsylvania in lieu of redeeming such bond in accordance with the terms thereof upon any date upon which said bond may be called for redemption Provided That such reduction of interest rate its consented to by the holder of the said bond In the event the interest rate on any such bond is reduced as aforesaid said bond shall forthwith be presented to the duly authorized loan and transfer agent of the Commonwealth which shall endorse upon the face of the said bond a proper notation evidencing the said reduction of interest rate and as to any such bond as may be in coupon form shall affix thereto in place of the original coupons not then due and payable proper interest coupons evidencing the said reduction of interest rate

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 52 (House Bill No. 53), as follows:

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania Series "D" for the purpose of refunding redeeming and retiring said Series "D" authorizing the exchange of bonds of said Series "D" for those issued hereunder defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Auditor General and the State Treasurer under the direction of the Governor are hereby authorized to give notice to the holders of any or all bonds of "Series 'D' Loan of the Commonwealth of Pennsylvania" issued under date of the first day of December one thousand nine hundred twenty-one in such manner not inconsistent with the terms of such bonds by advertisement or otherwise as and at such times as the Governor may direct that any or all of said bonds are called for redemption in accordance with the terms of said bonds on the first day of December one thousand nine hundred thirty-six or on any semi-annual interest date thereafter prior to maturity

Section 2 (a) For the purpose of redeeming or retiring any or all of said bonds of series "D" bonds of the Commonwealth of Pennsylvania to be known as "Series 'D' Refunding Loan of the Commonwealth of Pennsylvania" shall be issued on the credit of the Commonwealth from time to time for such total amounts not in excess however at any time of the amount of bonds of "Series 'D' Loan of the Commonwealth of Pennsylvania" then outstanding and callable for redemption as provided in section one hereof less any moneys available in the Sinking Fund and applicable to the redemption of said bonds in such form in such denominations and subject to such terms and conditions of issue redemption and maturity not longer than the first day of December one thousand nine hundred fifty-one rate of interest less however than four and three quarters per centum (4¾%) per annum and time of payment of interest as the Governor the Auditor General and the State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear the facsimile signatures of the Governor the Auditor General and the State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall from time to time have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold or exchanged in accordance with the provisions of this act

Section 3 Except as herein provided whenever bonds are issued in accordance with the provisions of section two hereof they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and the State Treasurer to the highest and best bidder or bidders on such terms and conditions and upon such open competitive bidding as the Governor the Auditor General and the State Treasurer shall direct after public advertisement in such manner and character and at such times as the Governor the Auditor General and the State Treasurer shall prescribe Provided however That the Governor the Auditor General and the State Treasurer upon such terms and under such conditions as they shall specify may exchange bonds issued under the provisions of this act for outstanding callable bonds of "Series 'D' Loan of the Commonwealth of Pennsylvania" but the face value of the bonds so authorized to be exchanged shall not exceed the face value of the outstanding bonds to be refunded or retired All bonds offered for exchange under the provisions of this act shall after the issuance of new bonds and substitution therefor be canceled and thereafter all payments of interest thereon shall cease.

Any portion of any bond issue so offered and not sold subscribed for or exchanged may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct No commission shall be allowed or paid for the sale or exchange of any bonds issued under the authority of this act

Section 4 The proceeds from the sale of bonds under the provisions of this act shall be used only for the redemption or retirement of bonds of "Series 'D' Loan of the Commonwealth of Pennsylvania" called as provided in section one of this act The refunding bonds so issued shall not continue any debt of the Commonwealth represented by the called bonds beyond the maturity date of such called bonds and shall in no manner increase the debt of the Commonwealth as existing at the time such refunding bonds are sold or exchanged The intent of the Legislature in authorizing this issue of refunding bonds is to lessen the interest charges payable by the Commonwealth on such outstanding bonds and not to increase the debt of the Commonwealth nor to extend the date for the final redemption of such debt beyond the date specified in the bonds called

Section 5 The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth

Section 6 All provisions and amendments thereto relating to Information and Reports to be furnished by the Governor and the State Treasurer to the General Assembly contained in the act approved the eighteenh day of April one thousand nine hundred nineteen (Pamphlet Laws sixty-two) under the terms of which were issued the bonds of "Series 'D' Loan of the Commonwealth of Pennsylvania" which bonds are to be redeemed or retired by or exchanged for the bonds issued under the provisions of this act shall continue in full force and effect and shall be deemed to apply to the refunding bonds issued under the provisions of this act

All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the sinking fund For the specific purpose of redeeming said bonds at maturity and paying all interest thereon and in accordance with the information received from the Governor the General Assembly shall appropriate biennially the moneys necessary for the payment of the interest on said bonds and the principal thereof at maturity All moneys so appropriated shall be paid into the sinking fund by the State Treasurer and all of such moneys not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided by law for the investment of the sinking funds of the Commonwealth

The investments and such moneys and the accumulations thereon in the sinking fund shall be devoted to and used exclusively for the payment of the interest accruing on such bonds and their redemption at maturity Provided however That the Board of Finance and Revenue is authorized at any time to use any of such funds for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be cancelled and returned into the State Treasury as cancelled and paid bonds and thereafter all payments of interest thereon shall cease

Section 7 The sum of twenty-five thousand dollars ($25,000.00) or so much thereof as may be necessary is hereby specifically appropriated from the Motor License Fund for the purpose of providing bonds issued under the provisions of this act for the payment of the cost of advertising the same and for all other expenses in connection with the sale exchange and registration of said bonds Payment from said appropriation shall be made by requisition of the Auditor General after approval of vouchers by the Governor the Auditor General and the State Treasurer

Section 8 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. HARVEY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARVEY, from the Committee on Military Affairs, reported as committed, Senate Bill No. 80 (House Bill No. 110), entitled:

An Act providing that no person shall be denied refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate and providing penalties.

Mr. ARON. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Municipal Government reported as committed, Senate Bill No. 76, entitled:

An Act to authorize the Board of Revision of Taxes in cities of the first class to classify the real estate situated therein so as to discriminate between those parcels employed exclusively for manufacturing purposes and other real estate in such cities; and to provide for carrying such classification into effect.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Judiciary General reported as amended, Senate Bill No. 37 (House Bill No. 45), entitled:

An Act validating certain proceedings and elections of political sub-divisions had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds or other security issued or authorized to be issued in pursuance of such proceedings and elections.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until 5 o'clock this afternoon.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

MOTION TO READ BILLS THE FIRST TIME

Mr. THOMPSON (Centre). Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. RUPP. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 37 (House Bill No. 45), entitled:

An Act validating certain proceedings and elections of political subdivisions had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuant of such proceedings and elections

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 76, entitled:

An Act to authorize the Board of Revision of Taxes in cities of the first class to classify the real estate situated therein so as to discriminate between those parcels employed exclusively for manufacturing purposes and other real estate in such cities; and to provide for carrying such classification into effect.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 80 (House Bill No. 110), entitled:

An Act providing that no person shall be denied refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. GRAFF. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Armstrong, Mr. Graff, will state his question of personal privilege.

Mr. GRAFF. Mr. President, before Pennsylvanians burst into a flood of tears over Governor Earle's prayer: 'God help the poor in New Jersey', it will be well for them to withhold the crying towels until a complete picture of decentralized relief in our neighboring state is presented by members of the Senate Appropriations Committee. In a resolution by Senator Frederick T. Gelder, Susquehanna, the members are directed to 'ascertain from official sources in New Jersey causes for the definite decline in relief cases and the cost of administration, together with information as to the methods used.'

The Governor's pathetic recital of isolated cases in New Jersey of the 'dying and starving' was presented to him in a report of preliminary findings by investigators in the W.P.A. His Excellency admits the names listed in his address to the joint session of the General Assembly Monday night are fictitious but alleges the facts are not.

His gratuitous insult of New Jersey that the situation in that state is 'revolting and barbarous' is a phase of

his address that will doubtless be answered by responsible officials in that Commonwealth.

Late last month, Russell B. Porter, an experienced New York newspaperman made an exhaustive investigation of decentralized relief in New Jersey and his findings indicate that contemplated revision of methods here will result in reduction in the cost of unemployment relief. Officials in Newark and Jersey City, according to Mr. Porter expect that the legislators at Trenton will confer on a definite program for financing State aid for relief to those communities needing it. If New Jersey accords such help, they assert, the localities can administer relief much more economically than has been done by the State through the Emergency Relief Administration, which has just closed down.

Owen A. Malady, Overseer of the Poor in Newark, said that since he had taken over direct relief administration from the State ERA in April there has already been an encouraging decrease in the case load and in costs. He attributed this not only to a more careful scrutiny of relief applicants and to the elimination of certain extra services which the ERA had given, but also to the general improvement in business and employment and to the seasonal pick-up in employment that comes at this time of year.

In March, the last full month of ERA administration, Newark had 13,758 cases on relief, representing 42,548 persons. The cost was $405,868, of which the State paid $342,506 and the city of Newark $63,362. In addition, the State paid $37,475 in administrative expenses. On April 16, when the city actually took over, the load was 13,250 cases.

On April 30, Mr. Malady reported, the load was down to 12,386 cases, representing 38,117 persons. The cost for the second half of April, he said was $168,894.62, a saving of $19,927.73 as compared with the budget the ERA had estimated for the period. This was exclusive of administrative costs.

Mr. Malady said his plans for administrative reorganization and simplification, including a re-employment bureau, and for reforms in the granting of relief itself, led him to hope that inside of a year, if business improvement continues and if the WPA is retained, the case load and cost of Newark's direct relief program would be cut in half. Eventually, he said, Newark would have only 5,000 to 6,000 families—"the chronic poor"—on relief.

"And I believe this can be done," he added, "without any injustice to those who are really in need. We will gradually solve this problem, but, of course, until we get settled down into a municipal system and until conditions improve, we will continue to need help from the State.

"Mr. Malady called attention to the fact that in the future the social security program, old-age pensions and other specially financed forms of relief would take up some of the present load.

"We have had to float temporary emergency bonds to carry us until June 1, when we hope the State will have decided upon a program of State aid to municipalities', he said. 'Meanwhile, we have elminated many costly features of the ERA relief, such as medical, dental and nursing services, hospitalization, drugs and so on. Henceforth, relief clients will have to depend on our city hospitals, clinics and nursing services for such aid, as the poor did before the depression.'

"He said he had expected complaints from persons cut off from this kind of relief, and had been surprised at receiving "not more than half a dozen kick-backs."

"There have been no riots or disturbances' he went on, 'and the Communists and the Workers Alliance people have not bothered us. There seems to be a very sound philosophical viewpoint on the part of the majority of people on relief. They know that it was getting out of hand, and that something had to be done to save the man who pays the bills from ruin.

"Moreover, we haven't done anything drastic. We haven't dropped anybody from the rolls without cause. We haven't cut the essentials of relief. We are still giving the same food orders, milk, shelter, clothing, shoes, fuel, gas and electric service as ERA, making allowance for the change in seasonal needs.

"Jersey City officials asserted that they had made a large savings in their relief costs, compared with other cities in the State, before the ERA turned the administration of relief back to them.

"John F. O'Neill, Hudson County Supervisor, who has had charge of relief for Hudson County for more than four years, pointed out that administrative costs had been less there, even during ERA, because county and municipal officials, policemen, firemen and other employees worked extra without pay as relief workers, investigators and administrators, whereas elsewhere specially employed persons swelled the administrative costs.

"It was emphasized that in March Jersey City's relief load was about half that of Newark's, but its administrative costs were only about one-third. The figures were:

	Cases	Administrative Costs
Newark	13,758	$37,475
Jersey City	6,687	13,134

"Jersey City officials also pointed out that their average cost per case in March was only $21.23, compared with $29.43 in Newark. They explained that the main factor was that they had held reilief down to the essentials of food, clothing, shelter, fuel, gas and electric light. Medical, dental, nursing services, hospitalization, &c., they added, had been supplied when needed in the ordinary manner through the city hospitals and clinics."

QUESTION OF PERSONAL PRIVILEGE

Mr. WOODWARD. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman will state his question of personal privilege.

Mr. WOODWARD. Mr. President, may I offer an editorial from the New York Times for the record, and I would like to read just a few lines:

A LESSON FROM NEW JERSEY

For some weeks the question of relief for the unemployed has been sadly muddled in New Jersey. Available funds were exhausted, and the Governor called upon the Legislature to lay new taxes in order to obtain the $3,000,000 a month required. But personal and party controversies have thus far prevented the raising of the money needed. The result has been to throw back, temporarily, upon the localities the work of caring for those out of employment.

Some of the consequences have been surprising and instructive. The numbers of those on the relief roll at once

fell off. In Atlantic City they were reported to have fallen by fully a thousand. The Mayor of Rumson stated that many fewer persons were asking for relief when they found out that it would have to be supplied by their neighbors. Similar effects came to notice in various parts of the State.

Various explanations were offered. It is said by some that jobless men have left New Jersey. Others allege that more work has been found suddenly, or that the unemployed who had scorned casual and part-time jobe have now consented to take them. But the main cause seems clearly to have been the transfer of cases from general or Federal relief to local scrutiny and control. In small towns, particularly where everybody knows everybody else, work tests are apt to be more severely applied, and instances of malingering or imposture more readily detected. It is partly in order to secure this wholesome weeding out of the lists that the breaking up of the huge and sprawling Federal administration of relief has been urged, with an accompanying return of a part of the responsibility to municipalities and counties. What has occurred in New Jersey might be repeated in other States.

A man whom we should once have called a "sturdy begger" was recently overheard in a near-by village discussing the relative merits of Federal and local relief. He said:

> I never took any stock in this turning it all over to the counties and towns. You never can tell what they will do to you. People will look you over and ask all kinds of mean questions. But with Uncle Sam it is different. His check comes to me regularly without any bother at all about it.

The day may come, however, when these checks of Uncle Sam will no longer fall like the dew from heaven upon the just and the unjust alike"

I would like to have that inserted in the record.

The PRESIDENT. Is there objection? The Chair hears none.

BILL INTRODUCED

Mr. McGINNIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McGINNIS, read in place and presented to the Chair Senate Bill No. 81, entitled:

An Act requiring school districts to progressively reduce their tax rate on real estate; and providing that the Commonwealth shall pay to the school districts the amount of such annual loss in revenue.

Which was committed to the Committee on Education.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11 o'clock.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:30 P.M. until tomorrow morning, June 17, 1936, at 11 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 16, 1936

The House met at 12:00 o'clock, noon.

The SPEAKER (ROY E. FURMAN) in the Chair.

PRAYER

REV. MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

O God, our help in ages past, our hope in the years to come, our shelter from the stormy blast and our eternal home, we pray that Thou will grant us Thy leadership in the affairs of this House. We thank Thee for Thy care and keeping during the watches of the past night. We pray that Thou will bless the Governor of this Commonwealth, the Speaker of this House, and all of his aides. Guide us with Thy unerring council, that we might do the things that will be more pleasing in Thy sight.

Through Jesus Christ, Our Lord, and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. VanALLSBURG the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. SOWERS. HOUSE BILL No. 132

An Act to provide revenue by requiring a certificate to be obtained by Naturopaths.

Referred to the Committee on Public Health and Sanitation.

By Mr. ANDREWS. HOUSE BILL No. 133.

An Act making an appropriation to the Department of Welfare for the purpose of rehabilitating and replacing real and personal property of State-aided hospitals damaged or destroyed by flood.

Referred to the Committee on Appropriations.

By Mr. COHEN. HOUSE BILL No. 134.

An Act requiring unemployment relief orders to be presented for payment within a certain period, otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth.

Referred to the Committee on Appropriations.

By Mr. COHEN. HOUSE BILL No. 135.

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by and for said board.

Referred to the Committee on Appropriations.

By Messrs. COHEN and TURNER. HOUSE BILL No. 136.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto a section.

Referred to the Committee on Constitutional Amendments.

By Mr. TURNER. HOUSE BILL No. 137.

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief and expenses; defining the purposes for which such moneys may be expended; prescribing the powers and duties of the State Emergency Relief Board, and certain State officers and departments, county officers, directors and guardians of the poor, and courts of common pleas; creating county assistance boards in certain counties, and prescribing their powers and duties; and prescribing penalties.

Referred to the Committee on Appropriations.

By Messrs. FALKENSTEIN and SCANLON.

HOUSE BILL No. 138.

An Act limiting the hours of employment and providing penalties for the violation thereof.

Referred to the Committee on Labor.

By Mr. HOOPES. HOUSE BILL No. 139.

An Act relating to unemployment relief; making an appropriation to the State Emergency Relief Board for direct and work relief, and prescribing the powers and duties of the board with reference thereto.

Referred to the Committee on Appropriations.

By Mr. POWERS. HOUSE BILL No. 140.

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring extra fees for the assignment of special registration plates.

Referred to the Committee on Highways.

By Mr. LOVETT. HOUSE BILL No. 141.

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium; placing the sanatorium upon completion under the jurisdiction and control of the Department of Health; authorizing the Department of Property and Supplies to cooperate with, and to accept and disburse moneys received from, the United States government for the erection and construction of a State tuberculosis sanatorium; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. HARMUTH. HOUSE BILL No. 142.

An Act to promote the general welfare by establishing a State Employment Authority to investigate causes of unemployment and provide productive work in factories and mines for the unemployed the products of which shall be distributed under the supervision of the Authority to the unemployed and needy persons to cooperate with existing Federal and State agencies to relieve unemployment in the distribution of products and necessities to persons in need and in distress mposing a penalty and making an appropriation.

Referred to the Committee on State Government.

By Mr. JOHN E. BROWN. HOUSE BILL No. 143.

An Act to provide revenue by prohibiting the employment of miners in the bitumnious mines, unless certificated after examination by a miners' examining board and the payment of certain fees; providing for the appointment of such boards, and defining their powers and duties; and providing penalties.

Referred to the Committee on Mines and Mining.

By Mr. FRANK E. SNYDER. HOUSE BILL No. 144.

An Act to provide revenue by imposing a State tax upon sales of oleomargarine as herein defined; requiring persons engaged in the sale of oleomargarine at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of oleomargarine at retail or wholesale; making an appropriation; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. FRANK E. SNYDER. HOUSE BILL No. 145.

An Act imposing a State tax upon certain butter substitutes; providing for the collection thereof; requiring distributors to be registered; imposing duties on sheriffs and prothonotaries and upon the fiscal officers and agencies of the State and the Department of Agriculture; and prescribing penalties.

Referred to the Committee on Ways and Means.

By Messrs. TUMELTY and CONDON.

HOUSE BILL No. 146.

An Act to amend section two of the act, approved the sixteenth day of May, one thousand nine hundred and thirty-five (Pamphlet Laws one hundred sixty-six), entitled "An act providing for the abatement, under certain circumstances, of tax penalties and interest on certain city taxes in cities of the first class, and on certain school taxes in school districts of the first class," as amended, by clarifying the provisions of said section as to the taxpayers entitled to anticipate the payment of delinquent taxes during the instalment period.

Referred to the Committee on Cities.

By Mr. BURKE. HOUSE BILL No. 147.

An Act to authorize the Board of Revision of Taxes in cities of the first class to classify the real estate situated therein so as to discriminate between those parcels employed exclusively for manufacturing purposes and other real estate in such cities; and to provide for carrying such classification into effect.

Referred to the Committee on Cities.

By Messrs. PFAFF and SCANLON.

HOUSE BILL No. 148.

An Act to amend subsection (a) of section nineteen of the act approved the third day of May, one thousand nine hundred and thirty-three (Pamphlet Laws two hundred fifty-two), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," as amended; by increasing the license fee of manufacturers.

Referred to the Committee on Ways and Means.

By Mr. ROBINSON. HOUSE BILL No. 149.

An Act to amend an act, approved the fourth day of June, one thousand nine hundred and thirty-six (Act No. 30, entitled "An act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof," by adding thereto a new section to be known as section six and one-tenth; providing for the compensation of delinquent tax collectors, their employes and expenses for the collection of delinquent taxes in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes.

Referred to the Committee on Municipal Corporations.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. CANNON. (Concurrent) RESOLUTION No. 27.

In the House of Representatives, June 15, 1936.

Whereas The present Federal Administration seeks to create employment naturally in industry, and

Whereas The Mayor of Philadelphia Continuously seeks to improve the conditions Humanely and Industrially, and

Whereas This Session provides an unemployment relief program, and

Whereas The unemployed at a Hearing requested and Desired action by Legislation of relief measures that created employment, and

Whereas In this Commonwealth prevails many closed industries non-operating, and

Whereas Amidst the Port of Philadelphia the Northeast Section remain on the Map with a defunct shipyard containing land wetdocks cranes buildings and shipways as a going concern would be capable of bidding on contracts for ship construction and

Whereas This Nation would and should be compensated by the creation of employment in general, and

Whereas Any project granted to pay real wages on real work over a lengthy period of time would establish domestic happiness, and therefore be it

Resolved (If the Senate concur) that this method of creating purchasing power to many communities by employment is of vital importance to the unemployed, therefore be it further

Resolved The General Assembly of this Commonwealth Respectfully urge the construction of more ships by the Federal Administration in the one section formerly known as the work shop of the world, therefore be it further

Resolved A copy of this resolution be forwarded to his Honor the President of the United States His Excellency the Governor of this Commonwealth His Honor the Mayor of Philadelphia and those who constitute the Authority concerning the Development of Ship construction Labor and employment.

Referred to the Committee on Rules.

By Mr. POWERS. RESOLUTION No. 28.

In the House of Representatives, June 15, 1936.

Whereas, Many of our most earnest students in the various schools of this Commonwealth, who are sincerely interested in the actual operation of their State Government are, by the present financial depression and economic situation, deprived of the opportunity of visiting in person the seat of their State Government; and

Whereas, It is the duty of the State to help those eager young minds to acquire accurate knowledge of the many activities of their State Government and the services that are rendered to the citizens of the State by their government; therefore be it

Resolved, That motion pictures be taken of various State buildings, of the Legislature while it is in session, and of each Department of the State Government with an official of such department explaining briefly the functions thereof.

Referred to the Committee on Rules.

By Mr. OMINSKY. RESOLUTION No. 29.

In the House of Representatives, June 15, 1936.

Whereas, The Commonwealth of Pennsylvania has for many years appropriated substantial sums of money for the operation and maintenance of the Pennsylvania Working Home for the Blind, located at Philadelphia, Pennsylvania; and

Whereas, The said Pennsylvania Working Home for the Blind also receives substantial sums from the city of Philadelphia and from the Welfare Federation of Philadelphia; and

Whereas, The said institution has sixty inmates who reside there permanently and who are the recipients of State blind pensions; and

Whereas, The said institution coincidentally with the beginning of the blind pension payments, substantially increased the rates charged for boarding these inmates so that these inmates are obliged to pay over to this institution a large part of their pensions; therefore be it

Resolved, That a committee of five be named by the Speaker of the House of Representatives to investigate the use of those funds as appropriated by the Commonwealth of Pennsylvania and to determine whether or not those funds are properly used and to ascertain whether or not the present increase of the boarding charges are warranted, taking into consideration the additional funds received by said institution from the cty of Philadelphia, the Welfare Federation of Philadelphia and from private endowments, and it is further

Resolved, That the committee shall make a report to this extraordinary session of the House of Representatives if possible, otherwise, to the next general session of the House of Representatives together with recommendations to the committee; and it is further

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Referred to the Committee on Rules.

By Mr. MURRIN. (Concurrent) RESOLUTION No. 30.

In the House of Representatives, June 15, 1936.

Whereas, The Works Progress Administration is expending large sums of money in the employment of laborperforming work on the bermes, gutters and banks along the state highways of this Commonwealth; and

Whereas, The expenditure of an equal amount of money on the improved surfaces of highways or in the improvement of unimproved secondary and township roads would, in the opinion of many citizens, serve a more useful purpose, by providing smooth road surfaces for the traveling public and making additional hard surfaced roads available for travel during winter months; therefore be it

Resolved, (if the Senate concur), That the General Assembly hereby petitions the President of the United States and the Works Progress Administration to discontinue the employment of labor on the bermes, gutters and banks of the state highways of the Commonwealth of Pennsylvania, and instead to employ labor in the improvement of the traveled surface of highways, particularly those of the secondary and township highway systems which remain unimproved;

Resolved, That a copy of this resolution be transmitted to the President of the United States and to the Works Progress Administration by the Chief Clerk of this House.

Referred to the Committee on Rules.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following petitions which was read by the Clerk:

PACKAGE BEER DEALERS.

A petition from citizens of Allegheny County urging the passage of House Bill No. 105.

Referred to the committee on Ways and Means.

LEAVES OF ABSENCE

Mr. BARBER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. YOURISHIN asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. MURRIN asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. LYNCH asked and obtained leave of absence for himself for the remainder of the week after todays' session.

Mr. HORST asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. WOOD asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. PETERS asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. RINN asked and obtained leave of absence for himself for the remainder of the week after today's session.

REPORT FROM COMMITTEE

Mr. MOOMAW, from the Committee on State Government, reported as amended, House Bill No. 98, entitled:

An Act to create a State Planning Board; prescribing its powers and duties; imposing certain duties upon political subdivisions; and making an appropration.

RESOLUTION No. 25

Mr. HOMER S. BROWN. Mr. Speaker, I desire to call up at this time Resolution No. 25, Printer's No. 130.

The resolution was read by the Clerk as follows:

In the House of Representatives, June 9, 1936.

Whereas, There exists in many cities of Pennsylvania, sub-standard housing conditions and a shortage of housing accommodations for families of low income; and

Whereas, There is need for a clear definition of policy on the part of the Federal Government as to its program of improving sub-standard housing conditions in cooperation with the state and local governments; and

Whereas, Low cost housing and slum clearance programs have been started in Pennsylvania and in other states with the aid of the Housing Division of the Public Works Administration; and

Whereas, A continuing Federal program is necessary in order to secure enactment of proper housing legislation for Pennsylvania and in order to effectively attack the evil effects of bad housing conditions; and

Whereas, There has been introduced in the Congress of the United States the Wagner-Ellenbogen Housing Bill known as "The United States Housing Act of 1936" which, if enacted, will provide for a long-term decentralized Federal Housing program which will make available to Pennsylvania funds for the continuation and initiation of their low-cost housing programs with adequate protection to private enterprise; and

Whereas, Several city councils, mayors and housing authorities, as well as many civic organizations in the State of Pennsylvania, have endorsed said legislation and memorialized the President, the Senate and the House of Representatives to enact said measure; therefore, be it

Resolved, That the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania memorializes the Congress of the United States that the United States Senate be and it is hereby requested to enact, at the earliest date possible, "The United States Housing Act of 1936", being Senate Bill No. 4424, introduced by Senator Robert F. Wagner, and that the House of Representatives enact the identical measure introduced in said House by Congressman Henry Ellenbogen of Pennsylvania, and being H. R. 12164; and be it further

Resolved, That the President of the United States be and is hereby requested to use the influence of his great office to further the enactment of this measure; and be it further

Resolved, That the Senators and Congressmen of the State of Pennsylvania be and are hereby requested to do everything within their power to carry out the purpose of this resolution; and be it further

Resolved, That a copy of this resolution be sent to the President and to the Vice-President of the United States, the Speaker of the House of Representatives, and to Senators James J. Davis and Joseph Guffey and the Representatives from the State of Pennsylvania.

On the question,

Will the House adopt the resolution?

It was adopted.

RESOLUTION No. 26

Mr. YOURISHIN. Mr. Speaker, I desire to call up at this time Resolution No. 26, Printer's No. 131.

The resolution was read by the Clerk as follows:

In the House of Representatives, June 9, 1936.

Whereas, There is pending in the Congress of the United States the Guffey-Vinson bill, designed to regulate the bituminous coal industry in which are employed 400,000 miners throughout this Nation, and

Whereas, The bituminous coal industry has been severely crippled by the economic depression and by loss of markets and is in desperate need of assistance; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to speedily enact the Guffey-Vinson bill for the regulation of the bituminous coal industry in order that aid may be given said industry as soon as possible;

Resolved, That a copy of this resolution be transmitted to the Senate and House of Representatives of the United States by the Chief Clerk of this House.

On the question,

Will the House adopt the resolution?

It was adopted.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 122, as follows:

An Act to suspend the laws of this Commonwealth authorizing the collection of local taxes by distress and sale of goods and chattels

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from the effective date of this act until May thirty-first one thousand nine hundred and thirty-seven no collector or receiver of taxes shall have power to collect taxes imposed by any political subdivision of this Commonwealth by distress and sale of goods and chattels of the taxpayer or any tenant of a tax-Commonwealth authorizing the collection of such taxes

payer and during said period any and all laws of this by distress and sale of goods and chattels are hereby suspended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 81, as follows:

An Act to amend section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by providing that the provisions of said act shall be mandatory and prohibiting any diminution of salary or compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" is hereby amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city except cities of first class and second class A having fire departments shall [allow and permit] grant every member of such fire departments [to have] at least twenty-four consecutive hours of rest without diminution of the salary or compensation fixed by ordinance or resolution of such city in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagrations or public celebrations and in addition thereto to [have] grant to every member of such fire department an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance or resolution of such city

This act shall become effective [immediate upon its final enactment] on the first day of January one thousand nine hundred and thirty-seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 82, as follows:

An Act to amend section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" as amended by changing the hours of the day and night shifts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled "An act to promote the health and efficiency of firemen in cities of the second classs by providing for a two-platoon system for firemen in the department of public safety of such cities" as last amended by the act approved the fifth day of May one thousand nine hundred and thirty-one (Pamphlet Laws ninety-three) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the head of the department of public safety or of the department having charge of or supervision over the fire department or bureau in each city of the first second and third class shall from and after the first day of January one thousand nine hundred twenty divide the officers and members of companies of the uniformed fire force in the employ of such cities or in the case of a volunteer fire department the firemen and drivers regularly employed and paid by the city excepting the chief engineer and assistant chiefs into two shifts bodies or platoons one to perform day service and the other to perform night service The hours of day service shall not exceed ten commencing at eight o'clock in the morning the hours of night service shall not exceed fourteen commencing at six o'clock in the afternoon In cases of riot serious conflagration or other such emergency the chief engineer of the bureau of fire or the assistant chief deputy or chief officer in charge at any fire shall have the power to assign all the members of the fire force to continuous duty or to continue any member thereof on duty if necessary. No member of either of said shifts bodies or platoons shall be required to perform continuous day service or continuous night service for a longer consecutive period than two weeks nor be kept on duty continuously longer than ten hours in the day shift body or platoon or fourteen hours in the night shift body or platoon excepting at the end of each two weeks period the night shift body or platoon ending said period may be required to work eighteen hours and the day shift body or platoon starting a new period twenty hours as may be necessary to equalize the hours of duty and service required by this act and also excepting in cases of riot serious conflagration or other such emergency as above provided Provided however that this act shall not apply to employes who are employed subject to call

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 46, as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protections along the Delaware River at Matamoras and Milford Pike County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-two thousand dollars ($32,000) or so much thereof as may be required is hereby specifically appropriated to the Department of Forests and Waters for the following purposes

(a) For making necessary repairs to the existing dike or river bank protection along the Delaware River at Pike County west of the bridge between Matamoras and Port Jervis the sum of one thousand dollars ($1,000)

(b) For building and constructing of a new dike or river bank protection along the Delaware River at Matamoras Pike County east of the bridge between Matamoras and Port Jervis the sum of twenty-one thousand dollars ($21,000)

(c) For building and constructing a new dike or river bank protection for a distance of six hundred feet (600)

more or less along the Delaware River at Milford Pike County the sum of ten thousand dollars ($10,000)

The sum appropriated by this act shall be available for use by the Department of Forests and Waters until the dikes or river bank protections provided for herein shall be repaired or built and constructed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 18, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixty million two hundred forty-one thousand dollars 60,241,000) is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided during the period ending January thirty-first one thousand nine hundred thirty-seven

On the question,

Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Page 1, Section 1, Lines 4 and 5, by striking out after the word "of" the words and figures "sixty million two hundred forty-one thousand dollars ($60,-241,000)" and inserting in lieu thereof the words and figures one hundred million dollars ($100,000,000)

On the question,

Will the House agree to the amendment?

Mr. HOOPES. Mr. Speaker and members of the House, this is an important amendment. The proposal is that we increase the appropriation contained in this bill from $60,241,000 to $100,000,000. We have heard a great deal of talk during the past several weeks about how little was necessary for relief. We have heard practically nothing about how much is necessary. It seems to me that the leaders of both of the parties are more concerned with saving the taxpayers than they are with saving the needy of Pennsylvania. There has been a great deal of propaganda about the people getting too much and living better than they ever did before, and they could get along on a great deal less.

The Governor in his address last evening told us about how they are getting along in a neighboring State on less. I do not propose to go to New Jersey to discuss this situation. I expect to stay here in Pennsylvania and just give a few figures of what we have. I believe, according to the latest reports of SERB there are about one hundred seventy-three thousand people on relief at the present time. That is the lowest it has been for many, many months, in fact a couple of years.

The Governor told us that he has an agreement with the Works Progress Administration that they will take over thirty thousand of these, which I suppose will reduce it to one hundred forty-three thousand. Then, if we assume what is contrary to our experience for several years, that number is going to continue at that figure or else get less from now until the end of next January, the appropriation which the Governor proposes might possibly get by. When I say it might possible get by, I want to point out to you just what it means. Usually when we discuss relief figures we talk about so many million dollars, and that sounds very big, and we think we are being very generous in handing out a great deal of money and treating everybody fine. Let us see just what this really means if we do hand it out on a basis that the Governor suggests, and that the relief figures or the number on relief do not increase.

Let us take on a basis of one hundred forty-three thousand people. Fifty-five million dollars, to last from sometime after June 20 to January 31. Let us say that the present amount appropriated will last until July 1, although everybody says it won't. Let us assume that it will, then this appropriation will have to cover the period from July 1 to January 31, which is more than thirty weeks. Break down fifty-five million dollars to a weekly basis by dividing it by thirty, you have one million eight hundred and thirty-three thousand dollars per week, to be distributed among one hundred and forty-three thousand cases. You divide one hundred forty-three thousand into one million eight hundred thirty-three thousand and you get an average per case of $12.82 per week. The Relief Board tells us that there is an average of three and three-tenths persons per case, three and three-tenth persons to live each week on $12.82. Let us see what this means. Let us break it down further because it is very easy to say,, "oh, well, people can live on $12.82 a week for a family of three and three-tenth persons," although I doubt if very many members of this House would care to try it. But let us break it down further. We have to allow for administration costs, dental and medical care. Say that it takes something like one dollar and eighty-six cents per week for that, they allow one dollar and forty cents per week for milk, which means two quarts per day at ten cents per quart, although the price in a good many parts of the State is eleven cents a quart, but they only allow ten cents a quart for two quarts per day. They allow two dollars and fifty cents for rent and shelter. Those of you who are not particularly concerned about the unemployed may be more concerned about the landlords. I would like to know how many landlords there are in Pennsylvania who have tenantable houses that they are willing to rent for $2.50 a week, or $11.00 a month. I believe you are all aware that there is a great deal of housing shortage. In fact, we have just passed unanimously a resolution which so declares. There is no question but what houses for low-income families are very difficult to obtain Many landlords are positively refusing to rent to persons, who are either on relief or on the WPA. They are being vacated by the hundreds all over the State. Only this past week four or five families were evicted from the Bucks County Almshouse, relief or WPA workers with five or six children, who were unable to find any place else to go and were compelled to go to the almshouse, they were thrown out of the almshouse, and where they went from there nobody knows and nobody seems to care,

Everybody disclaims liability. The relief board says that they do not have anything to do with it. The poor board says they can not take care of it. The WPA does not pay enough wages to permit them to rent, if they could get houses, and the landlords refuse to rent them because they say they do not know whether the WPA work will last one week or six weeks or six months, any they are not going to take any chances of getting a family in that may not be able to pay the rent, and then have the trouble of evicting them. That is the situation that you are confronted with all over the State. When you break down these figures and see just what they mean then you begin to realize that after all these charges of the State are not living so generously. Persons who are willing to work and are unable to find jobs are certainly entitled to decent treatment from communities. If we have a social system that is unable to provide employment for them, then we will have to take care of them in some other way. Personally I think that the system is a little bit crazy. This business of telling people that you cannot give them work, then being compelled to keep them,—there is certainly something the matter with it. We certainly would be much better off to let them do that, to work, and let them produce their own keep. You say you cannot do that because that would ruin business or probably ruin the entire competitive system. You do not do that. You tell them, they cannot work; you don't give them a chance, so you have to provide for them in some measure, and I say that measure should be adequate. We have ample evidence that we have the means of production; we have the wealth; we have the labor power; we have the machinery; we have the electric and steam power; we have the natural resources; we have everything necessary to produce plenty for everybody, except a social system that will permit the workers to use the means of production and distribute it among themselves so they will get enough to eat and the other necessities of life. If you are not willing to do that then you have to face the music and ask the people who have enough to take care of those who have not.

Let us go on with these figures and see what they lead us to. They provide 60 cents per week for fuel and heat,—60 cents per week for fuel and heat. How many of you would care to heat your houses and cook you meals on the immense sum of 60 cents per week? I think you probably would have a great deal of trouble to cook during the Summer months without providing any heat at all. 30 cents for light, or $1.30 a month, about. How much of any kind of light can you get for that? $1.65 for clothing for three persons per week. Figure it out for yourself. I think it figures out something like this, 50 cents per week per person. That certainly wont clothe them very generously. Those are the result of figures which you obtain when you break down the relief grant, and consider it on the basis of the amount allowed for each item rather than in a great big lump sum of millions of dollars, which sounds like a whole lot. Then you take those figures and add them together, the ones I have just read off, and you get a total of $8.31 per week for items other than food. The only food item in there being for milk—$8.31 per week, I have just figured out a moment ago that the total grant would be $12.82, and subtracting you get $4.51 per week for food for three persons, or $1.46 per person. Or if you figure twenty-one meals, you have 5 cents per meal. How many of you would care to live on 5 cent meals? Remember that these figures are figured out not only just for the Summer months, but are supposed to work out on that basis until January 31, 1937, which includes at least two of the Winter months, with all of the additional expenses that go along with it. I submit that even on the basis of the present number on relief, the grants are inadequate and insufficient to provide decently for the charges of the State.

Let us look at it from another angle. The Governor told us last evening that the WPA were to take over thirty thousand more from relief. Last year the Federal Government made an appropriation, if I remember correctly,—and I say if I remember correctly, because I tried this morning to obtain the correct figures from WPA headquarters and they say they don't know. It seems they don't know anything that you want to know. They say they don't remember what the total figures were, they don't have any figures as to what has been allocated to Pennsylvania. But if I remember the figures that were published in the press correctly, the total amount allowed was what sounded like a stupendous sum of four billion eight hundred million dollars. That included not only WPA but also PWA, CCC and a number of other items. I don't know how much of that has been spent, the WPA doesn't know that either, they don't know how much has been allocated to Pennsylvania. They do say that there has been over one hundred million dollars spent in Pennsylvania in wages alone, which does not cover nearly all of the items, that they are now spending something like four million dollars a week in wages. The appropriation last year was four billion eight hundred million dollars, and this year they will only appropriate one billion four hundred twenty-five million dollars. Last year WPA didn't get going in any real sense of the word until along in November. I believe the figures show that they only took something like one thousand two hundred ninety-six cases off relief in Pennsylvania in September, and about fourteen thousand six hundred sixty-one cases in October. Then it started to jump up in November and December and has been increasing every month since that time, until the present time it has gotten up to something like two hundred seventy-six thousand. If you add the thirty thousand to that which the Governor says they are going to take over, it will not make up for the forty thousand whom they took off a couple of weeks ago, most of whom have come back on relief, and there is no reason to believe that there will be anything like that number of jobs in private employment, nor has any consideration been given to the mid-Summer lag, which has been coming along regularly every year, nor the general falling-off in employment which takes place in the Fall of the year, nor has any allocation been made for the closing-down of the projects during the Winter months. It will probably mean the return of several hundred thousand to direct relief along in December and January because the projects which are now working in full-blast will either be completed or will be closed down on account of the weather conditions, which will make it impossible for them to go on. When you consider all of those things, I submit to you to make an appropriation that only allows just barely enough to skim by with the very meager kind of conditions, and using the figures which we have at the present time, which everybody admits are very, very optomistic, that to attempt to do that is surely invited trouble.

During the past five and one-half years we have had

five special sessions of the Pennsylvania Legislature. We met in regular session in 1931. Some of us advocated a permanent relief program, which would make allowances for the conditions which were then plainly developing, and pointed to a need of increased rather than decreased relief. But the leaders told us, "Oh, there is nothing to worry about, prosperity is just around the corner, we will be back in good times again inside of six months, there is no reason why we should look any farther ahead." We did not look any farther ahead. We had a special session in November, 1931. Even then we refused to look ahead, even to the next general session, which would have been in 1933, with the result that we had to have again a special session in June of 1932. With that we managed to squeeze through to the regular session of 1933. Again we made the same mistake, we hadn't learned anything from our previous experience. We had to go back again in another special session for relief in November, 1933. Even then we didn't take care of it. We had to go back the fourth time in September of 1934. Then we had the regular session in 1935, and then we did not take care of it for the biennium. We said that it would certainly be sufficient, that it would all be taken care of, the Federal Works program or something or other would take care of all of the unemployed, private industry will revive, there is no need that we should provide relief for more than one year." Several of us pointed out that that was nonsense and we were inviting the taxpayers to stand the expense of another special session. And we didn't do it. In that respect the Democrats are not anymore farsighted than their Republican predecessors had been. We had to come back here again this May to take care of the situation until the next regular session. Now, we find ourselves providing on a basis that in my judgment at least, it totally inadequate, and is almost certain to result in another special session before the regular session of next year.

I ask the members of the House, do you want to do that, do you want to came back here and spend another half million dollars of the taxpayers' money in the expense of another extraordinary session, or are we going to take care of it now? Are we going to ignore experience entirely, or are we going to appropriate enough to take care of the situation? You say, "Oh, we don't need anything like one hundred million dollars." You have had some experience with the present relief administrator. I do not believe that you think he would go ahead and spend this amount, no matter how recklessly, I do not think that if you would give him one hundred million dollars that he would spend all of that, I do not believe so. He would only expend the amount that would be necessary and you would have the balance left. You might possibly be able to return some of it to the various funds that you have been borrowing from for the last five or six years, so you won't cripple all of your highway work and schools, and various other institutions, by borrowing money which should have been used for those purposes. Therefore, I submit that we should look at this thing on a longer range program, that we should look at it as statesmen rather than politicians, trying to pass the buck on the fellow that may happen to be in office a few months from now. We should look at it upon the viewpoint of the unemployed and take care of it in a sufficient and adequate way, and for these reasons, Mr. Speaker, I offer these amendments and ask the members of the House to vote for them, and Mr. Speaker, I ask for a roll-call.

Mr. COHEN. Mr. Speaker and members of the House, this bill was reported from the Committee on Appropriations with the understanding that after it had passed second reading, it would be recommitted to the Committee on Appropriations. Last night there was a committee of six appointed by the Speaker of this House to meet with the Governor for the purpose of ascertaining the exact requirements necessary for unemployment relief and the exact amount of taxes that would be required to carry out the program. In view of that fact, it would be unthinkable to tie the hands of this House or the hands of the committee by the insertion of these amendments on the floor of the House. I. therefore, ask the members to vote the amendments down, after which the bill will be referred to the Committee on Appropriations for further study.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. HOOPES and Mr. YOURISHIN were as follows:

YEAS—19

Baine,	Holland,	Pfaff,	Sarraf,
Baker, J J.,	Hoopes,	Piole,	Scanlon,
Bradley,	Kobelak,	Reising,	Tronzo,
Cannon,	Mooney,	Reynolds,	Weiss,
Duffort,	Moran,	Robinson,	Yourishin,
Harkins,			

NAYS—162

Achterman,	Eroe,	McCreary,	Shreiner,
Alexander,	Falkenstein,	McDermott,	Shugarts,
Allen,	Ferko,	McDevitt,	Siegel,
Andrews,	Finnerty,	McElroy,	Simon,
Anthony,	Fitch,	McHenry,	Simpson,
Arnold,	Flinchbaugh,	McKinney,	Sinwell,
Atkins,	Flynn,	Melchiorre,	Sloan,
Aukerman,	Gates,	Mentzer,	Smith, J. A.,
Baker, F. T.,	Gerard,	Merrell,	Smith, W. G.,
Baldi,	Gillette,	Moomaw,	Snyder, F. E.,
Barber,	Greenstein,	Moore,	Sproul,
Barnhardt,	Habbyshaw,	Moul,	Stank,
Bernhard,	Haberlen,	Muir,	Stewart,
Blumberg,	Hagerty,	Munley,	Stockham,
Boose,	Haluska,	Murrin,	Stone,
Boyd, R.,	Hamilton, F. P.,	Nagel,	Stott,
Boyer,	Hamilton, R. S.,	Nothnagle,	Sumney,
Brancato,	Harmuth,	O'Keefe,	Surface,
Brennan,	Hermansen,	Ominsky,	Sweeney,
Brown, H. S.,	Hetrick,	O'Neill,	Tahl,
Brownfield,	Hindman,	Panton,	Terry,
Burke,	Hirsch,	Patterson, C.,	Trout,
Carson,	Hoffner,	Patterson, J. W.,	Tumelty,
Castor,	Holstrom,	Pearson,	Turner,
Chervenak,	Horst,	Perry,	Van Allsburg,
Coakley,	Jones,	Peters,	Van Sickle,
Cochran,	Kane,	Phillips,	Wall,
Cohen,	Kelder,	Powers,	Weidemann,
Coleman,	Kelso,	Rinn,	Welliver,
Condon,	Kenney,	Roan,	Welsh,
Coolahan,	Kilroy,	Royer,	Westrick,
Cooper,	Kinney,	Ruffennach,	White,
Cordier,	Klingler,	Schaeffer,	Wickersham,
Davies,	LaRue,	Schrock,	Winner,
Decker,	Long,	Schrope,	Witkin,
Dent,	Longaker,	Schwab,	Wood,
Diehl,	Lovett,	Serrill,	Woodside,
Dilley,	Lynch,	Shaw,	Yeakel,
Downey, G. E.,	Male,	Shepard,	Zimmerman,
Eberharter,	Mason,	Shortz,	Furman,

So the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

REASON FOR VOTE

Mr. ORMINSKY filed the following reason for his vote:

In voting "No" for the amendment to increase the appropriation I do so solely because there can not be sufficient money to appropriate, due to the attitude of the Republican majority in the Senate in not going along with the Governor's program on relief.

The second, third, fourth, fifth and sixth sections and title were separately read and agreed to as follows:

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the monies appropriated to it among the several counties of this Commonwealth for work relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 Out of the appropriation made by this act the State Emergency Relief Board shall from time to time allocate to the State Veterans' Commission an aggregate of one hundred ninety-five thousand dollars ($195,000) for the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means

Section 5 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such monies as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 6 This act shall become effective immediately upon final enactment

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. EBERHARTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 60, as follows:

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public non-sectarian libraries Pennsylvania State Library public non-sectarian libraries and public school libraries damaged or destroyed by flood and providing procedure to ascertain the amount of damage

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and twenty-five thousand dollars ($125,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public non-sectarian libraries Pennsylvania State Library public non-sectarian libraries or public school libraries damaged or destroyed by floods in this Commonwealth during the year one thousand nine hundred and thirty-six

No payment shall be made from the appropriation herein made until the trustees directors managers or other body or person in charge of any such damaged free public non-sectarian library Pennsylvania State Library public non-sectarian libraries or public school libraries shall have first filed with the Department of Public Instruction sworn proofs of loss in detailed statement Upon the receipt of any such proof of loss the department shall review the same and recommend the amount which in its opinion represents the value of the property damaged and destroyed by such floods The department shall thereupon lay the proofs of loss together with its recommendation and reasons therefor before the State Council of Education which shall fix the amount which in its opinion any library is entitled to from the appropriation herein made

Payment from said appropriation shall be made by requisition of the Department of Public Instruction in the manner provided by law

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 130, as follows:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and by adding a new section imposing a temporary emergency tax upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons engaged in the water and natural or artificial gas business

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one housand eight hundred and seventy-nine" as last amended by the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred) is hereby further amended to read as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company and every other company association joint-stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every copartnership person or persons owning operating or leasing to or from another corporation company association joint-stock association limited partnership copartnership person or persons any railroad pipe line conduit steamboat canal slack water navigation or other device for the transportation of freight passengers baggage or oil except taxicabs motor buses and motor omnibuses and every limited partnership association joint-stock association corporation or company engaged in or hereafter engaged in the transportation of freight or oil within this State and every telephone company telegraph company express company electric light company water-power company hydro-electric company palace car company and sleeping car company now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every limited partnership association joint-stock association copartnership person or persons engaged in telephone telegraph express electric light and power water-power hydro-electric palace car or sleeping car business in this Commonwealth shall pay to the State Treasurer through the Department of Revenue a tax of fourteen mills for the [years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six] six months' periods ending June thirtieth one thousand nine hundred thirty-five December thirty-first one thousand nine hundred thirty-five and June thirtieth one thousand nine hundred thirty-six and twenty-six mills for the six months' period ending December thirty-first one thousand nine hundred thirty-six and eight mills thereafter upon the dollar of the gross receipts of said corporation company or association limited partnership joint-stock association copartnership person or persons recived from passengers baggage and freight transported wholly within this State from telegraph or telephone messages transmitted wholly within the State from express palace car or sleeping car business done wholly within this State or from electric light and power water-power and hydro-electric business and from the transportation of oil done wholly within the State. The said tax shall be paid within the time prescribed by law for the payment of taxes settled by the Department of Revenue and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said company copartnership limited partnership association joint-stock association or corporation or person or persons to transmit to the Department of Revenue on or before the first days of February and August of each year a statement under oath or affirmation of the amount of gross receipts of the said companies copartnerships corporations associations joint-stock associations limited partnerships person or persons derived from all sources and of gross receipts from business done wholly within the State during the period of six months immediately preceding the first days of January and July of each year The time for filing reports may be extended estimated settlements may be made by the Department of Revenue if reports are not filed and the penalties for failing to file reports and pay the tax shall be as prescribed by the laws defining the powers and duties of the Department of Revenue Provided That in any case where the works of any corporation company copartnership association joint-stock association limited partnership person or persons are operated by another corporation company copartnership association joint-stock association limited partnership person or persons the taxes imposed by this section shall be apportioned between the said corporations companies copartnerships associations joint-stock associations limited partnerships person or persons in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company copartnership association joint-stock association limited partnership person or persons operating the works and upon payment by the said company corporation co-partnership association joint-stock association limited partnership person or persons of a tax upon the receipts as herein provided derived from the operation thereof no other corporation company copartnership association joint-stock association limited partnership person or persons shall be held liable under this section for any tax upon the proportion of said receipts received by said corporation company copartnership association joint-stock association limited partnership person or persons for the use of said works

This act shall be construed to apply to municipalities and to impose a tax upon the gross receipts derived from any municipally owned and operated public utility or from any public utility service furnished by any municipality to the extent of such gross receipts as are derived from business done outside the limits of the municipality operating the public utility service.

Section 2 That after section twenty-three of the said act the following new section is hereby added

Section 23-A Every water company and natural or artificial gas company now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every limited partnership association joint-stock association copartnership person or persons engaged in the water and natural or artificial gas business in this Commonwealth shall pay to the State Treasurer through the Department of Revenue an emergency tax of twenty-six mills for the six months period ending December thirty-first one thousand nine hundred thirty-six upon the dollar of the gross receipts of said corporation company or association limited partnership joint-stock association copartnershp person or persons received from the water and natural or artificial gas business done wholly within the State. The said tax shall be paid within the time prescribed by law for the payment of taxes settled by the Department of Revenue and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said company copartnership limited partnership association joint-stock association or corporation or person or persons to transmit to the Department of Revenue on or before the first day of February of the year one thousand nine hundred thirty-seven a statement under oath or affir-

mation of the amount of gross receipts of the said companies copartnerships corporations associations joint-stock associations limited partnerships person or persons derived from all sources and of gross receipts from business done wholly within the State during the period of six months immediately preceding the first day of January one thousand nine hundred thirty-seven. The time for filing reports may be extended estimated settlements may be made by the Department of Revenue if reports are not filed and the penalties for failing to file reports and pay the tax shall be as prescribed by the laws defining the powers and duties of the Department of Revenue Provided That in any case where the works of any corporation company copartnership association joint-stock association limited partnership person or persons are operated by another corporation company copartnership association joint-stock association limited partnership person or persons the taxes imposed by this section shall be apportioned between the said corporations companies copartnerships associations joint-stock associations limited partnerships person or persons in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company copartnership association joint-stock association limited partnership person or persons operating the works and upon payment by the said company corporation copartnership association joint-stock association limited partnership person or persons of a tax upon the receipts as herein provided derived from the operation thereof no other corporation company copartnership association joint-stock association limited partnership person or persons shall be held liable under this section for any tax upon the proportion of said receipts received by said corporation company copartnership association joint-stock association limited partnership person or persons for the use of said works

This act shall be construed to apply to municipalities and to impose a tax upon the gross receipts derived from any municipality owned and operated public utility or from any public utility service furnished by any municipality to the extent of such gross receipts as are derived from business done outside the limits of the municipality operating the public utility service.

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. EROE. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of a hearing.

The motion was agreed to.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to remind the members of the memorial services at 3:00 o'clock, and requests that all members be present.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 5:00 o'clock. The Chair hears none and declares a recess until 5:00 o'clock P. M.

AFTER RECESS

The House reconvened at 5:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

CALL OF THE HOUSE

Mr. ANDREWS. Mr. Speaker, I raise the question of no quorum and ask for a call of the House for the purpose of noting the absentees.

Mr. HALUSKA. Mr. Speaker, I second the call.

The SPEAKER. The question of no quorum being raised, the Sergeant-at-Arms will close the doors and permit no one to enter except members. The Clerk will call the roll.

The roll was called by the Clerk and was as follows:

PRESENT—179

Achterman,	Eroe,	McDermott,	Shepard,
Alexander,	Falkenstein,	McDevitt,	Shortz,
Allen,	Ferko,	McElroy,	Shreiner,
Altenburg,	Finnerty,	McHenry,	Shugarts,
Andrews,	Fitch,	McKinney,	Siegel,
Anthony,	Flanagan,	Melchiorre,	Simon,
Arnold,	Flinchbaugh,	Mentzer,	Simpson,
Atkins,	Gates,	Merrell,	Sinwell,
Baker, F. T.,	Gerard,	Moomaw,	Sloan,
Baker, J. J.,	Gillette,	Mooney,	Smith, J. A.,
Baldi,	Greenstein,	Moore,	Smith, W. G.,
Barnhardt,	Habbyshaw,	Moran,	Snyder, F. E.,
Bernhard,	Haberlen,	Moul,	Sproul,
Blumberg,	Hagerty,	Muir,	Stank,
Boose,	Haluska,	Munley,	Stevens,
Boyd, R.,	Hamilton, F. P.,	Nagel,	Stewart,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stockham,
Bradley,	Harkins,	O'Keefe,	Sumney,
Brancato,	Harmuth,	Ominsky,	Surface,
Brennan,	Hermansen,	O'Neill,	Sweeney,
Brown, H. S.,	Hetrick,	Panton,	Tahl,
Brownfield,	Hirsch,	Patterson, J. W.,	Terry,
Brumbaugh,	Holland,	Pearson,	Tronzo,
Burke,	Holstrom,	Perry,	Trout,
Cannon,	Hoopes,	Phillips,	Tumelty,
Caputo,	Horst,	Piole,	VanAllsburg,
Carson,	Jackson,	Powers,	Van Sickle,
Chervenak,	Jones,	Reising,	Wall,
Coakley,	Kane,	Reynolds,	Wasserman,
Cochran,	Kelder,	Rhys,	Weidemann,
Cohen,	Kelso,	Rinn,	Weiss,
Coleman,	Kenney,	Roan,	Welliver,
Condon,	Kilroy,	Robinson,	Welsh,
Coolahan,	Kinney,	Rooney,	Westrick,
Cooper,	Klingler,	Root,	White,
Cordier,	Kobelak,	Royer,	Winner,
Davies,	LaRue,	Ruffennach,	Witkin,
Decker,	Linderman,	Sarraf,	Wood,
Dent,	Long,	Scanlon,	Woodside,
Diehl,	Longaker,	Schaeffer,	Yeakel,
Dilley,	Lovett,	Schrock,	Yourishin,
Downey, G. E.,	Male,	Schrope,	Zappala,
Downey, J. J.,	Mallen,	Schwab,	Zimmerman,
Duffort,	Mason,	Serrill,	Furman,
Eberharter,	McCreary,	Shaw,	

The SPEAKER. The roll call shows one hundred and seventy-nine members present. This being a quorum the House will proceed with the regular order of business.

FURTHER QUORUM PROCEEDINGS DISPENSED WITH

Mr. ANDREWS. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. WITKIN. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WITKIN. Mr. Speaker and members of the House, it seems to me rather unfair to this House, immediately upon its being opened by the Speaker, for a poll of the House to be ordered, for this reason: during the past six weeks it has been the custom in this House to start the proceedings anywhere from three-quarters of an hour to an hour and a quarter or an hour and a half late.

You Democrats are in control of this House, and it is perfectly agreeable to us for you to recess to anytime you want, but when you recess to 5:00 o'clock, it is practically foolhardy under the system that has been in vogue in this

House for the membership to report at 5:00 o'clock, because it is almost axiomatic that you won't start until a quarter of six. If you adjourn until 12:00 o'clock to-day as you did last night, it is ridiculous for the membership to come here at 12:00 o'clock, because you invariably do not start until 1:00 o'clock.

Now, if you ask the membership of the House, immediately when the Speaker approaches the rostrum, to be in their seats, then let us have a gentlemen's agreement that when we recess to a certain time we will start at that time.

I want to say, particularly, that I do not place the responsibility upon the Speaker; I do not think it is the Speaker's fault. If you men have conferences or if you have things to straighten out, arrange your time so that you can straighten them out, but when you fix a time for recess or for adjournment to come here it is ridiculous to waste the time of the members. I do not say this in a spirit of antagonism, because the gentleman from Cambria, Mr. Andrews, has a perfect right to move for a poll of the House at a quarter to six. A great many of the members may or may not be present a little later, but they have every reason to believe, under the system that has been in existence during this session of the Legislature, that you may not start until twenty minutes after six.

Therefore, I ask your cooperation insofar as the times of recess and of adjournment are concerned. Let us start on time. Fix the time to suit yourselves, but once you fix it, let us start without waiting around here an undue length of time and wasting the time of the members.

The SPEAKER. The remarks of the gentleman from Philadelphia under his question of personal privileges will be spread upon the Journal.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 14. (HOUSE BILL No. 150.)

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the Mothers' assistance funds of the several counties; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons; authorizing the appointment of trustees for certain persons, providing for the recovery of moneys expended for assistance in certain cases prohibiting political activity by employes of the board providing substitute provisions in case Federal grants for old age assistance shall fail for any reason providing penalties and repealing inconsistent acts.

Referred to the Committee on Pensions and Gratuities.

SENATE BILL No. 67. (HOUSE BILL No. 151.)

An Act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof.

Referred to the Committee on Cities.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 83.

An Act relating to the keeping of animals wild by nature in captivity upon any street or highway or upon land adjoining any street or highway or in vicinity of any commercial establishment for the evident purpose of attracting trade preventing cruel improper and inhuman treatment of such animals and protecting the public from injuries thereby providing for the granting of permits for roadside menageries as herein defined conferring powers and imposing duties on the Board of Game Commissioners and prescribing penalties

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 49

An Act to amend sections four and five of the Act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistant defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" by providing for the payment to newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title page 2, in last line by inserting after the word "biennium" the words "and suspending certain provisions of this act in case Federal aid for dependent children shall fail for any reason"

Amend bill page 4, line 3, by adding after the word "period" the following new section:

"Section 2 The purpose of this act is to qualify all counties of this Commonwealth under the Mothers' Assistance Law and thus to enable the Commonwealth to receive Federal grants for aid to dependent children under Title four of the Social Security Act

In the event that Title four of the Social Security Act shall be held unconstitutional by the Supreme Court of the United States or shall be repealed and Federal grants for aid to dependent children shall fail for such or for any other reason whatever then so long as Federal grants for aid to dependent children shall not be available to this Commonwealth no county shall receive any sum from the State under sections two and three of this act

unless such county shall appropriate a like sum for such purpose The Department of Welfare shall have no power to determine that any county may appropriate any other amount in order to receive its allotment of the State appropriation To the extent of any inconsistency the foregoing provisions of this act shall in such cases be suspended so long as Federal aid for dependent children shall not be available to this Commonwealth and the provisions of this section shall be in force."

Amend Section 2, page 4, line 4, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "3."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167

Achterman,	Duffort,	McDermott,	Shepard,
Alexander,	Eberharter,	McDevitt,	Shortz,
Allen,	Eroe,	McElroy,	Shreiner,
Altenburg,	Falkenstein,	McKinney,	Shugarts,
Andrews,	Ferko,	Melchiorre,	Siegel,
Anthony,	Finnerty,	Mentzer,	Simon,
Arnold,	Fitch,	Merrell,	Simpson,
Atkins,	Flanagan,	Moomaw,	Sinwell,
Baker, F. T.,	Gates,	Mooney,	Sloan,
Baker, J. J.,	Gerard,	Moore,	Smith, J. A.,
Baldi,	Gillette,	Moran,	Smith, W. G.,
Barnhardt,	Habbyshaw,	Moul,	Snyder, F. E.,
Beadman,	Haberlen,	Muir,	Sproul,
Bernhard,	Hagerty,	Munley,	Stank,
Blumberg,	Haluska,	Murrin,	Stevens,
Boose,	Hamilton, F. P.,	Nagel,	Stewart,
Boyd, R.,	Hamilton, R. S.,	O'Keefe,	Stockham,
Boyer,	Harkins,	Ominsky,	Sumney,
Bradley,	Harmuth,	O'Neill,	Surface,
Brancato,	Hermansen,	Panton,	Sweeney,
Brennan,	Hetrick,	Patterson, J. W.,	Tahl,
Brown, H. S.,	Hirsch,	Pearson,	Terry,
Brownfield,	Hoffner,	Perry,	Tronzo,
Brumbaugh,	Holland,	Phillips,	Trout,
Burke,	Holstrom,	Piole,	Tumelty,
Cannon,	Horst,	Powers,	VanAllsburg,
Caputo,	Jones,	Reising,	VanSickle,
Carson,	Kelder,	Reynolds,	Wall,
Chervenak,	Kelso,	Rhys,	Wasserman,
Coakley,	Kenney,	Roan,	Weidemann,
Cochran,	Kilroy,	Robinson,	Weiss,
Cohen,	Kinney,	Rooney,	Welliver,
Coleman,	Klingler,	Root,	Welsh,
Coolahan,	Kobelak,	Royer	Westrick,
Cooper,	LaRue	Ruffennach,	White,
Cordier,	Linderman,	Sarraf,	Winner,
Davies,	Long	Scanlon,	Witkin,
Decker,	Longaker,	Schaeffer,	Wood,
Dent,	Lovett,	Schrock,	Woodside,
Diehl,	Male,	Schrope,	Yeakel,
Dilley,	Mallen,	Schwab,	Yourishin,
Downey, G. E.,	Mason,	Serrill,	Zappala,
Downey, J. J.,	McCreary,	Shaw,	Furman,

NAYS—1

Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 59

An Act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen, and to repeal section two of the act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards and trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," by providing for the appointment of a board of trustees for each county; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers assistance, except under certain circumstances; providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board; and authorizing the Department of Welfare to cooperate with, and to accept and disburse moneys received from the United States government for aid to dependent children.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 12, by striking out at the beginning of said line the word "and" and inserting in lieu thereof the word "of"

Amend title page 2, line 1, by inserting after the word "county" the words "and for the appointment of boards of trustees in all counties jointly by the Governor the courts of common pleas and the county commissioners prohibiting political activity by members and employes of such boards;" also in last line of title by inserting after the word "children" the words "providing substitute provisions in case Federal grants for aid to dependent children shall fail for any reason."

Amend section 1, page 3, line 10, by inserting after the word "appoint" the words "three women residents the court of common pleas shall appoint three women residents and each county commissioner shall appoint one woman resident who together shall constitute"; also in line 17, by striking out after the word "the" the word "The"; also by striking out after the word "trustees" the words "of a county"; also on page 4, by inserting after the word "terms" in line 2 the following: "until the first day of August one thousand nine hundred thirty-six when the new boards authorized to be appointed by this act shall take office in counties having no such boards the appointments authorized by this act shall be made as soon as may be possible after the effective date of this act"; also in line 3, by striking out after the word "the" the word "Governor" and inserting in lieu thereof the words "appointing power"; also in line 6, by striking out after the word "the" the word "Governor" and inserting in lieu thereof the words "appointing power"; also by inserting after the word "follows" in line 16, the following:

No member of the board and no investigator clerk or other employee of the board shall be a member of or delegate or alternate delegate to any political convention nor be present at any such convention nor serve as a member of or attend meetings of any committee of any political party or take any active part in political management or in political campaigns or use his position to influence political movements or influence the political action of any other person nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted or the vote or ballot box is being returned save only for the purpose of marking and depositing his ballot nor be within fifty feet of any polling place during voting hours and the counting of the ballots except for the purpose of resi-

dence or travel Any person who shall violate any of the foregoing provisions shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding five hundred dollars ($500) and forfeit his position or office.

Amend Section 4, page 6, line 5, by striking out after the word "years" the words "one year;" also in line 7, by striking out after the word "year" the words immediately preceding the date of" and inserting in lieu thereof the words 'is a resident of the State at the time of making."

Amend Section 7, page 8, line 7, by inserting after the word "appropriation" the words "exclusive of Federal moneys."

Amend Section 8, page 10, line 13, by striking out after the syllable "ment" the words "No appeal to the department by an applicant for or beneficiary of assistance shall lie in any case where assistance has been refused or discontinued for lack of funds."

Amend bill page 12, line 14, by inserting after the word "act" the following new section:

"Section 11 That said act is hereby further amended by adding thereto the following section:

Section 18.1 The purpose of the foregoing amendments is to bring the Mothers' Assistance Law of this Commonwealth in accord with Title four of the said Social Security Act and to enable the Commonwealth to receive Federal grants for aid to dependent children

In the event that Title four of the said Social Security Act shall be held unconstitutional by the Supreme Court of the United States or shall be repealed and Federal grants for aid to dependent children shall fail for such or for any other reason whatever then so long as Federal grants for aid to dependent children shall not be available to this Commonwealth the Department of Welfare and the boards of trustees of the several counties of this Commonwealth shall administer this act in accordance with the following provisions of this section and to the extent of any consistency the foregoing provisions of this act shall for the time being be suspended

(1) It shall not be mandatory upon each county of the Commonwealth to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year but no county shall receive its allotment of the State appropriation available for any year under the act making an appropriation to carry into effect the provisions of this act unless such county has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year

(2) The Department of Welfare shall have no power to receive and consider in accordance with section fourteen of this act as amended written applications from county commissioners of counties financially unable to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such county in such year asking further appropriation of State funds to that county nor any power to allocate any such additional appropriations to such counties

(3) No family shall be a beneficiary hereunder unless the mother has been a resident continuously of the State for a period of two years and of the county in which she applies for assistance for a period of one year

(4) The combined maximum payment allowed by any board of trustees shall in no case exceed twenty dollars ($20) per month for the first child and ten dollars ($10) per month for each additional child A mother shall be entitled to assistance under this act for an unborn child in like manner as for other children if she has one or more children living which entitle her to the benefits of this act

Amend Section 11, page 15, line 20, by striking out after the word "Section" 'the figure "11" and inserting after the figure "12";

Amend Section 12, page 15, line 22, by striking out after the word 'Section' 'the figure "12" and inserting the figure "13"; also in line 23, by striking out after the word "effective" the word "on" and inserting in lieu thereof the words "immediately upon final enactment and shall be retroactive to."

On the question,

Will the House concur in the amendments made by the Senate?

Miss BRANCATO. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

On the question,

Will the House agree to the motion?

Miss BRANCATO. Mr. Speaker and members of the House, we have this day seen one of the most disgraceful exhibitions of petty politics being played in the State Senate in its entire history. We have had returned to us with amendments, House Bill No. 59, regulating the administration of Mothers' Assistance in the State of Pennsylvania. For more than twenty years, Mothers' Assistance has been administered by boards of ladies, appointed by the Governors of this State and confirmed by the Senate. Never, in this period of more than two decades, has there been an attempt made heretofore to take the administration of Mothers' Assistance out of the hands of these Boards.

Monday night, the Republican side of the Senate admittedly, for the purpose of executing a political maneuver, introduced amendments to House Bill No. 59. The amendments were offered by Senator John R. K. Scott, of Philadelphia, and seconded by Senator Frank Harris, of Allegheny County. These amendments, which are so highly objectionable to every person interested in the satisfactory administration of Mothers' Assistance, provided that in place of the impartial board of seven members, a board of nine members should be established; three of whom should be appointed by the Governor, three by the common pleas court of the county, and one by each of the three county commissioners.

This, Mr. Speaker, is admittedly a deliberate attempt to plunge the Mothers' Assistance Board into the arena of county politics.

Every member of this House knows that the County Commissioners of Philadelphia, for instance, is political in its very makeup. It is composed of majority and minority representation—two Republicans and one Democrat. It has for its main duty the supervision of elections. What a far cry from partisan politics to the sacred duty of the State's care for its unfortunate widows and dependent children. What member of this House will besmirch his vote here by degrading the Mothers' Assistance Board in this manner.

Even the last Pinchot Administration did not attempt to make thoroughly political the Mothers' Assistance Board, and while very few Democrats were ever appointed to these Boards, a high standard of personnel was usually maintained in each county. Today the State Senate, with calmness and deliberation, attempts to rip out of office nearly five hundred of the finest type of women in the State of Pennsylvania. This is done in the face of the fact that the Republican Floor Leader of the Senate, Senator Buckman, admitted on the floor of the Senate that the present Mothers' Assistance Boards, appointed by the present administration, are uniformly high type, conscientious, and efficient women. Are we members of the House going to sit here idly and allow a Senate, which has for weeks been doing nothing but playing petty politics with the underprivileged of this State, continue this policy of petty

politics with an institution which has for two decades been held dear to the hearts of the people of Pennsylvania?

Tener, Brumbaugh, Sproul, Fisher, Pinchot—none of them had the temerity to suggest that these boards should become the victims of political circumstances for county elections; and yet our present Republican Senate not only throws the future of our Mothers' Assistance into the arena of general elections in each county, but even makes them issues in the primary elections in each county, inasmuch as each county commissioner is given the opportunity of appointing one member of the Mothers' Assistance Board, and, of course, this becomes an inter-party issue as well as an issue at the general election.

Mr. Speaker, I submit to accede to the petty politics of the Senate of Pennsylvania would be betraying the high trust that our constituency has reposed in us. I submit that we would be violating every good policy developed in this State over two decades.

We cannot, as conscientious servants of the people of this State, concur with the Senate amendments, and I ask this House, Mr. Speaker, to go on record as refusing to concur in the petty politics that the Senate of Pennsylvania is trying to thrust upon the people of this State as a whole.

On behalf of the widowed mothers and fatherless children of Pennsylvania, for the most part victims of the industrial oligarchy which has placed them on these pension rolls, I ask the membership of this House to vote to nonconcur in these vicious amendments.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 56

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 16, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 56, Printer's No. 52, entitled, "An Act making an appropriation to the Department of Health to defray the cost of pumping the water from slate quarries and anthracite and bituminous coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred thirty-six."

GEORGE H. EARLE.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 77, as follows:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by permitting the taxation for State purposes of property taxable for county purposes by making provision with regard to penalties and for duplicate returns by taxpayers and for the use thereof and by making certain information confidential and imposing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as last amended by the act approved the twenty-first day of April one thousand nine hundred thirty-three (Pamphlet Laws fifty-four) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all personal property of the classes hereinafter enumerated owned held or possessed by any person persons copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or Government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of the Commonwealth all monies loaned or invested in other States Territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any per-

son or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest bearing accounts in any bank or banking institution savings institution or trust company And provided That the provision of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purpose [or for State purposes] under the laws of this Commonwealth And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated hereafter received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any State or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any State or government other than this Commonwealth and not doing business within this Commonwealth

Section 2 That section two of said act is hereby amended to read as follows

Section 2 That the board of revision of taxes or board for the assessment and revision of taxes or the commissioners of every county in this Commonwealth shall annually furnish the assessors of the several townships boroughs and cities of the respective counties with blanks to be prepared by them and it shall be the duty of each of said assessors to furnish a copy of the same in duplicate to every taxable person copartnership unincorporated association joint stock association and company limited partnership and corporation in his respective ward district borough or township or to any officer agent or employe found at the place of business of any such limited partnership or corporation in his ward district borough or township upon which blank each taxable person copartnership unincorporated association company limited partnership joint stock association and corporation shall respectively make return annually in duplicate of the aggregate amount of all the different classes of personal property made taxable by the first section of this act held owned or possessed by said person copartnership unincorporated association company limited partnership joint-stock association or corporation either in his her or its own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company limited partnership joint-stock association or corporation [which] The original return shall be made and sworn or affirmed to by such taxable person and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof Provided That any corporation joint-stock association or limited partnership doing business in more than one county shall be liable to make such return only in the county in which its principal office within this Commonwealth is situated

The duplicate return shall be forwarded by the commissioners board of revision of taxes or board for the assessment and revision of taxes to the Department of Revenue for its use and information

Section 3 That section three of the said act is hereby amended to read as follows

Section 3 (a) That the affidavit required to be made by [the last preceding section] section two of this act shall be made before the proper assessor or other person authorized to administer oaths and shall set forth that the return is full true and correct to the best of his or her knowledge and belief and any person or officer who shall wilfully and corruptly make a false and fraudulent return as aforesaid shall be guilty of wilful and corrupt perjury and upon his or her conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment by separate and solitary confinement at labor not exceeding seven years and thereupon be forever disqualified from being a witness in any matter or controversy

(b) Any person who shall fail neglect or refuse to make the return required by section two of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred dollars and costs of prosecution or to undergo imprisonment not exceeding six months or both in the discretion of the court

Section 4 That section thirteen of the said act is hereby amended to read as follows

Section 13 (a) That any wilful failure on the part of the county commissioners board of revision of taxes borough township district and ward assessors recorders of deeds prothonotaries and clerks of courts to carry out the duties imposed upon them by the several sections of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to a fine not exceeding five hundred dollars and imprisonment not exceeding one year

(b) Any information gained by the county commissioners board of revision of taxes board for the assessment and revision of taxes Department of Revenue and borough township district and ward assessors as a result of any returns investigations hearings or verifications required or authorized by this act shall be confidential except for county city and State purposes and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars or to undergo imprisonment for not more than three years or both in the discretion of the court

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107

Achterman,	Downey, J. J.,	Long,	Scanlon,
Allen,	Eberharter,	Lovett,	Schaeffer,
Andrews,	Eroe,	Male,	Schrope,
Anthony,	Falkenstein,	McDermott,	Schwab,
Baine,	Ferko,	McElroy,	Shaw,
Baker, J. J.,	Finnerty,	McHenry,	Shepard,
Bradley,	Fitch,	Melchiorre,	Shugarts,
Brancato,	Flanagan,	Mentzer,	Siegel,
Brown, H. S.,	Flinchbaugh,	Moomaw,	Simon,
Brown, J. E.,	Gerard,	Mooney,	Sinwell,
Brownfield,	Haberlen,	Moran,	Smith, J. A.,
Brumbaugh,	Hagerty,	Moul,	Smith, W. G.,
Burke,	Haluska,	Munley,	Stank,
Cannon,	Hamilton, F. P.,	Murrin,	Stevens,
Caputo,	Harkins,	Nagel,	Sumney,
Carson,	Harmuth,	O'Keefe,	Tronzo,
Chervenak,	Hindman,	Ominsky,	Tumelty,
Coakley,	Hirsch,	O'Neill,	Van Allsburg,
Cochran,	Holland,	Patterson, C.,	VanSickle,
Cohen,	Holstrom,	Patterson, J. W.,	Weiss,
Coleman,	Hoopes,	Pearson,	Welliver,
Coolahan,	Kane,	Piole,	Welsh,
Decker,	Kelso,	Powers,	Westrick,
Dent,	Kilroy,	Reising,	Yourishin,
Diehl,	Kinney,	Robinson,	Zappala,
Dillev,	Kobelak,	Ruffennach,	Furman,
Downey, G. E.,	LaRue,	Sarraf,	

NAYS—72

Alexander,	Duffort,	Muir,	Stewart,
Altenburg,	Gillette,	Nothnagle,	Stockham,
Arnold,	Habbyshaw,	Panton,	Surface,
Baker, F. T.,	Hamilton, R. S.,	Perry,	Sweeney,
Baldi,	Hermansen,	Phillips,	Tahl,
Barnhardt,	Hetrick,	Reynolds,	Terry,
Beadman,	Horst,	Roan,	Trout,
Bernhard,	Jackson,	Rooney,	Wall,
Blumberg,	Jones,	Root,	Wasserman,
Boose,	Kelder,	Royer,	Weidemann,
Boyd, R.,	Kenney,	Schrock,	White,
Bover,	Klingler,	Shortz,	Wickersham,
Brennan,	Linderman,	Shreiner,	Winner,
Carr,	Longaker,	Simpson,	Witkin,
Castor,	Mason,	Sloan,	Wood,
Condon,	McCreary,	Snyder, F. E.,	Woodside,
Cooper,	McKinney,	Sowers,	Yeakel,
Cordier,	Merrell,	Sproul,	Zimmerman,
Davies,	Moore,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 17, as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven million seven hundred sixteen thousand two hundred eleven dollars ($7,716,211) and any monies heretofore appropriated for unemployment relief purposes that remained unobligated and unexpended on May thirty-first one thousand nine hundred and thirty-six are hereby specifically appropriated from the General Fund to the

State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the monies appropriated to it among the several counties of this Commonwealth for work relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 Out of the appropriation made by this act the State Emergency Relief Board shall from time to time allocate to the State Veterans' Commission an aggregate of fifty-five thousand dollars ($55,000) for the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means

Section 5 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such monies as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 6 The action of the Governor Auditor General and State Treasurer in making (1) the sum of three million six hundred and thirty thousand dollars ($3,630,000) available for expenditure for unemployment relief by the State Emergency Relief Board prior to the effective date of this act in accordance with Concurrent Resolution

Serial number three approved by the Governor May thirteenth one thousand nine hundred and thirty-six and (2) the sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211) and any monies previously appropriated for unemployment relief purposes that remained unobligated and unexpended on May thirty-first one thousand nine hundred and thirty-six available for expenditure for unemployment relief by the State Emergency Relief Board prior to the effective date of this act in accordance with Concurrent Resolution Serial number eighteen approved by the Governor June second one thousand nine hundred and thirty-six is hereby ratified confirmed and validated

Section 7 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173

Achterman,	Eberharter,	McDermott,	Shortz,
Alexander,	Eroe,	McDevitt,	Shreiner,
Allen,	Falkenstein,	McElroy,	Shugarts,
Altenburg,	Ferko,	McKinney,	Siegel,
Andrews,	Finnerty,	Melchiorre,	Simon,
Anthony,	Fitch,	Mentzer,	Simpson,
Arnold,	Flanagan,	Merrell,	Sinwell,
Atkins,	Flinchbaugh,	Moomaw,	Sloan,
Baker, F. T.,	Gates,	Mooney,	Smith, J. A.,
Baker, J. J.,	Gerard,	Moore,	Smith, W. G.,
Baldi,	Gillette,	Moran,	Snyder, F. E.,
Barnhardt,	Habbyshaw,	Moul,	Sowers,
Beadman,	Haberlen,	Muir,	Sproul,
Bernhard,	Hagerty,	Munley,	Stank,
Blumberg,	Haluska,	Nagel,	Stevens,
Boose,	Hamilton, F. P.,	Nothnagle,	Stewart,
Boyd, R.,	Hamilton, R. S.	O'Keefe,	Stockham,
Boyer,	Harkins,	Ominsky,	Sumney,
Bradley,	Harmuth,	O'Neill,	Surface,
Brancato,	Hermansen,	Panton,	Sweeney,
Brennan,	Hetrick,	Patterson, C.,	Tahl,
Brown, H. S.,	Hindman,	Patterson, J. W.,	Terry,
Brown, J. E.,	Hirsch,	Pearson,	Tronzo,
Brownfield,	Holland,	Perry,	Trout,
Brumbaugh,	Holstrom,	Phillips,	Tumelty,
Burke,	Hoopes,	Piole,	VanAllsburg,
Cannon,	Horst,	Powers,	VanSickle,
Caputo,	Jones,	Reising,	Wall,
Carson,	Kane,	Reynolds,	Wasserman,
Chervenak,	Kelder,	Rhys,	Weidemann,
Coakley,	Kelso,	Roan,	Weiss,
Cochran,	Kenney,	Robinson,	Welliver,
Cohen,	Kilroy,	Rooney,	Welsh,
Coleman,	Kinney,	Root,	Westrick,
Coolahan,	Klingler,	Royer,	White,
Cooper	Kobelak,	Ruffennach,	Winner,
Cordier,	LaRue,	Sarraf,	Witkin,
Davies,	Linderman,	Scanlon,	Wood,
Decker,	Long,	Schaeffer,	Woodside,
Dent,	Longaker,	Schrock,	Yeakel,
Diehl,	Lovett,	Schrope,	Yourishin,
Dilley,	Male,	Schwab,	Zappala,
Downey, G. E.,	Mallen,	Serrill,	Zimmerman,
Downey, J. J.,	Mason,	Shaw,	Furman,
Duffort,	McCreary,	Shepard,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

COMMITTEES GRANTED PERMISSION TO MEET DURING SESSION

Mr. HARKINS asked and obtained permission for the Committee on Pensions and Gratuities to meet during the session of the House.

Mr. COHEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. FLINCHBAUGH asked and obtained permission for the Committee on Ways and Means to meet during the session of the House, following the meeting of the Committee on Appropriations.

RECONSIDERATION OF VOTE

Mr. EBERHARTER. Mr. Speaker, In order that some technical amendments may be made to House Bill No. 81, Printer's No. 120, entitled:

An Act to amend section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" as amended by changing the hours of the day and night shifts

which was passed on second reading this morning, I move that the vote by which this bill was ordered to be transcribed for third reading be reconsidered.

The motion was agreed to.

Mr. EBERHARTER. Mr. Speaker, I move that the vote by which the House agreed to the bill on second reading be reconsidered.

The motion was agreed to.

Mr. EBERHARTER. Mr. Speaker, I move that the vote by which the House agreed to the title be reconsidered.

The motion was agreed to.

Mr. EBERHARTER. Mr. Speaker, I move that the vote by which the various sections were agreed to be reconsidered.

The motion was agreed to.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city except cities of first class and second class A having fire departments shall [allow and premit] grant every member of such fire departments [to have] at least twenty-four consecutive hours of rest without diminution of the salary or compensation fixed by ordinance or resolution of such city in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebrations and in addition thereto to [have] grant to every member of such fire department an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance or resolution of such city

This act shall become effective [immediately upon its final enactment] on the first day of January one thousand nine hundred and thirty-seven

On the question,

Will the House agree to the section?

Mr. EBERHARTER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 13, by inserting a light-faced bracket before the word "to"

Amend Sec. 1, page 2, line 13, by striking out the light-faced bracket before the word "have"

Amend Sec. 1, page 2, line 13, by inserting before the word "grant" the word "shall"

Amend Sec. 1, page 2, line 18, by striking out the light-faced bracket before the word "immediately"

Amend Sec. 1, page 2, line 19, by striking out the light-faced bracket after the word "enactment"

Amend Sec. 1, page 2, lines 19 and 20, by striking out the words "on the first day of January one thousand" in line 19, and all of line 20.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by providing that the provisions of said act shall be mandatory and prohibiting any diminution of salary or compensation

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title were publicly read as follows:

HOUSE BILL No. 49.

An Act to amend sections four and five of the act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" by providing for the payment to newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium and suspending certain provisions of this act in case Federal aid for dependent children shall fail for any reason

HOUSE BILL No. 83.

An Act relating to the keeping of animals wild by nature in captivity upon any street or highway or upon land adjoining any street or highway or in vicinity of any commercial establishment for the evident purpose of attracting trade preventing cruel improper and inhuman treatment of such animals and protecting the granting of permits for roadside menageries as herein defined conferring powers and imposing duties on the Board of Game Commissioners and prescribing penalties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 15, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, June 22 at 9:00 o'clock Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene on Monday evening, June 22, at 9:00 o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES

Mr. LaRUE, from the Committee on Appropriations, reported as committed, House Bill No. 134, entitled:

An Act requiring unemployment relief orders to be presented for payment within a certain period, otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth.

Mr. HOMER S. BROWN, from the Committee on Appropriations, reported as amended, House Bill No. 108, entitled:

An Act making an appropriation to the State Emergency Relief Board for the adjustment and payment of certain claims.

Mr. SHUGARTS, from the Committee on Appropriations, reported as committed, House Bill No. 135, entitled:

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by or for said board.

Mr. GERARD, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 111, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Mr. TUMELTY, from the Committee on Pensions and Gratuities, reported as committed, House Bill No. 150, (Senate Bill No. 14), entitled:

An Act providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons providing for the recovery of moneys expended for assistance in certain cases pre-

hibiting political activity by employes of the board providing substitute provisions in case Federal grants for old age assistance shall fail for any reason providing penalties and repealing inconsistent acts.

BILL ON FIRST READING

Mr. TUMELTY asked and obtained unanimous consent for House Bil No. 150 (Senate Bill No. 14) to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 150 (Senate Bill No. 14), entitled:

An Act providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons providing for the recovery of moneys expended for assistance in certain cases prohibiting political activity by employes of the board providing substitute provisions in case Federal grants for old age assistance shall fail for any reason providing penalties and repealing inconsistent acts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SOWERS. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. SOWERS. May I inquire of the Speaker when the Committee on Law and Order will meet?

The SPEAKER. The Chair will have to get that information from the Chairman of the Committee on Law on Order. Will the Chairman of the Committee on Law and Order permit himself to be interrogated?

Mr. MELCHIORRE. If the gentleman so desires, Mr. Speaker.

Mr. SOWERS. Mr. Speaker, will the gentleman from Philadelphia, the Chairman of the Committee on Law and Order inform the House when that Committee will meet?

Mr. MELCHIORRE. Mr. Speaker, we have nothing to meet for.

Mr. SOWERS. Thank you. We will see to-morrow.

LEAVES OF ABSENCE

Mr. STOCKHAM asked and obtained leave of absence for himself for tomorrow's session.

Mr. Cohen asked and obtained leave of absence for Mr. STONE for the balance of the week.

ANNOUNCEMENTS

There will be a meeting of the Committee on Cities tomorrow at 11:00 A. M., in Room 326.

The public hearing on House Bill No. 130 is hereby postponed until Tuesday, June 23, 1936, at 2:00 o'clock P. M.

ADJOURNMENT

Mr. HETRICK. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12:00 o'clock noon.

The motion was agreed to, and (at 7:08 P. M.) the House adjourned until Wednesday, June 17, 1936, at 12:00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., WEDNESDAY, JUNE 17, 1936. No. 21.

SENATE

WEDNESDAY, JUNE 17, 1936

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Great is the Lord and greatly to be praised. Thy throne, O Jehovah, is forever established in Thy Holy hill. Other gods have sprung from the imaginings of human minds and have been formed by the hands of men. They have eyes but cannot see, ears have they but cannot hear. Thine eye is ever open and quick to see our every need; Thine ear is tuned to hear the faintest cry falling from the penitent lips of the humblest of Thy creatures.

As we are met today to discharge duties of public moment Thou art looking down upon us from on high. The wireless telegraphy of Divine omniscience will register our actions and even our purposes on the receiving set of Heaven. Grant unto us the submission of children who come to their father for guidance, knowing and trusting his wisdom and his love.

This prayer we make in the name of Thy Son. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

TELEGRAM FROM CRIMINAL JUSTICE ASSOCIATION

The PRESIDENT. The Chair cleared his table and laid before the Senate the following communication, which was referred to the Committee on Judiciary General

Philadelphia, Penna., June 16, 1936.

The President of the Senate, Harrisburg, Penna.

The investigation instituted by the Attorney General and the District Attorney of this county at the instance of this association led to an exhaustive investigation by a grand jury which occupied ten months' time and involved the hearing of approximately six thousand witnesses. The grand jury has made its presentment and finds a deplorable and disgraceful condition of false records abuses of process collusion oppression favoritism prostitution to political ends ignorance and carelessness. Recognizing that such conditions are almost inevitable under the present magisterial system the grand jury recommends remedial legislation of the general character provided for in the bill prepared jointly by the Attorney General of the State, the district attorney of this county and this association which failed of passage in the last legislature. In order that the next legislature may have it a bill prepared after study of this presentment and the bill submitted last year we suggest that the present special session of the legislature adopt a resolution for the appointment of a commission to prepare a bill for submission to the next legislature and earnestly request that you urge the adoption of such a resolution. We believe that a legislative commission would usefully supplement the work of the committee of thirteen suggested by the grand jury.

PHILADELPHIA CRIMINAL JUSTICE ASSOCIATION.
GEORGE W. NORRIS, President
CHARLES EDWIN FOX, Counsel.

HOUSE MESSAGES

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House had concurred in Resolution from the Senate as follows:

In the Senate, June 15, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, June 22nd at 9:00 o'clock Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene on Monday evening, June 22nd, at 9:00 o'clock Eastern Standard Time.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 49

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 49, entitled:

An Act to amend sections four and five of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisors and assistants; defining the powers and duties of boards of trustees including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended," by providing for the payment to newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bill of the House of Representatives as follows:

House Bill No. 77 (Senate Bill No. 82), entitled:

An Act to further amend the act, approved the seventeenth day of June, one thousand nine hundred thirteen (Pamphlet Laws, five hundred seven), entitled "Intangible Personal Property Tax Law," by permitting the taxation, for State purposes, of property taxable for county purposes; by making further provision with regard to penalties; and by making certain information confidential and imposing penalties.

Which was committed to the Committee on County Government.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 17, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

R. K. Eastman, 1326 Oliver Bldg., Pittsburgh.

ARMSTRONG COUNTY

Mrs. Margaret S. Dorfield, Schenley.

LUZERNE COUNTY

Charles P. Krick, Wilkes-Barre.

SCHUYLKILL COUNTY

Miss Helen Miernicki, Shendandoah.

WYOMING COUNTY

Miss Alice Hitchcock, Tunkhannock.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 17, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

BLAIR COUNTY

L. Oder Burket, Roaring Spring, June 27, 1936.

CENTRE COUNTY

Miss Pearl E. Tuttle, Philipsburg, June 27, 1936.

LEBANON COUNTY

Mrs. Mary A. Deiker, Lebanon, June 27, 1936.

PHILADELPHIA COUNTY

Joseph J. Goffney, Philadelphia, June 27, 1936.
Louis H. Henkels, Philadelphia, June 27, 1936.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 49.

An Act to amend sections four and five of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one) entitled "An Act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointments of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended", by providing for the payment to newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium.

House Bill No. 83.

An Act relating to the keeping of animals and birds, wild by nature, in captivity upon any street or highway, or upon land adjoining any street or highway, or in the vicinity of any commercial establishment for the evident purpose of attracting trade; preventing cruel, improper and inhuman treatment of such animals and birds, and protecting the public from injuries thereby; providing for the granting of permits for roadside menageries, as herein defined; conferring powers and imposing duties on the Board of Game Commissioners; and prescribing penalties.

Whereupon,

The PRESIDENT PRO-TEMPORE (Mr. John G. Homsher), in the presence of the Senate, signed the same.

RECESS

Mr. HARRIS. Mr. President, I move that the Senate do now take a recess until two o'clock this afternoon.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House of Representatives as follows:

House Bill No. 46 (Senate Bill No. 83), entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protection along the Delaware River at Matamoras and Milford, Pike County.

Which was committed to the Committee on Appropriations.

House Bill No. 60 (Senate Bill No. 84), entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public nonsectarian libraries damaged or destroyed by flood; and providing procedure to ascertain the amount of damage.

Which was committed to the Committee on Appropriations.

House Bill No. 81 (Senate Bill No. 85), entitled:

An Act to amend section one of the act, approved the twenty-fifth day of April, one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two), entitled "An act requiring certain cities to allow members of the fire department twenty-four consecutive hours of rest each week and fourteen days vacation each year, except in emergency cases," by providing that the provisions of said act shall be mandatory; and prohibiting any diminution of salary or compensation.

Which was committed to the Committee on Municipal Government.

House Bill No. 82 (Senate Bill No. 86), entitled:

An Act to amend section one of the act, approved the thirtieth day of March, one thousand nine hundred and fifteen (P. L. 34), entitled "An act to promote the health and efficiency of firemen, in cities of the second class, by providing for a two-platoon system for firemen in the department of public safety of such cities," as amended, by changing the hours of the day and night shifts.

Which was committed to the Committee on Municipal Government.

AMENDMENT TO HOUSE BILL NO. 17, RECALLED FROM THE GOVERNOR.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 17, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such monies may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Line 9 of the title strike out "moneys" and insert in lieu thereof the word "monies" Page 1 Section 1 lines 4 and 5 strike out "three million six hundred and thirty thousand dollars" and insert in lieu thereof the following: "seven million seven hundred sixteen thousand two hundred eleven dollars ($7,716,211) and any monies heretofore appropriate for unemployment relief purposes that remained unobligated and unexpended on May thirty-first one thousand nine hundred and thirty-six are" Page 2 line 8 strike out the following: "for the month of May one thousand nine hundred and thirty-six." Also page 4 section 6 line 2 by striking out the word "said" and inserting "(1)"; also line 23 by adding after the words "thirty-six" the following: "and (2) the sum of four million eight-six thousand two hundred eleven dollars ($4,086,211) and any monies previously appropriated for unemployment relief purposes that remained unobligated and unexpended on May thirty-first one thousand nine hundred and thirty-six available for expenditure for unemployment relief by the State Emergency Relief Board prior to the effective date of this act in accordance with Concurrent Resolution Serial number eighteen approved by the Governor June second one thousand nine hundred and thirty-six is hereby ratified confirmed and validated".

On the question,

Will the Senate concur in the amendments?

Mr. BUCKMAN. Mr. President, I think some one ought to explain the purport of these amendments.

Mr. SHAPIRO. Mr. President, I understand that the purpose of these amendments is to make the original bill, which called for $11,000,000, and was subsequently reduced to $3,630,000, carry out the provisions of the subsequent moral commitment of this Senate to grant the lapsed funds, which commitment was made here, I think, week before last. It was to cover $850,000, approximately, of one lapsed fund, and $4,063,000 agreed to be granted by your last resolution. So the total amount is some $7,760,000, which is indicated to be inserted, instead of $6,330,000.

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Aron,	Harvey,	Prince,	Shapiro,
Batchelor,	Howell,	Pytko,	Staudenmeier,
Bean,	Kahle,	Rankin,	Thompson,
Buckman,	Lanius,	Reed,	(Centre)
Cavalcante,	Law,	(Dauphin)	Thompson,
Coyne,	Mallery,	Reed,	(Westmoreland)
Ealy,	McClure,	(Washington)	Trainer,
Frey,	McCreesh,	Roberts,	Woodward,
Gelder,	McGinnis,	Rodgers,	Homsher,
Graff,	Miller,	Rupp,	Pres. Pro. Tem.
Harris,	Owlett,	Ruth,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENT TO HOUSE BILL NO. 59

He also presented communication from the House of Representatives informing the Senate that the House has non-concurred in amendments made by the Senate to House Bill No. 59, entitled:

An Act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen, and to repeal section two of the act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards and trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming

under the provisions of the act to appropriate certain moneys; and providing penalties," by providing for the appointment of a board of trustees for each county; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers assistance, except under certain circumstances; providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board; and authorizing the Department of Welfare to cooperate with, and to accept and disburse moneys received from, the United States government for aid to dependent children.

THE SENATE INSISTS UPON ITS AMENDMENTS TO HOUSE BILL NO. 59.

Mr. BUCKMAN. Mr. President, I move that the Senate insist upon its amendments to House Bill No. 59.

Mr. WOODWARD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HARRIS. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his question of parliamentary inquiry.

Mr. HARRIS. Mr. President, I desire to ask if we are now voting on the amendments to the Brancato Mothers' Assistance Bill. I could not recognize the bill by the number.

The PRESIDENT. The question before the Senate is on the motion that the Senate insists on its amendments to this bill.

Mr. HARRIS. Mr. President, I voted for the amendments to this bill both in committee and on the floor of the Senate. I predicated my vote on the information that was given to me on the number of removals from the Mothers' Pension Board—of splendid women who have been earnest and conscientious in their work, and who have served without compensation for many years. If you will pardon a personal reference, I want to say that my interest in Mothers' Assistance has dated from the beginning of the fight for this splendid legislation, and I was treasurer of Allegheny County at the time it became operative, and signed the first check that went to the widowed mother in that county. I have been vice-chairman of the League for Mothers' Assistance for the last twelve years. I hope you will pardon me for mentioning this fact, but I merely mention it to show that I have a deep personal interest in the administration of this bill; and these good women, many of them throughout the State with whom I have personal acquaintance, were removed from these Boards.

Now, the argument might be made by our friends the Democrats that the new Administration coming in had the right to make these removals; but since the bill was passed each succeeding governor has waited until the expiration of the terms of the members of the Board before making changes they desire, and I believe that these wholesale changes, if it is true they were made—and I have it on the best of authority that they were—has caused a breakdown in the personnel and in the efficiency of the operation and administration of the Act.

The appointments, as I understand, by the Governor, are all splendid appointments—or, at least, in practically all the cases—and I have no complaint against any new member of the Board; I understand they are earnest and conscientious; but information also was conveyed to me that, taking advantage of the new members—and their inexperience—there have been a number of changes made in the personnel of the staff, and that the staff is not as efficient now as it was under the former Board. For that reason I believe there should be a new method of appointing these Boards.

Now then, there was another amendment, which provided—without going into details and having a protracted argument on it today—for the taking of employes out of politics. The bill was fashioned after a bill passed some years ago to prevent public employes from participating actively in politics; and I voted for that amendment.

Now, let us not go into a long argument about the merits of these amendments. They were discussed on the floor yesterday, and also in the House last night; and if it is necessary to discuss them, that is all well and good, but I do not think that is the point involved now. No matter what we think about the administration, there is something more vital than that to consider. The question is whether or not, with argument on these amendments, the bill will be so delayed that we will not be able to take advantage of the Act of Congress, and therefore lose this great amount of money that would otherwise go to the assistance of our widowed mothers. We all admit that if we pass this legislation in time, either with or without amendment, there would be 4,000 widowed mothers, now on the waiting list, who would receive grants; and for the first time in the history of the State—or since the Act has been in effect—the waiting list would be cleaned up.

Now, in our desire to have an efficient administration, let us not be blinded to the thing that, while it might have vital effect, would be a thing that could wait until such time as we could have full discussion, and have more harmony about it. We all know the mechanics of the operation of the Senate and House, and we all know this—that if we do not recede from our amendments there will be a conference committee appointed. And let us, for the sake of argument, say that the conference committee will not be able to agree—as, it is my opinion, it will not be; then the whole bill falls. I want to say to you that I am not going to be a party, even though I have an opinion on these amendments, and have so stated in public, and do not apologize for my position on them, and can justify my opinion—I will not be a party to the delay.

The time limit has been set at June 30th, and if this bill falls, by reason of our failure to act—because of what might be described as stubbornness on the part of both the Republican and Democratic parties, it will, to my mind, be laid at our door. I am willing to recede from these amendments, without sacrificing my opinion as to the action of those who have tried to put Mothers' Assistance in politics; I am willing to recede from the amendments that would cause delay and would cost millions of dollars, and might be the cause of not depleting the waiting list. I don't want to be a party to anything that would prevent 4,000 widowed mothers, and their children, from receiving support; and I am willing to vote to recede from our amendments—again I say, without sacrificing my opinion on these two amendments.

Mr. REED (Dauphin). Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I will.

Mr. REED (Dauphin). Mr. President, I desire to ask the Senator from Allegheny, Mr. Harris, whether there is anything in the Federal Social Security law which limits the time to June 30th or any other date, for the acceptance of the benefits from the Federal Act.

Mr. HARRIS. Mr. President, so that I would be sure of my ground I telephoned to Washington and I interviewed the leaders of the P. C. A. I discussed the matter today, informally, with a representative of the Department of Justice, who informs me that June 30th is the absolute limit of time when we can take advantage of this opportunity. In case we do not, we are bound to lose the Federal payments for the first three months, provided for by Act of Congress.

Mr. REED (Dauphin). Mr. President, I previously understood that the time limit was fixed as of June 20th.

Mr. HARRIS. Mr. President, I mentioned that fact to the representative of the Department of Justice, and he said it had been extended to June 30th.

Mr. REED (Dauphin). Mr. President, do I understand, then, from the Senator from Allegheny, that this time limitation is merely an arbitrary time limitation set by the Social Security Board, and not by any provision of the Federal Act?

Mr. HARRIS. Mr. President, I am not informed as to whether it is in the Act or whether it is a man-made rule, an arbitrary decision by the Department.

Mr. REED (Dauphin). Mr. President, if I am wrong in my statement, I would like it corrected, but I have read the Federal Act very carefully and I find no provision therein which states that June 20th, or June 30th, or any other date as the time for the cessation of the Act. As far as I can see, this date is but an arbitrary requirement fixed by a Federal Bureau at Washington, without any authority in law. As I have stated, if I am wrong in that, I would like to have it corrected here on the floor. Unlike the Senator from Allegheny, in Committee I did not vote for these amendments. I am, however, going to vote at this time that the Senate do not recede from its amendments. It has been carefully considered in the Senate Committee, of which I have the honor of being Chairman. It was thoroughly considered on the floor of the Senate and adopted as amended, and I do not see any reason, therefore, why the Senate should recede from its position, change its attitude and stultify the course which it has already taken, merely because there has been an adverse vote from the House of Representatives.

Mr. SHAPIRO. Mr. President, I should like to enlighten the Senator from Dauphin, Mr. Reed, by calling his attention to Section 403 of the Federal Social Security Act. There is a specific provision in the Act which deals with this matter, and makes it compulsory in order to take advantage of July payments, to approve the Act before July 1st. There is no abritrary rule or provision by the Bureau. I should like to read the section, Section 403—this is Title 4 I am reading from, which deals with Mothers' Assistance: "The Secretary of the Treasury shall pay to each State which has an approved plan for aid of dependent children, for each quarter, beginning with the quarter commencing July 1, 1935, an amount which shall be used exclusively for carrying out the State plan."

That applies not only to dependent children but to Mothers' Assistance and all those plans which have an actual appropriation for each year, and it is from the annual appropriation that these payments are made quarterly, and no payment can be made quarterly until there is presented to the Federal Government an approved plan. The reason for the difference in time between June 20th and June 30th is that the Department at Washington desired a few days' time to go over the plan and approve it. We have no approved plan yet; and they have said, informally, that they ought to have it by the 20th of June; but by an Act of Congress they have said definitely, "You don't get any payment unless by the first of July, and each quarter thereafter, you have an approved plan." We have no approved plan.

Now, I take the position on this subject and on this Act, that we have enough work to do now in this Session, enough work to make our laws conform to the Federal Security Act, or to decide if we should make them conform, without attempting at this time to change the plans under which we are now administering Mothers' Assistance and Old Age Pensions. Those plans—particularly for Mothers' Assistance—have been in operation many years. I don't think at this time this Senate should attempt to make a deadlock on an issue as important as this by insisting on these amendments.

Everybody admits, including those proposing the amendments, that the women who are at the head of the Mothers' Assistance Fund are decent, honest, respectable, high minded citizens, and just because the Governor happens to have disposed of those who preceded these people in a manner not to the liking of the Senate, or other people, is no good, valid reason for injecting an amendment into this bill now which, in effect, may cost the Commonwealth of Pennsylvania millions of dollars. That is why I voted against the amendments yesterday, because I knew, and every member of the Senate knew, the House would not agree to those amendments.

I do not think this is the time to change plans. I do not know whether the plan under operation is the best plan; I know it has worked, and worked well, in the hands of honest people; and if there are any defects, they can be corrected at the next session of the Legislature; but I agree with Senator Harris that this is not the time to correct them, and we should not at this time come to a deadlock over something which is not essential, and in so doing lose millions of dollars to the Commonwealth of Pennsylvania.

Mr. HARRIS. Mr. President, I just desire to say that in my conference with the representative of the Department of Justice, Adrian Bonelli, he said that on request of members of the Senate he would send any information they desire on this point as to the time, the zero hour, on which we must act to take advantage of the Act of Congress. He said it to me verbally, and that he would put it in writing and send it to the Senate, showing the reason that the Department at Washington gave for fixing the last day on which we could act, as June 30th.

Mr. CAVALCANTE. Mr. President, I am firmly of the opinion that administration of all forms of charity should eventually go back to the local communities, but I do not think this is the bill before this Senate that we ought to attach that plan to at this time. My opinion still is that this plan of creating a board in the various counties should be attached to the direct relief bill, and that bill should carry a provision creating a public as-

sistance board in each county; and then at the next General Session to put into the hands of that board the administration of the mothers' assistance, the blind pensions and the old age assistance, but I do not think we should start with the mothers' assistance fund. That idea should be carried out at the next general session of this Senate.

I have made these remarks so that my vote on the motion before the Senate may be well understood. I vote "no" because I do not believe that this bill should carry with it the provisions for a public assistance board in the various counties for the administration of all the funds in the nature of charity.

Mr. THOMPSON (Centre). Mr. President, just to supplement the remarks of my colleague, Senator Harris, of Allegheny, I think it might be well for the Senate to remind itself that if they fear that the mothers' assistance operation has been brought into the political field, that while there have been many changes in the personnel of these boards over the different counties, there has been practically no change in the personnel of the administrative employes who have handled the administration of the functions performed by these assistance boards under the Mothers' Assistance Act.

There is no question that if these "ripper" amendments go through, that the administration of mothers' assistance will be very much disorganized when they take effect about the first of August, and I think it would be well for this Senate to try to raise itself above the level of partisan controversy in disposing of these amendments. The House set us a good example last night when they acted unanimously on these amendments. There was no difference of political opinion in the lower House over these amendments, and they voted unanimously in connection with the same, so, certainly I say, Mr. President, rather than take any chance in defeating the progress of this legislation, or impairing the mothers' assistance boards, we ought to recede from these amendments.

Now, in connection with the remarks of Senator Reed, just let me remind this Senate again, that we all know that the fiscal year of the Federal Government begins the first of July of each year, and this will be the first year of the operation of the Social Security Act. If we are to get the benefit of this Act, whether or not it is on the 20th or 30th of June, or what date it is, we must set up our machinery so that our plans can be approved, and we will receive this money before the beginning of the present fiscal year, which is July 1st, so if you are going to get money for the quarter beginning July 1st, we must act and act promptly.

Mr. LAW. Mr. President, I think it has already been mentioned that it will disturb the beginning of operations under the new Act to make any present change in the Boards. I know in my county there are hundreds on the waiting list. The present board has a record of that. If a change is made in the board at the present time, and Federal assistance is made available, it means that the new board will have to start and investigate those cases which have already been investigated, and I think that it is a waste of time, a waste of energy, in view of the fact that the present boards have an investigating record on these various applicants who will be placed upon the rolls with the use of Federal money.

The purpose of most of these amendments is very good, and I am sure that we will be willing to go along at a future time when it is not going to hold up the working of the Act, and possibly in the next regular Session, if not before, we can accomplish the purpose that was aimed at by these amendments, and I am going to ask the members on the other side to co-operate now and permit this legislation to be made effective, but let us give the present boards a chance in order to simplify matters.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. EALY. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Somerset, Mr. Ealy, will state his question of parliamentary inquiry.

Mr. EALY. Mr. President, has the House rejected all the amendments which the Senate inserted in the bill?

The PRESIDENT. Yes, the House has not concurred in any amendment made by the Senate to this bill.

Mr. BUCKMAN. Mr. President, I had not intended to speak on this bill, but I cannot let go unchallenged two statements made by the Senator from Centre, Mr. Thompson. In the first place, he referred to this bill as a "Ripper Bill." This is not a "Ripper Bill.' ' This is a bill to show up the ripping out of the old boards.

The ripping out has all been done by the administration. So far as the personnel of the Mothers' Assistance Boards is concerned there are plenty of good women in your county and mine who can fill these places under appointment of County Commissioners and the Courts.

I also challenge his statement in reference to interference with the personnel of paid employes of these Boards. That is what was done at the very first meeting of the new Board. That was possibly the reason for throwing out these good women and putting in their places political women, in order to get that little bit of patronage. There is no doubt in my mind at all that that was the reason for throwing out those boards attendant on these unfortunate people. In my mind there is no reason at all. That is the reason these Boards were surreptitiously thrown out.

It comes from them with very poor grace to say this is a "Ripper Bill." This is proper legislation, the county commissioners pay their share of this money, and they should have some voice in the expenditure of that money; and, as far as these good women are concerned, they are in every county in this State, women who have had experience and have administered these funds for years, and could call upon the commissioners to help in this situation.

QUESTION OF INFORMATION

Mr. REED (Dauphin). Mr. President, I rise to a question of information.

The PRESIDENT. The Senator from Dauphin, Mr. Reed, will state his question of information.

Mr. REED (Dauphin). Mr. President, I want to understand clearly, what is the effect of these amendments? Did the House take out all the amendments which the Senate put into the bill or merely the provisions relating to the manner of appointment of the members of this Board?

The PRESIDENT. The message from the House states that the House has non-concurred in all our Senate amendments.

Mr. REED (Dauphin). Mr. President, I certainly shall say, in view of that information, which I have not had

until the present moment, that, emphatically, this Senate should refuse to concur in that action. Including among those amendments were certain amendments which I had authoritatively stated to me were necessary in order that this bill would be in compliance with the Federal law. If all the amendments go out, then I understand the bill, as the House of Representatives has passed it, is not agreeable to the Social Security Board.

The statement which has just been made shows conclusively that the Senate should take action definitely, and not permit this bill as it now is to become law before we go to a conference committee in order that these matters can be definitely and conclusively settled.

I have no fear about this June the 20th or June 30th or any other time limitation; whether it is passed finally today or next Monday, in my judgment, makes no difference whatever; but we want to be absolutely sure at this time that the action we take is correct. Therefore I ask that this Senate do not endorse the action of the House, and that we insist upon our amendments.

And the question recurring,

Will the Senate agree to the motion?

The ayes and nays were required by Mr. THOMPSON (Centre) and Mr. FREY.

Mr. FREY. Mr. President, I ask for a verification of the Roll.

The roll was verified and was as follows:

YEAS—21

Aron,	Gelder,	Owlett,	Thompson,
Batchelor,	Graff,	Pierson,	(Westmoreland),
Bean,	Harvey,	Prince,	Trainer,
Buckman,	Howell,	Reed,	Woodward,
Coyne,	Mallery,	(Dauphin)	Homsher,
Ealy,	McClure,	Staudenmeier,	Pres. Pro. Tem.

NAYS—18

Cavalcante,	Law,	Rankin,	Rupp,
Frey,	McCreesh,	Reed,	Ruth,
Harris,	McGinnis,	(Washington)	Shapiro,
Kahle,	Miller,	Roberts,	Thompson,
Lanius,	Pytko,	Rodgers,	(Centre)

So the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION REQUESTING INFORMATION RELATIVE TO PAYMENTS TO STATE-AIDED INSTITUTIONS.

Mr. HARVEY offered the following resolution, which was twice read:

In the Senate, June 17, 1936.

Whereas, Many hospitals throughout the Commonwealth are distressed because the State-aid appropriated by the 1935 Legislature is not being paid within a reasonable time after the same becomes due; therefore be it

Resolved, That the State Treasurer be requested to furnish information to the Senate setting forth the reasons why payments to such State-aided hospitals are not being made as contemplated by the Legislature when the appropriations to such hospitals were made;

Resolved, That a copy of this resolution be transmitted to the State Treasurer by the Chief Clerk of this House.

Mr. HARVEY. Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question.

Will the Senate agree to the resolution?

It was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 51 (House Bill No. 52), entitled:

An Act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth under certain conditions in lieu of the redemption thereof and defining the powers and duties of the Governor the Auditor General the State Treasurer and the duly authorized loan and transfer agent of the Commonwealth in relation thereto.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Aron,	Harvey,	Prince,	Shapiro,
Batchelor,	Howell,	Pytko,	Staudenmeier,
Bean,	Kahle,	Rankin,	Thompson,
Buckman,	Lanius,	Reed,	(Centre)
Cavalcante,	Law,	(Dauphin)	Thompson,
Coyne,	Mallery,	Reed,	(Westmoreland)
Ealy,	McClure,	(Washington)	Trainer,
Frey,	McGreesh,	Roberts,	Woodward,
Gelder,	McGinnis,	Rodgers,	Homsher,
Graff,	Miller,	Rupp,	Pres. Pro. Tem.
Harris,	Owlett,	Ruth,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 52 (House Bill No. 53), entitled:

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania Series "D" for the purpose of refunding redeeming and retiring said Series "D" authorizing the exchange of bonds of said Series "D" for those issued hereunder defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Aron,	Harvey,	Prince,	Shapiro,
Batchelor,	Howell,	Pytko,	Staudenmeier,
Bean,	Kahle,	Rankin,	Thompson,
Buckman,	Lanius,	Reed,	(Centre)
Cavalcante,	Law,	(Dauphin)	Thompson,
Coyne,	Mallery,	Reed,	(Westmoreland)
Ealy,	McClure,	(Washington)	Trainer,
Frey,	McCreesh,	Roberts,	Woodward,
Gelder,	McGinnis,	Rodgers,	Homsher,
Graff,	Miller,	Rupp,	Pres. Pro. Tem.
Harris,	Owlett,	Ruth,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON SECOND READING

Agreeably to order,

Th rule requiring bills to be considered in Committee of the Whole being in this case case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 37 (House Bill No. 45), as follows:

An Act validating certain proceedings and elections of political subdivisions had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds or other securities issued or authorized to be issued in pursuance of such proceedings and elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all proceedings and elections heretofore had and held by any county city borough township school district except school districts of the first class or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method of procedure specified by the provisions of an act of Assembly entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) and the acts amendatory thereof and supplementary thereto where the majority of votes cast at such election was in favor of the increase of indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding such election was held within ninety days after the general election notwithstanding the date of the ordinance or vote deciding such increase was within ninety days after a general election notwithstanding the ordinance or vote providing for the giving of notice of such election was not effective at the time notice of such election was given and notwithstanding any defect or informality in the manner of holding mode of conducting or giving notice of such election or in form of the ballot and notwithstanding that the polls at such election were not open a full twelve hours as provided by law and notwithstanding any patent error of orthography or of numerical statement on any or all of the ballots

All the bonds securities and obligations issued or to be issued in pursuance of every such election are hereby made valid and binding obligations of every such county city borough township school district or other municipalty or incorporated district Provided That all the other requirements of law concerning such procedure election and issue of bonds have been complied with And provided further That the provisions of this act shall not apply in any instance where the validity of such election or any issue of bonds or other security based thereon has been made the subject of litigation in any court of the Commonwealth prior to the approval of this act nor to any litigation in respect to any such issue of bonds or other securities in any court of this Commonwealth instituted prior to the passage of this act and still pending and undetermined

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 76, as follows:

An Act to authorize the Board of Revision of Taxes in cities of the first class to classify the real estate situated therein so as to discriminate between those parcels employed exclusively for manufacturing purposes and other real estate in such cities and to provide for carrying such classification into effect

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in cities of the first class the Board of Revision of Taxes is hereby authorized immediately after the annual assessment in each year to classify the real estate situated in such cities so as to discriminate between those parcels thereof which are employed and used exclusively for manufacturing purposes and other real estate in such cities And the said Board of Revision said cities at the time of the annual certification of the of Taxes is hereby required to certify to the Council of assessed value of real estate therein the assessed valuation of the real estate employed exclusively for manufacturing purposes And the Council of such cities in determining the rate of taxation for each year are hereby authorized to assess the tax upon the real estate employed exclusively for manufacturing purposes at such proportionate reduction from the tax rate which may be imposed upon the other urban property situated in such cities as the said Council may by ordinance fix and determine It shall be the duty of the Receiver of Taxes of such cities to collect the taxes upon such real estate used exclusively for manufacturing purposes at the rates provided by the said ordinance and in conformity with the provisions of this act and to designate whether said property is used exclusively for manufacturing purposes or otherwise provided that this act shall apply only to real estate employed exclusively for manufacturing purposes which was not immediately prior to the passage of this act employed for such purposes

Section 2 All acts or parts of acts inconsistent herewith to the extent of such inconsistency be and the same are hereby repealed but this section shall not be construed to repeal the act approved the twenty-fourth day of March one thousand eight hundred and sixty-eight pamphlet laws four hundred and forty-three entitled "A further supplement to an act entitled 'An Act to promote the more certain and equal assessment of taxes in Philadelphia approved the fourteenth day of March anno domini one thousand eight hundred sixty-five relative to assessments on agricultural and farm land and the suburban portions of said city"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 76, the bill just read, be recommitted to the Committee

on Municipal Government for the purpose of amendment.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 80 (House Bill No. 110), as follows:

An Act providing that no person shall be denied refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate and providing penalties.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. McGINNIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny will state his question of personal privilege.

Mr. McGINNIS. Mr. President, last week I made a motion to discharge the Committee on State Government from further consideration of my resolution authorizing the Public Service Commission to investigate the street car fares in the City of Pittsburgh, especially relating to children's fares. In the City of Pittsburgh, and in Allegheny County, the street car fare for children attending school is eight and one-third cents, and this amounts to $34.00 a year. For a family of three, going to school in Allegheny County, it costs over one hundred dollars in street car fares.

I wish to call the attention of the Senate to some rates in other cities: Birmingham, Alabama, two and one-half cents; Cleveland, Ohio, one cent; Dallas, Texas, three cents. These are for school children—all for school children. Los Angeles, California, three and one-half cents; Newark, New Jersey, three cents; Providence, Rhode Island, four cents; San Francisco, California, two and one-half cents; Chicago, Illinois, three cents.

Now, all this resolution proposes is that the Public Service Commission devote some of its time to investigating the question of street car fares in Allegheny County, as applying to children, and see if we cannot have a reduction of the street car fares in Allegheny County for the children at least.

I wish, therefore, to renew my motion, and ask for immediate consideration.

Mr. McCREESH. Mr. President, I second the motion.

Mr. REED (Dauphin). Mr. President, I desire to inform the Senate that when the previous motion was made, which I believe was on last Monday evening, I stated that I would call a meeting of the Committee on State Government on the following day. Tuesday—that is, yesterday, I did call a meeting of the Committee on State Government. I brought up this bill for the consideration of the Committee, and by consent it was postponed for the present. At that time an effort was made to find my friend, the Senator from Allegheny, Mr. McGinnis. A Democratic member of the Committee came out here on the floor of the Senate and was unable to find him. Therefore, the Committee, having the bill before it, asked that it be postponed to a future date, so that the Senator from Allegheny, Mr. McGinnis, could go before the Committee and give his reasons in support thereof. Just a few moments ago the sponsor of the bill came to me and I stated that if I could get the time in today I would call the Committee together to consider the bill.

These are the circumstances, Mr. President, and I announce now that if the Committee is not discharged I will somehow during this day have a meeting of the Committee on State Government, and I hope the Senator from Allegheny, Mr. McGinnis, will remain on the floor, because I will now, publicly, notify him to come before the Committee and give his reasons for the bill.

Mr. PYTKO. Mr. President, in support of what already has been said by the Chairman of the Committee on State Government, I would state that I was the Democratic member of the Committee who made an exhaustive search of the Senate Chamber in an effort to find the Senator from Allegheny, Mr. McGinnis, so that he might explain the merits of his resolution before the Committee.

I am sure that the Committee on State Government is desirous of acting on that resolution, if it is definitely well informed on the purport of the resolution. I would, therefore, request, in justice to the Committee, that the Senator from Allegheny, Mr. McGinnis, recall his motion until the Committee on State Government meets and he has an opportunity of discussing the merits of the resolution with the Committee.

Mr. McGINNIS. Mr. President, I will state I was in the Senate all day yesterday, and I never received an invitation to go before the Committee. I certainly would have been glad to appear before the Committee had I been asked. But, Mr. President, this is so simple a proposition that it is, to me, just a camouflage to ask that a hearing be held on this resolution. I have stated here the only reasons I had for this resolution. It is a most simple thing—it is asking the Public Service Commission—there is nothing compulsory about it—it is merely requesting the Public Service Commission to look into the situation in Allegheny County, and that is the whole thing. I don't see what other information I could give that Committee; and I hardly think the Committee is overworked; it has had the resolution for over a month. In the House that resolution was in the Committee just one day. It came out the next day. It has been over here a month, and I am sure the Senators on that Committee are not extremely overworked.

However, I do not wish to put any Senator here on the record, if he does not want to go on record; I am willing again to withdraw my motion and give the Committee a chance to study the resolution—take testimony, if necessary; and I will be glad to appear at any time before the Committee.

The PRESIDENT. The Chair understands that the Senator from Allegheny, Mr. McGinnis, withdraws his motion. Will the seconder of the motion withdraw his seconding of it?

Mr. McCREESH. Mr. President, I withdraw my seconding of the motion.

RECESS

Mr. BUCKMAN. Mr. President, I am about to make a motion that the Senate take a recess until five o'clock, but before doing so I think there ought to be a Com-

mittee of Senators appoined to escort the Senator from Allegheny, Mr. McGinnis, to the meeting of the Committee on State Government, in order that he will be sure to get there. I now move that the Senate take a recess until five o'clock.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 53

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 53, entitled:

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania, Series "D", for the purpose of refunding, redeeming and retiring said Series "D"; authorizing the exchange of bonds of said Series "D" for those issued hereunder; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on, and the redemption of such bonds; and making an appropriation

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 59

He also presented communication from the House of Representatives informing the Senate that the House insists upon its non-concurrence in the amendments made by the Senate to House Bill No. 59, entitled:

An Act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen, and to repeal section two of the act, approved the tenth day of July one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards and trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," by providing for the appointment of a board of trustees for each county; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers assistance, except under certain circumstances; providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board; and authorizing the Department of Welfare to cooperate with, and to accept and disburse moneys received from, the United States government for aid to dependent children.

and has appointed Mr. Cohen, Mr. Blumberg and Miss Brancato, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two Houses in relation to said bill.

MOTION TO APPOINT COMMITTEE OF CONFERENCE

Mr. BUCKMAN. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House (already appointed) to consider the differences existing between the two Houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Mr. Reed (Dauphin), Mr. Howell and Mr. Pytko be said Committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. ARON. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on State Government reported as committed, the following resolution:

PUBLIC SERVICE COMMISSION TO INVESTIGATE THE POSSIBILITY OF ISSUING STREET RAILWAY TICKETS TO SCHOOL PUPILS IN ALLEGHENY COUNTY AT A REDUCED RATE

In the House of Representatives, May 13, 1936.

Whereas The cost of transportation of pupils to the school districts in Allegheny County is matter of grave concern to its citizens; and it is believed that it is far greater than the circumstances required; therefore be it

Resolved (If the Senate concur), That the Public Service Commission of Pennsylvania is hereby requested to make an investigation, through its existing facilities, with the view of ascertaining whether, on the basis of valuation and income, or on any other basis, the street railway companies operating in Allegheny County may be required to issue tickets for school pupils only, at a rate not to exceed twenty-five cents (25 cents) per week.

Mr. McGINNIS. Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions reported from Committee to lie on the table one day be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL INTRODUCED

Mr. SHAPIRO. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO, read in place and presented to the Chair Senate Bill No. 87 entitled:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class, school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof.

Which was committed to the Committee on Municipal Government.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 16, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Jeannette Burkhart, Wilkinsburg.

CLARION COUNTY

Freas E. Powell, Clarion.

MERCER COUNTY

Miss Rebecca Bennett, Sharon.

NORTHAMPTON COUNTY

Mrs. Beulah Huff, Hellertown.
A. S. Kichline, Hellertown.

GEORGE H. EARLE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 17, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

R. K. Eastman, 1326 Oliver Bldg., Pittsburgh.

ARMSTRONG COUNTY

Mrs. Margaret S. Dorfeld, Schenley.

LUZERNE COUNTY

Charles P. Krick, Wilkes-Barre.

SCHUYLKILL COUNTY

Miss Helen Miernicki, Shenandoah.

WYOMING COUNTY

Miss Alice Hitchock, Tunkhannock.

GEORGE H. EARLE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 17, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

BLAIR COUNTY

L. Oder Burket, Roaring Springs, June 27, 1936.

CENTRE COUNTY

Miss Pearl E. Tuttle, Philipsburg, June 27, 1936.

LEBANON COUNTY

Mrs. Mary A. Deiker, Lebanon, June 27, 1936.

PHILADELPHIA COUNTY

Joseph J. Gaffney, Philadelphia, June 27, 1936.
Louis H. Henkels, Philadelphia, June 27, 1936.

GEORGE H. EARLE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 16, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

BUCKS COUNTY

Paul D. Fretz, Perkasie, June 27, 1936.

ERIE COUNTY

C. Manton Emery, Erie, June 27, 1936.

LUZERNE COUNTY

Joseph R. Sherman, Hazleton, June 27, 1936.

MONTGOMERY COUNTY

Harry H. Schultz, Lansdale, June 27, 1936.

PHILADELPHIA COUNTY

Miss Lillian N. Beby, Philadelphia, June 27, 1936.

GEORGE H. EARLE

MEMBER OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF WARREN COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 26, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Marjorie B. Briggs of 32 Water Street, Warren, Warren County, for appointment as a member of the Board of Trustees of the Mothers' Assistance Fund of Warren County, vice Mrs. Eva C. Brady, of Youngsville, resigned, until June 1, 1937, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Mrs. Louise Hague, of Fox Chapel, Allegheny County, as Justice of the Peace in the Borough of Fox Chapel, Allegheny County, until the first Monday of January, 1938.

Voss D. Theakston, of North Bellevernon, Westmoreland County, as Justice of the Peace in the Borough of North

Bellevernon, Westmoreland County, vice Samuel M. McKean, deceased, until the first Monday in January, 1938.

GEORGE H. EARLE.

MEMBER OF THE BOARD OF TRUSTEES OF THE SHIPPENSBURG STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Caleb S. Brinton, of Carlisle, Cumberland County, for appointment as a member of the Board of Trustees of the Shippensburg State Teachers College, vice Mrs. Sylvia A. Mommy, of Carlisle, whose term expired, for a term of four years to compute from the date of confirmation, and until his successsr is duly appointed and qualified.

GEORGE H. EARLE.

MEMBER OF THE BOARD OF TRUSTEES OF THE MANSFIELD STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

George J. Bermingham, of Blossburg, Tioga County, for appointment as a member of the Board of Trustees of the Mansfield State Teachers College, vice Mrs. Myra B. Allen, of Mansfield, resigned, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Joseph C. Harshman, of Saegerstown, Crawford County, as Justice of the Peace in the Borough of Saegerstown, Crawford County, vice W. O. Hecker, deceased, until the first Monday in January, 1938.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Bruce H. Dimmick, of Gaines, Tioga County, as Justice of the Peace in the Township of Gaines, Tioga County, until the first Monday in January, 1938.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. ROBERTS,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. ROBERTS,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Aron,	Harvey,	Pierson,	Ruth,
Batchelor,	Howell,	Prince,	Shapiro,
Bean,	Kahle,	Pytko,	Staudenmeier,
Buckman,	Lanius,	Rankin,	Thompson,
Cavalcante,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Dauphin)	Thompson,
Ealy,	McClure,	Reed,	(Westmoreland)
Frey,	McCreesh,	(Washington)	Trainer,
Gelder,	McGinnis,	Roberts,	Woodward,
Graff,	Miller,	Rodgers,	Homsher,
Harris,	Owlett,	Rupp,	Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. ROBERTS. Mr. President, I move that the Executive Session do now rise.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:48 P. M. until nine o'clock Monday evening, June 22, 1936.

HOUSE OF REPRESENTATIVES

WEDNESDAY, June 17, 1936

The House met at 12:00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend WARNER BROWN, pastor of the Mount Zion Baptist Church, Steelton, Pa., offered the following prayer:

O God, Our Father who hast called our nation to a place of trust and responsibility throughout the world, we humbly thank Thee for all the ways in which Thou hast blest and guided us into this day. We confess before Thee with shame all that has been evil in our history and all that even now makes us unworthy to be called a Christian Nation. Take from us, we pray Thee, all pride and greed and injustice, and grant to us the spirit of unselfish service which alone can make us great. And may the love of Christ be so truly shown forth among us that His name may be glorified among all nations. We pray Thee, O God, that a wise and humble spirit may prevail in all the councils of our Nation; that those who

bear the rule may be delivered from unscrupulous ambition, selfish rivalries, and false judgments that parents may train up their children in right ways and that children may be taught to face and grapple with the evil that is in the world; that they may grow up a generation to love and praise Thee.

We beseech Thee to hear us, O Lord, that men of wealth and ease may not miss the true end of life; that men of poor and humble lot may keep their self-respect and be preserved from misery and bitterness of soul that social life and industry may be so ordered that one man's good may not be another man's hurt and that all may have their fair share of wealth and freedom. That men and women may eagerly respond to every call to sacrifice and service so that the ends of the earth may be Thy Salvation.

May this Assembly be guided by Thy Spirit in all of its deliberations. Guide the Governor of our Own State in the right way.

We beseech Thee to hear us, O Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. CONDON the further reading was dispensed with and the Journal approved.

LEAVES OF ABSENCE

Mr. GEORGE E. DOWNEY asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. CARSON asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. SIMON asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. ROBINSON asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. DIEHL asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. SUMNEY asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. FINNERTY asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. SCHWAB asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. McDEVITT asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. CARR asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. ROBERT BOYD asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. REYNOLDS asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. CONDON asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. FRANK E. SNYDER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. WASSERMAN asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. GILLETTE asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. MENTZER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. SOWERS asked and obtained leave of absence for himself after 3:00 A. M. Thursday morning.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 98, entitled:

An Act to create a State Planning Board prescribing its powers and duties imposing certain duties upon political subdivisions and makng an appropration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 134, entitled:

An Act requiring unemployment relief orders to be presented for payment within a certain period otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 108, entitled:

An Act making an appropriation to the State Emergency Relief Board for the adjustment and payment of certain claims

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 135, entitled:

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by or for said board

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 111, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 150, (Senate Bill No. 14), entitled:

An Act providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties authorizing the Department of Welfare to cooperate with and to accept and disburse monies received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons providing for the recovery of monies expended for assistance in certain cases prohibiting political activity by employes of the board providing substitute provisions in case Federal grants for old age assistance shall fail for any reason providing penalties and repealing inconsistent acts

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 122, entitled:

An Act to suspend the laws of this Commonwealth authorizing the collection of local taxes by distress and sale of goods and chattels

On the question,

Will the House agree to the bill on third reading?

BILL PASSED OVER

Mr. BAINE. Mr. Speaker, I ask that this bill be passed over in its order.

The SPEAKER. If there is no objections the bill will be passed over. The Chair hears none and the bill is passed over in its order.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 81, as follows:

An Act to amend section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by providing that the provisions of said act shall be mandatory and prohibiting any diminution of salary or compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city except cities of first class and second class A having fire departments shall [allow and permit] grant every member of such fire departments [to have] at least twenty-four consecutive hours of rest without diminution of the salary or compensation fixed by ordinance or resolution of such city in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebrations and in addition thereto [to have] shall grant to every member of such fire department an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance or resolution of such city

This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182

Achterman,	Eroe,	McDevitt,	Shaw,
Alexander,	Falkenstein,	McElroy,	Shepard,
Allen,	Ferko,	McHenry,	Shortz,
Andrews,	Finnerty,	McKinney,	Shreiner,
Arnold,	Fitch,	Melchiorre,	Shugarts,
Atkins,	Flanagan,	Mentzer,	Siegel,
Baine,	Flinchbaugh,	Merrell,	Simon,
Baker, F. T.,	Flynn,	Moomaw,	Simpson,
Baldi,	Gates,	Mooney,	Sinwell,
Barnhardt,	Gerard,	Moore,	Sloan,
Beadman,	Gillette,	Moran,	Smith, J. A.,
Bernhard,	Habbyshaw,	Moul,	Smith, W. G.,
Blumberg,	Haberlen,	Muir,	Snyder, F. E.,
Boose,	Hagerty,	Munley,	Snyder, J. L.,
Boyd, R.,	Haluska,	Nagel,	Sowers,
Boyer,	Hamilton, F. P.,	Nothnagle,	Sproul,
Bradley,	Hamilton, R. S.,	O'Keefe,	Stank,
Brancato,	Harkins,	Ominsky,	Stevens,
Brennan,	Harmuth,	O'Neill,	Stewart,
Brown, H. S.,	Hartman,	Panton,	Sumney,
Brownfield,	Hermansen,	Parks,	Surface,
Brumbaugh,	Hetrick,	Patterson, C.,	Sweeney,
Burke,	Hindman,	Patterson, J. W.,	Tahl,
Cannon,	Hoffner,	Pearson,	Terry,
Caputo,	Holland,	Perry,	Tronzo,
Carr,	Holstrom,	Pfaff,	Trout,
Carson,	Hoopes,	Phillips,	Tumelty,
Castor,	Jackson,	Piole,	VanAllsburg,
Chervenak,	Jones,	Powers,	VanSickle,
Coakley,	Kane,	Reising,	Wall,
Cochran,	Kelder,	Reynolds,	Wasserman,
Cohen,	Kelso,	Rhys,	Weidemann,
Coleman,	Kenney,	Roan,	Weiss,
Condon,	Kilroy,	Robinson,	Welliver,
Cooper,	Kinney,	Rooney,	Welsh,
Cordier,	Klinger,	Root,	Westrick,
Davies,	Kobelak,	Royer,	White,
Decker,	LaRue,	Ruffennach,	Wickersham,
Dent,	Long,	Sarraf,	Winner,
Diehl,	Longaker,	Scanlon,	Witkin,
Dilley,	Lovett,	Schaeffer,	Woodside,
Downey, G. E.,	Male,	Schrock,	Yeakel,
Downey, J. J.,	Mallen,	Schrope,	Zappala,
Duffort,	McCreary,	Schwab,	Furman,
Eberharter,	McDermott,	Serrill,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 82, entitled:

An Act to amend section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" as amended by changing the hours of a day and night shifts

An said bill haveing been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Achterman,	Duffort,	Mallen,	Schwab,
Alexander,	Eberharter,	Mason,	Serrill,
Allen,	Eroe,	McCreary,	Shaw,
Andrews,	Falkenstein,	McDermott,	Shepard,
Anthony,	Ferko,	McDevitt,	Shortz,
Arnold,	Finnerty,	McElroy,	Shreiner,
Atkins,	Fitch,	McHenry,	Shugarts,
Baine,	Flanagan,	McKinney,	Siegel,
Baker, J. J.,	Flinchbaugh,	Melchiorre,	Simon,
Baker, F. T.,	Flynn,	Mentzer,	Simpson,
Baldi,	Gates,	Merrell,	Sinwell,
Barnhardt,	Gerard,	Moomaw,	Sloan,
Beadman,	Gillette,	Mooney,	Smith, J. A.,
Bernhard,	Habbyshaw,	Moore,	Smith, W. G.,
Blumberg,	Haberlen,	Moran,	Snyder, F. E.,
Boose,	Hagerty,	Moul,	Snyder, J. L.,
Boyd, R.,	Haluska,	Muir,	Sowers,
Boyer,	Hamilton, F. P.,	Munley,	Sproul,
Bradley,	Hamilton, R. S.,	Nagel,	Stank,
Brancato,	Harkins,	Nothnagle,	Stevens,
Brennan,	Harmuth,	O'Keefe,	Stewart,
Brown, H. S.,	Hartman,	Ominsky,	Sumney,
Brownfield,	Hermansen,	O'Neill,	Sweeney,
Brumbaugh,	Hetrick,	Panton,	Tahl,
Burke,	Hindman,	Parks,	Terry,
Cannon,	Hirsch,	Patterson, C.,	Tronzo,
Caputo,	Hoffner,	Patterson, J. W.,	Trout,
Carr,	Holland,	Pearson,	Tumelty,
Carson,	Holstrom,	Perry,	VanAllsburg,
Castor,	Hoopes,	Pfaff,	VanSickle,
Chervenak,	Jackson,	Phillips,	Wall,
Coakley,	Jones,	Piole,	Wasserman,
Cochran,	Kane,	Powers,	Weidemann,
Cohen,	Kelder,	Reising,	Weiss,
Coleman,	Kelso,	Reynolds,	Welliver,
Condon,	Kenney,	Roan,	Welsh,
Coolahan,	Kilroy,	Robinson,	Westrick,
Cooper,	Kinney,	Rooney,	White,
Cordier,	Klingler,	Root,	Wickersham,
Davies,	Kobelak,	Royer,	Winner,
Decker,	LaRue,	Ruffennach,	Witkin,
Dent,	Long,	Scanlon,	Woodside,
Diehl,	Longaker,	Schaeffer,	Yeakel,
Dilley,	Lovett,	Schrock,	Zappala,
Downey, G. E.,	Male,	Schrope,	Furman,
Downey, J. J.,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 46, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protections along the Delaware River at Matamoras and Milford Pike County

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. ACHTERMAN. Mr. Speaker and members of the House, I arise in support of this bill, which I deem very meritorious.

Just as a brief explanation, I point out to the members of the House that this bill is intended to appropriate money to repair the dike system near the borough of Matamoras, which was restroyed or badly damaged in the recent flood and also for the purpose of extending that particular system. The same explanation also applies to the borough of Milford. Both of these boroughs are located in the county of Pike and both boroughs find themselves in a financial condition where they are unable to make the necessary repairs or to do any construction work, and in the event of a succeeding flood both boroughs would be very seriously damaged as a result.

I am, therefore, urging the members of the House and particularly my Democratic colleagues to support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Achterman,	Downey, J. J.,	Male,	Schrope,
Alexander,	Duffort,	Mallen,	Schwab,
Allen,	Eberharter,	Mason,	Serrill,
Altenburg,	Eroe,	McCreary,	Shaw,
Andrews,	Falkenstein,	McDermott,	Shepard,
Anthony,	Ferko,	McDevitt,	Shortz,
Arnold,	Finnerty,	McElroy,	Shreiner,
Atkins,	Fitch,	McHenry,	Shugarts,
Baine,	Flanagan,	McKinney,	Siegel,
Baker, F. T.,	Flinchbaugh,	Melchiorre,	Simon,
Baker, J. J.,	Flynn,	Mentzer,	Simpson,
Baldi,	Gates,	Merrell,	Sinwell,
Barnhardt,	Gerard,	Moomaw,	Smith, J. A.,
Beadman,	Gillette,	Mooney,	Smith, W. G.,
Bernhard,	Habbyshaw,	Moran,	Snyder, F. E.,
Blumberg,	Haberlen,	Moul,	Snyder, J. L.,
Boose,	Hagerty,	Muir,	Sowers,
Boyd, R.,	Haluska,	Munley,	Sproul,
Boyer,	Hamilton, F. P.,	Nagel,	Stank,
Bradley,	Hamilton, R. S.,	Nothnagle,	Stevens,
Brancato,	Harkins,	O'Keefe,	Stewart,
Brennan,	Harmuth,	Ominsky,	Sumney,
Brown, H. S.,	Hartman,	O'Neill,	Surface,
Brownfield,	Hermansen,	Panton,	Sweeney,
Brumbaugh,	Hetrick,	Parks,	Tahl,
Burke,	Hindman,	Patterson, C.,	Terry,
Cannon,	Hirsch,	Patterson, J. W.,	Tronzo,
Caputo,	Hoffner,	Pearson,	Trout,
Carr,	Holland,	Perry,	Tumelty,
Carson,	Holstrom,	Pfaff,	VanAllsburg,
Castor,	Hoopes,	Phillips,	VanSickle,
Chervenak,	Jackson,	Piole,	Wall,
Coakley,	Jones,	Powers,	Wasserman,
Cochran,	Kane,	Reising,	Weidemann,
Cohen,	Kelder,	Reynolds,	Weiss,
Coleman,	Kelso,	Rhys,	Welliver,
Condon,	Kenney,	Roan,	Welsh,
Coolahan,	Kilroy,	Robinson,	Westrick,
Cooper	Kinney,	Rooney,	White,
Cordier,	Klingler,	Root,	Wickersham,
Davies,	Kobelak,	Royer,	Winner,
Decker,	LaRue,	Ruffennach,	Witkin,
Dent,	Linderman,	Sarraf,	Woodside,
Diehl,	Long,	Schaeffer,	Yeakel,
Dilley	Longaker,	Scanlon,	Zappala,
Downey, G. E.,	Lovett,	Schrock,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 60, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public non-sectarian libraries Pennsylvania State Library public non-sectarian libraries and public school libraries damaged or destroyed by flood and providing procedure to ascertain the amount of damage

An said bill haveing been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189

Achterman,	Duffort,	Mason,	Merrill,
Alexander,	Eberharter,	McCreary,	Shaw,
Allen,	Eroe,	McDermott,	Shepard,
Altenburg,	Falkenstein,	McDevitt,	Shortz,
Andrews,	Ferko,	McElroy,	Shreiner,
Anthony,	Finnerty,	McHenry,	Shugarts,
Arnold,	Fitch,	McKinney,	Siegel,
Atkins,	Flanagan,	Melchiorre,	Simon,
Baine,	Flinchbaugh,	Mentzer,	Simpson,
Baker, F. T.,	Flynn,	Merrell,	Sinwell,
Baker, J. J.,	Gates,	Moomaw,	Sloan,
Baldi,	Gerard,	Mooney,	Smith, J. A.,
Barnhardt,	Gillette,	Moore,	Smith, W. G.,
Beadman,	Habbyshaw,	Moran,	Snyder, F. E.,
Bernhard,	Haberlen,	Moul,	Snyder, J. L.,
Blumberg,	Hagerty,	Muir,	Sowers,
Boose,	Haluska,	Munley,	Sproul,
Boyd, R.,	Hamilton, F. P.,	Nagel,	Stank,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stevens,
Bradley,	Harkins,	O'Keefe,	Stewart,
Brancato,	Harmuth,	Ominsky,	Stott,
Brennan,	Hartman,	O'Neill,	Sumney,
Brown, H. S.,	Hermansen,	Panton,	Surface,
Brownfield,	Hetrick,	Parks,	Sweeney
Brumbaugh,	Hindman,	Patterson, C.,	Tahl,
Burke,	Hirsch,	Patterson, J. W.,	Terry,
Cannon,	Hoffner,	Pearson,	Tronzo,
Caputo,	Holland,	Perry,	Trout,
Carr,	Holstrom,	Pfaff,	Tumelty,
Carson,	Hoopes,	Phillips,	Van Allsburg,
Castor,	Jackson,	Piole,	VanSickle,
Chervenak,	Jones,	Powers,	Wall,
Coakley,	Kane,	Reising,	Wasserman,
Cochran,	Kelder,	Reynolds,	Weidemann,
Cohen,	Kelso,	Rhys,	Weiss,
Coleman,	Kenney,	Roan,	Welliver,
Condon,	Kilroy,	Robinson,	Welsh,
Coolahan,	Kinney,	Rooney,	Westrick,
Cooper,	Klinger,	Root,	White,
Cordier,	Kobelak,	Royer,	Wickersham,
Davies,	LaRue,	Ruffennach,	Winner,
Decker,	Linderman,	Sarraf,	Witkin,
Dent,	Long,	Scanlon,	Woodside,
Diehl,	Longaker,	Schaeffer,	Yeakel,
Dilley,	Lovett,	Schrock,	Zappala,
Downey, G. E.,	Male,	Schropc,	Furman,
Downey, J. J.,	Mallen,	Schwab,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

TIME EXTENDED ON BILL

Mr. WEISS. Mr. Speaker, I move that the time on House Bill No. 71, Printer's No. 118, entitled:

An Act to promote the construction of flood control works and improvements by providing for the appropriation of certain waters of the Commonwealth to the Commonwealth and incidental thereto to secure the use thereof for the benefit of the people declaring void certain condemnations and appropriations of waters by municipalities corporations copartnerships or persons providing for ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities corporations copartnerships or persons and appeals therefrom conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto providing for future condemnations and appropriations of waters by municipalities corporations copartnerships or persons and compensation therefor and conferring powers and imposing duties upon the Water and Power Resources Board

on page 3 of today's calendar, bills on final passage postponed, be extended five days.

The motion was agreed to.

STATEMENT BY MR. COHEN

Mr. COHEN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, the necessities with which the House is confronted insofar as the enactment of Social Security legislation is concerned, make it necessary for the House to stay in session to-day and convene to-morrow morning at 12:01 for another legislative day.

We are confronted with the problem of passing immediately the act which would amend our old age pension law so as to conform with the requirements of the Federal Social Security act. The act has just passed second reading and will be susceptible for final enactment at 12:01 A. M. the next legislative day. We are also confronted with the possibility of a Committee on Conference on the Brancato Bill, which changes the basic law relative to the availability of securing the Mothers Assistance Fund. We yesterday non-concurred with the amendments of the Senate. As I am informed, the non-concurrence will be transmitted to the Senate and the Senate will convene at 2:00 o'clock. There is a great probability that the Senate will not concur in our non-concurrence or will not recede from their amendments, which will confront us with the problem of appointing a conference committee. It is absolutely necessary, in order that the conference committee may function that this House remain in session, so that a conference committee can be appointed and so that the differences existing between the House and the Senate can be ironed out.

In view of that fact it will be necessary that this House during this legislation day remain in continuous call, and I therefore ask the membership of this House to apply themselves diligently to their legislative duties and be in attendance in the House, so that they can be ready at any call to exercise their duties, either in the appointment of a conference committee or the enactment of a bill or whatever steps may be necessary in order to effectually pass this legislation.

STATEMENT BY MR. WITKIN

Mr. WITKIN. Mr. Speaker and memebrs of the House, speaking particularly to my Republican collegues. I am not going to ask you to attend to your legislative duties diligently, because I assume that to be a fact at all times, I know it to be a fact at all times. I merely want to

call your attention to the fact that what the gentleman from York has said is correct, insofar as attendance being necessary for the session to-day and to-morrow, in order to vote on the old age and mothers' assistance bills, and those of you who want to be recorded upon these important pieces of legislation I will ask you to be present.

I may say to you, and I retiterate to my good friend over there, I am not going to lecture you as to what your duties are. I don't think I have the right so to do,—even my Democratic friend on the other side, or even my good friend, Mr. Hoopes, of the Socialist Party. He is waving at me now. I don't know whether he is going this way or that way. You don't have any place to go anyhow,—most of you went out last night, so hang around and have a good time. I want to apologize for being four minutes late this morning.

LEAVES OF ABSENCE WITHDRAWN

Mr. MENTZER. Mr. Speaker, after hearing the informative addresses of the two leaders I desire to withdraw my request for leave of absence.

Mr. ROBINSON. Mr. Speaker, I desire to withdraw my request for leave of absence.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 2:00 P. M. Are there objections? The Chair hears none and declares a recess until 2:00 P. M.

AFTER RECESS

The House reconvened at 2:00 P. M.

The SPEAKER. (Roy E. Furman) in the Chair.

PETITION

The SPEAKER laid before the House the following petition which was read by the Clerk.

A petition from citizens of Allegheny County urging the passage of House Bill No. 105.

Referred to the Committee on Ways and Means.

REPORT FROM COMMITTEES

Mr. HALUSKA, from the Committee on Mines and Mining, reported as committed, House Bill No. 143, entitled:

An Act to provide revenue by prohibiting the employment of miners in the bituminous mines, unless certificated after examination by a miners' examining board and the payment of certain fees; providing for the appointment of such boards, and defining their powers and duties; and providing penalties.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 17.

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such monies may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

SENATE MESSAGE

SENATE INSISTS UPON AMENDMENTS

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 59 entitled:

An Act to amend sections one three four seven nine ten fourteen fifteen sixteen and eighteen and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain monies and providing penalties" by providing for the appointment of a board of trustees for each county and for the appointment of boards of trustees in all counties jointly by the Governor the courts of common pleas and the county commissioners prohibiting political activity by members and employes of such boards changing the qualifications of mothers elgible for assistance requiring all counties to appropriate monies for mothers' assistance except under certain circumstances providing for additional grants of State monies in lieu of appropriations by counties unable to meet State appropriations providing for cooperation by the Department of Welfare wth the Federal Social Security Board and authorizing the Department of Welfare to cooperate with and to accept and disburse monies received from the United States government for aid to dependent children providing substitute provisions in case Federal grants for aid to dependent children shall fail for any reason

Miss BRANCATO. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 59

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 59, Mr. Cohen, Miss Brancato and Mr. Blumberg.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 52.

An Act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth, under certain conditions, in lieu of the redemption thereof;

and defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the duly authorized loan and transfer agent of the Commonwealth in relation thereto.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 53.

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania Series "D" for the purpose of refunding redeeming and retiring said Series "D" authorizing the exchange of bonds of said Series "D" for those issued hereunder defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 6, page 5, line 16, by striking out after the figure "6" the following: "All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the Sinking Fund;" also in line 20, by striking out after the word "to" the words: "Sinking Fund Investments Redemption of Bonds and;" also on page 6, line 3, by striking out after the word "act" the words "and the redemption thereof," and inserting in lieu thereof the following:

All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the sinking fund For the specific purpose of redeeming said bonds at maturity and paying all interest thereon and in accordance with the information received from the Governor the General Assembly shall appropriate biennially the monies necessary for the payment of the interest on said bonds and the principal thereof at maturity All monies so appropriated shall be paid into the sinking fund by the State Treasurer and all of such monies not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided by law for the investment of the sinking funds of the Commonwealth

The investments and such monies and the accumulations thereon in the sinking fund shall be devoted to and used exclusively for the payment of the interest accruing on such bonds and their redemption at maturity Provided however That the Board of Finance and Revenue is authorized at any time to use any of such funds for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be cancelled and returned into the State Treasury as cancelled and paid bonds and thereafter all payments of interest thereon shall cease

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Achterman,	Eberharter,	McDermott,	Shaw,
Alexander,	Eroe,	McDevitt,	Shepard,
Allen,	Falkenstein,	McElroy,	Shortz,
Altenburg,	Ferko,	McHenry,	Shreiner,
Andrews,	Finnerty,	McKinney,	Shugarts,
Anthony,	Fitch,	Melchiorre,	Siegel,
Arnold,	Flanagan,	Mentzer,	Simon,
Atkins,	Flinchbaugh,	Merrell,	Simpson,
Baine,	Flynn,	Moomaw,	Sinwell,
Baker, F. T.,	Gates,	Mooney,	Sloan,
Baker, J. J.,	Gerard,	Moore,	Smith, J. A.,
Baldi,	Habbyshaw,	Moran,	Smith, W G.,
Barnhardt,	Haberlen,	Moul,	Snyder, F. E.,
Beadman,	Hagerty,	Muir,	Snyder, J. L.,
Bernhard,	Haluska,	Munley,	Sowers,
Blumberg,	Hamilton, F. P.,	Nagel,	Sproul,
Boose,	Hamilton, R. S.	Nothnagle,	Stank,
Boyd, R.,	Harkins,	O'Keefe,	Stevens,
Boyer,	Harmuth,	Ominsky,	Stewart,
Bradley,	Hartman,	O'Neill,	Sumney,
Brancato,	Hermansen,	Panton,	Surface,
Brennan,	Hetrick,	Parks,	Sweeney,
Brown, H. S.,	Hindman,	Patterson, C.,	Tahl,
Brown, J. E.,	Hirseh,	Patterson, J. W.,	Terry,
Brownfield,	Hoffner,	Pearson,	Tronzo,
Brumbaugh,	Holland,	Perry,	Trout,
Burke,	Holstrom,	Pfaff,	Tumelty,
Cannon,	Hoopes,	Phillips,	VanAllsburg,
Caputo,	Jackson,	Piole,	VanSickle,
Carson,	Jones,	Powers,	Wall,
Castor,	Kane,	Reising,	Wasserman,
Chervenak,	Kelder,	Reynolds	Weidemann,
Coakley,	Kelso,	Rhys,	Weiss,
Cochran,	Kenney,	Roan,	Welliver,
Cohen,	Kilroy,	Robinson,	Welsh,
Coleman,	Kinney,	Rooney,	Westrick,
Condon,	Klingler,	Root,	White,
Coolahan,	Kobelak,	Royer,	Wickersham,
Cooper,	LaRue,	Ruffennach,	Winner,
Cordier,	Linderman,	Sarraf,	Witkin,
Davies,	Long,	Scanlon,	Woodside,
Decker,	Longaker,	Schaeffer,	Yeakel,
Dent,	Lovett,	Schrock,	Yourishin,
Dilley,	Male,	Schrope,	Zappala,
Downey, G. E.,	Mallen,	Schwab,	Zimmerman,
Downey, J. J.,	Mason,	Serrill,	Furman,
Duffort,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative ,the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 5:00 P. M. Are there objections? The Chair hears none and declares a recess until 5:00 P. M.

AFTER RECESS

The House reconvened at 5:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

BILL SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 17.

An Act making appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action

of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act

HOUSE BILL No. 53.

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania Series "D" for the purpose of refunding redeeming and retiring said Series "D" authorizing the exchange of bonds of said Series "D" for those issued hereunder defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

HOUSE BILL No. 52.

An Act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth under certain conditions in lieu of the redemption thereof and defining the powers and duties of the Governor the Auditor General and State Treasurer and the duly authorized loan and transfer agent of the Commonwealth in relation thereto

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 6, 1936.

Whereas The cost of transportation of pupils to the school districts in Allegheny County is a matter of grave concern to its citizens and it is believed that it is far greater than the circumstances require therefore be it

Resolved (if the Senate concur) That the Public Service Commission of Pennsylvania is hereby requested to make an investigation through its existing facilities with the view of ascertaining whether n the basis of valuation and income or on any other basis the street railway companies operating in Allegheny County may be required to issue tickets for school pupils only at a rate not to exceed twenty-five cents (25c) per week

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 59

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 59, entitled:

An Act to amend sections one three four seven nine ten fourteen fifteen sixteen and eighteen and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties ob boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriations among the several counties and requiring counties coming under the provisions of the act to appropriate certain monies and providing penalties" by providing for the appointment of a board of trustees for each county and for the appointment of boards of trustees in all counties jointly by the Governor the courts of common pleas and the county commissiones prohibiting political activity by members and employes of such boards changing the qualifications of mothers eligible for assistance requiring all counties to appropriate monies for mothers' assistance except under certain circumstances providing for additional grants of State monies in lieu of appropriations by counties unable to meet State appropriations providing for cooperation by the Department of Welfare with the Federal Security Board and authorizing the Department of Welfare to cooperate with and to accept and disburse monies received from the United States government for aid to dependent children providing substitute provisions in case Federal grants for aid to dependent children shall fail for any reason

And has appointed Messrs. Reed (Dauphin), Howell ant Pytko a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

BILL ON FIRST READING

Mr. HALUSKA asked and obtained unanimous consent for House Bill No. 143 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 143 entitled:

An Act to provide revenue by prohibiting the employment of miners in the bituminous coal mines, unless certificated after examination by a miners' examining board and the payment of certain fees; providing for the appointment of such boards, and defining their powers and doties; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES

Mr. MOONEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 149, entitled:

An Act to amend an act, approved the fourth day of June, one thousand nine hundred and thirty-six (Act No. 3), entitled "An act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof," by adding thereto a new section to be known as section six and one-tenth; providing for the compensation of delinquent tax collectors, their employes and expenses for the collection of delinquent taxes in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes.

Mr. COLEMAN, from the Committee on Municipal Corporations, reported as amended, House Bill No. 118, entitled:

An Act abating accrued penalties and interest on certain delinquent taxes levied by counties, cities, boroughs, towns, townships, school districts and poor districts, where such taxes have heretofore been paid in full at face.

Mr. HAGERTY, from the Committee on Cities, reported as committed, House Bill No. 123, entitled:

An Act to provide for the public sale by cities of the first class of negotiable tax anticipation certificates representing registered delinquent taxes; and authorizing

the appropriation for current or other purposes of funds realized or estiwated to be collectible from the sale thereof.

ADJOURNMENT

Mr. COHEN. Mr. Speaker and members of the House, earlier in the day I requested the membership of this House to remain in session in an effort to pass the Brancato Bill for Mothers' Assistance and the Frey Bill for Old Age Assistance, so that those acts would conform with the Federal Social Security Act. We have been informed, and we still rely on the fact, that it will be necessary to have those bills in Washington by the twentieth of this month. The necessity of those acts being passed by this House by the twentieth is due to the fact that the Federal Social Security Administration will have to be given an opportunity to go over the acts and analyze them and see that they conform with the Federal Social Security Act, so that we will be in a position by June 30th to have our plans and our bills approved by the Social Security Administration and thus participate in these benefits.

However, the Senate has adjourned and it would be useless for us to stay here, due to the fact that the Frey Bill requires a message to the Senate informing them that we have passed that bill without any amendments on our part, and in view of the fact that the conference committee report must be presented both to the House and to the Senate for approval. Consequently there is now nothing that this House can do except to adjourn, but I do feel that the membership should be complimented on their diligence in staying around, in an effort to do something that is necessary.

I, therefore, move that this House do now adjourn until Monday, June 22, 1936, at 9:00 o'clock P. M.

The motion was agreed to, and (at 6:01 P. M.) the House adjourned until Monday, June 22, 1936, at 9:00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., MONDAY, JUNE 22, 1936. No. 22.

SENATE

MONDAY, JUNE 22, 1936

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Our Father in Heaven, when Thy servant David sinned against Thee he returned to Thy side, acknowledged his guilt, received Thy forgiveness and anew experienced the joy of Thy salvation. We, too, have transgressed Thy law and disregarded our obligations to Thee and to one another. Like David may we confess our misdoings and exclaim "Against Thee and Thee only have I sinned and done this evil in Thy sight." None of us can hold up clean hands before Thee. We have all sinned and come short of the glory of God. May two facts stand out before our minds: the fact of sin and the fact of love. The sin is ours—the love is Thine. Because of Thy love forgive our sins. The law of Divine love will solve all problems perplexing the world and bring all factions in state and church together in harmonious union.

May this law rule all our hearts forever more. We ask it in the name of Thy Son. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARVEY asked and obtained leave of absence for the Senator from Luzerne, Mr. Sordoni.

Mr. ARON asked and obtained leave of absence for the Senator from Indiana, Mr. Bennett.

COMMUNICATIONS FROM THE STATE TREASURER

The Chair cleared his table and laid before the Senate the following communication:

Commonwealth of Pennsylvania,
Office of Sate Treasurer, Harrisburg, June 17, 1936

Honorable John G. Homsher
President Pro Tem of the Senate
Harrisburg, Pennsylvania.

Dear Mr. President:

I am in receipt of a copy of the Resolution adopted by the Senate June 17, 1936, requesting the State Treasurer to furnish information to the Senate setting forth the reasons why payments to State-aided Hospitals are not being made as contemplated by the Legislature when the appropriation to such hospitals were made.

I have the honor to advise the Senate, in this connection, that these appropriations have not been paid for the reason that they fall within he classification of non-preferred appropriations, as laid down by the Supreme Court of the Commonwealth of Pennsylvania, in the case of Commonwealth vs. Liveright, et al., 308 Pa. 35.

In that case the Court held that it was the duty of the fiscal officers to safeguard the ordinary current monthly expenses of government, as preferred appropriations, to be paid prior to those of the non-preferred class, which includes payments to State-aided institutions.

The need, particularly in the case of the hospitals, is acute, and I have on several occasions pointed out the condition of the General Fund, which has made it impossible to pay these appropriations. For some months past we have been unable to meet the requisitions on the General Fund for the payment of preferred obligations, with some $4,901,660 still due the common schools, not to mention many other preferred obligations due and unpaid.

Our situation was intensified this month by the necessity of setting aside $3,000,000,000 of Sinking Fund requirements in connection with the sale last year of 50 million Tax Anticipation Notes. In order to meet this payment and our payroll of June 15th just passed, it was necessary for some weeks to hold up payment of all bills then in the Treasury.

It appears that we will close business on June 30, 1936, with approximately $10,000,000,000 of unpaid bills in the Treasury, plus the other obligations of the General Fund represented by the transfer to it of some $20,000,000 from Special funds of the Commonwealth.

Therefore, under the law, and until such time as the Treasury Department has reasonable assurance of sufficient moneys to meet our preferred appropriations, it is the clear duty of the Treasury Department to safeguard the ordinary current monthly expenses of government. If funds become available no difficulty will be experienced, since no requisitions remain in the Treasury Department more than a few hours, when funds are available for the payment of the same.

Very truly yours,

CHARLES A. WATERS,
State Treasurer.

Commonwealth of Pennsylvania,
Office of State Treasurer, Harrisburg, June 22, 1936.

Honorable John G. Homsher
President Pro Tem of the Senate
Harrisburg, Pennsylvania.

Dear Mr. President:

Under date of June 17, 1936, I submitted to you the information requested in the Resolution of the Senate of the same day, with respect to payment to State-aided hospitals.

Subsequently, on June 19 1936, on requisition of the Governor, a transfer of $1,000,000 was made from the State Stores Fund to the General Fund for the purpose of making available sufficient funds to pay the State-aided

hospitals and homes. The Treasury Department has accordingly paid the February quarter due the State-aided hospitals and homes, leaving unpaid for the February quarter the payments due State-aided colleges and other miscellaneous institutions.

The payments on account of the above transfer amounted to approximately $730,000, and we now have due the May quarter for all institutions, in addition to the money due State-aided colleges and miscellaneous institutions on the February quarter.

Very truly yours,

CHARLES A. WATERS,
State Treasurer.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 22, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

ALLEGHENY COUNTY

Miss Madolyn Hoover, Pittsburgh, June 27, 1936.
Chas. F. Schisano, Pittsburgh, June 27, 1936.
James H. Cunningham, Pittsburgh, July 6, 1936.

BEAVER COUNTY

L. H. Henning, Koppel July 5, 1936.

BUCKS COUNTY

Mrs. Starling B. Conroy, Doylestown, July 7, 1936.

CAMBRIA COUNTY

Miss Edna M. Walker, Johnstown, June 27, 1936.

CENTRE COUNTY

A. L. Francis, Bellefonte, June 27, 1936.

DAUPHIN COUNTY

George D. Fry, Harrisburg, June 27, 1936.

HUNTINGDON COUNTY

Charles A. Bauer, Huntingdon, June 27, 1936.

JEFFERSON COUNTY

B. L. Shobert, Sykesville, June 27, 1936.

LACKAWANNA COUNTY

Frank Chipak, Scranton, June 27, 1936.
Louis M. Marcus, Scranton, June 27, 1936.
Daniel H. Jenkins, Scranton, July 6, 1936.

LANCASTER COUNTY

H. S. Risser, Elizabethtown, June 27, 1936.

LEHIGH COUNTY

Miss Fay Seaman, Allentown, June 27, 1936.
O. R. Bittner, Allentown, July 6, 1936.

LYCOMING COUNTY

Norman A. Norrito, Williamsport, June 27, 1936.

MERCER COUNTY

Royal J. Morrison, Stoneboro, June 27, 1936.

McKEAN COUNTY

Mrs. Rita D. Quirk, Smethport, July 6, 1936.

NORTHAMPTON COUNTY

Herbert Freeman, Bangor, July 6, 1936.

PHILADELPHIA COUNTY

Paul G. Bottolfsen, Philadelphia, June 27, 1936.
Miss Frances E. H. Graham, Philadelphia, June 27, 19036.
James E. Mason, Philadelphia, June 27, 1936.
Leon F. O'Neill, Philadelphia, June 27, 1936.
Miss Else W. Rennert, Philadelphia, June 27, 1936.
David Tonkin, Philadelphia, June 27, 1936.
Jackson Wheatley, Philadelphia, June 27, 1936.
A. H. Beary, Philadelphia, July 6, 1936.
Jesse E. Royno, Philadelphia, July 6, 1936.
Miss Elizabeth A. Schenkel, Philadelphia, July 6, 1936.

TIOGA COUNTY

Virgil F. Bowyer, Wellsboro, June 27, 1936.
Justus H. Haun, Wellsboro, June 27, 1936.
H. G. Hedstrom, Wellsboro, June 27, 1936.
E. R. Seifert, Wellsboro, June 27, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 22, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation.

ALLEGHENY COUNTY

George A. Briggs, Jr., McKeesport.
Ralph Graham, Coraopolis.
Miss Dorothy J. Kimmel, Emsworth.
J. S. Rockwell, Elizabeth.
John A. Schatz, Bellevue.

CARBON COUNTY

Mrs. Laura M. Diehl, Palmerton.
Kenneth H. Seaboldt, Lehighton.

FAYETTE COUNTY

Sam H. Shagam, Masontown.

INDIANA COUNTY

George Marcus, Indiana.

LUZERNE COUNTY

Miss Elizabeth J. Homan, Wilkes-Barre.

MONROE COUNTY

Chester A. Coleman, Stroudsburg.

SCHUYLKILL COUNTY

A. F. Bredickas, Pottsville.

SNYDER COUNTY

Warren F. Groce, Selinsgrove.

WASHINGTON COUNTY

Mrs. Gwendolyn M. Curley, Charleroi.

GEORGE H. EARLE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 22, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to hereby nominate for the advice and consent of the Senate John A. Bower, of Aaronsburg, Centre County, for appointment as Justice of the Peace in the Township of Haines, Centre County, until the first Monday in January, 1938, to compute from the date of confirmation.

GEORGE H. EARLE.

MEMBERS OF THE BOARD OF TRUSTEES OF THE EASTERN STATE PENITENTIARY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 22, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Vincent Henderson, of 517 Widener Building, Philadelphia, Philadelphia County, for appointment as a member of the Board of Trustees of the Eastern State Penitentiary, vice Dr. George E. Walk, of Philadelphia, resigned, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

James L. Shields, of 116 Chestnut St., Philadelphia, Philadelphia County, for appointment as a member of the Board of Trustees of the Eastern State Penitentiary, vice Dr. Guy T. Holcombe, of Oxford, whose term expired, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

GEORGE H. EARLE.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 17, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

House Bill No. 53, entitled:

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania Series "D" for the purpose of refunding redeeming and retiring said Series "D" authorizing the exchange of bonds of said Series "D" for those issued hereunder defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

House Bill No. 52, entitled:

An Act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth, under certain conditions, in lieu of the redemption thereof; and defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the duly authorized loan and transfer agent of the Commonwealth in relation thereto.

Whereupon,

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the presence of the Senate, signed the same.

FELICITATIONS TO SENATOR WOODWARD IN HONOR OF HIS BIRTHDAY ANNIVERSARY.

Mr. GELDER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, June 22, 1936.

Resolved, That the congratulations of the Senate of Pennsylvania are extended to the distinguished Senator from Philadelphia, George Woodward, upon the attainment of another birthday anniversary and that the Senate with its best wishes hopes that he will enjoy many similar happy occasions.

RESOLUTION REQUESTING INFORMATION FROM BUDGET SECRETARY RELATIVE TO THE PER DIEM EMPLOYES.

Mr. REED (Dauphin) offered the following resolution, which was twice read:

In the Senate, June 22, 1936.

Whereas, It is common report that numerous persons have been appointed to positions in various departments of the State Government under the Governor on a per diem basis and are now enjoying such employment on such a basis and that many of these per diem employes have been connected with the State Government service for months, and

Whereas, It is to the best interest of the people of Pennsylvania that such a practice should cease and that employes now on a per diem basis either should be placed on regular salary or dismissed, therefore be it

Resolved, By the Senate of Pennsylvania, that the Budget Secretary is hereby requested to inform the Senate at the earliest possible moment the number, names and addresses of persons on the payrolls on June 15, 1936, on the per diem basis and the amount of such per diem pay according to the departments in which such persons are employed, and be it further

Resolved, That it is the opinion of the Senate of Pennsylvania that employment of persons on a per diem basis, except in the case of emergency, should be discontinued as speedily as possible.

Mr. REED (Dauphin). Mr. President, I ask unanimous consent that Rule 39 which requires resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the Resolution just read.

The PRESIDENT. Is there objection?

Mr. ROBERTS. Mr. President, I object. The Chair hears objection.

POINT OF ORDER

Mr. BUCKMAN. Mr. President, under the rules, this being a resolution requesting information from a Department of the State Government, it is privileged and is entitled to immediate consideration without the ordinary reference to Committee.

The PRESIDENT. The Chair disagrees with the Senator from Bucks, Mr. Buckman, as it not only seeks information, but it also condemns the practice upon which it seeks information.

Mr. HUFFMAN. Mr. President, I move that the resolution be referred to the Committee on Judiciary General.

Mr. GELDER. Mr. President, I second the motion.

The motion is agreed to.

TIME OF NEXT MEETING

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, June 22 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, June twenty-ninth at 9:00 o'clock Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene on Monday evening, June twenty-ninth at 9:00 o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 37 (House Bill No. 45), entitled:

An Act validating certain proceedings and elections of political sub-divisions had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harvey,	Prince,	Salus,
Batchelor,	Homsher,	Pytko,	Scott,
Baumer,	Howell,	Rankin,	Shapiro,
Bean,	Huffman,	Reed,	Sones,
Buckman,	Kahle,	(Dauphin)	Staudenmeier,
Cavalcante,	Lanius,	Reed,	Thompson,
Chapman,	Law,	(Washington)	(Centre)
Coyne,	Mallery,	Rice,	Thompson,
Ealy,	McClure,	Roberts,	(Westmoreland)
Frey,	McCreesh,	Rodgers,	Trainer,
Gelder,	McGinnis,	Rupp,	Woodward,
Graff,	Owlett,	Ruth,	Ziesenheim,
Harris,	Pierson,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 80 (House Bill No. 110), entitled:

An Act providing that no person shall be denied refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harvey,	Prince,	Salus,
Batchelor,	Homsher,	Pytko,	Scott,
Baumer,	Howell,	Rankin,	Shapiro,
Bean,	Huffman,	Reed,	Sones,
Buckman,	Kahle,	(Dauphin)	Staudenmeier,
Cavalcante,	Lanius,	Reed,	Thompson,
Chapman,	Law,	(Washington)	(Centre)
Coyne,	Mallery,	Rice,	Thompson,
Ealy,	McClure,	Roberts,	(Westmoreland)
Frey,	McCreesh,	Rodgers,	Trainer,
Gelder,	McGinnis,	Rupp,	Woodward,
Graff,	Owlett,	Ruth,	Ziesenheim,
Harris,	Pierson,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECESS

Mr. HOMSHER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

QUESTION OF PERSONAL PRIVILEGE

Mr. McCLURE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Delaware, Mr. McClure, will state his question of personal privilege.

Mr. McCLURE. Mr. President, at the session last Monday night, I made the announcement that there will be a meeting of the Finance Committee this Monday afternoon at three o'clock. The meeting was held and it was decided unanimously by the Committee that all bills be postponed for the present and until such time as a subcommittee of the Committee on Finance could arrive at the amount of revenue necessary to be provided at this Session of the Legislature.

QUESTION OF PERSONAL PRIVILEGE

Mr. BEAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Montgomery will state his question of personal privilege.

Mr. BEAN. Mr. President, I see by the newspapers today that another Democrat—a 100 per cent. New Dealer on the Federal payroll—has taken a walk. He has taken a walk from Governor's Earle's inflated $55,000,000 direct relief tax program—the one that was $70,000,000, until it was cut down because the Republican majority of this Senate refused to let it pass.

The Democrat I refer to is Mr. Edward N. Jones, State WPA Administrator, close associate of the Governor and the very right arm of Senator Joseph F. Guffey.

Even Mr. Jones has finally renounced the relief program

which the Democrats have been trying to force upon the people.

He frankly and openly admitted that the Republican leadership of the Legislature has been justified from the beginning in fighting the Governor's relief estimates. He admits we never needed any $70,000,000 in new taxes and that we don't need $55,000,000 today.

He admitted—what the Republican majority in this Senate has maintained from the very first—that the 175,000 cases on direct relief in Pennsylvania should not be there. He admitted that "in a very short time"—I quote his words "in a very short time"—WPA could take all of the employables from the direct relief rolls and leave only the 22,000 cases of unemployables.

Let me quote in some detail from Mr. Jones's statement because it is the best support of the Republican position that has been made so far. And, because it comes from Mr. Jones, no one can cry it down as a mere Republican defense or alibi.

I quote this from Mr. Jones:

"Had SERB cooperated with WPA, there could have been effected a better distribution of WPA employment which would have been reflected in the reduced cost of direct relief.

"The direct relief rolls in Pennsylvania can be substantially reduced and even cleared of all except the unemployables in a very short time, if there were some State organization that would conscientiously cooperate with WPA."

Do you hear that?—"The direct relief rolls in Pennsylvania can be substantially reduced and even cleared of all except the unemployables, in a very short time."

From the first, the Republican majority in this Senate has been insisting that this very thing could be done, that it should be done. We have pointed out that, as soon as it was done, the State's direct relief burden would fall to almost nothing and that we would not need $70,000,000 in new taxes. No, nor $55,000,000, nor half of that sum.

And what happened?

Democratic members of this chamber took the floor on points of special privilege to charge that, because we were trying to save the taxpayers from unnecessary new burdens, we were vicious, heartless monsters.

The Democratic House assailed us. Democratic spokesmen rose all over the State to shout that we were keeping bread from the mouths of the needy. Democratic newspapers took up these hysterical, unfair cries.

Yes, even the Governor of Pennsylvania attempted to lay the blame upon the Republican Senate majority for what he described as wrecking his greatly needed relief program.

And now Mr. Jones—your Mr. Jones, the Democratic Party's Mr. Jones, Senator Guffey's Mr. Jones and Governor Earle's Mr. Jones—Mr. Jones, the WPA Administrator, high federal employe and New Dealer, comes forword to state: (I quote him again)

"The direct relief rolls in Pennsylvania can be substantially reduced and even cleared of all except the unemployables in a very short time". That is from a New Dealer who knows.

And Mr. Jones is so obviously anxious for this Legislature—which is considering the Governor's relief program—to know that this Earle-demanded appropriation is unnecessary, that he has sent a copy of his statement to every member of the General Assembly of Pennsylvania.

Of course, because Mr. Jones is a strong Democratic partisan—he didn't stop there. He went on to try to blame the Republican Party because the Democratic Federal Administration and the Democratic State Administration have not done their promised job of removing the employable jobless from the direct relief rolls to WPA.

He went on to claim that the Republican Party controls the State Relief Board and that (I quote him again) "sabotage and non-cooperation" by this SERB are responsible for the failure to transfer about 150,000 cases from direct relief to WPA.

It is a strenuous effort that Mr. Jones has made to blame the failure of WPA upon the Republican majority of the Senate.

He has certainly done the very best he could for the Democratic Party. But it isn't very convincing to anybody—least of all to the taxpayers upon whom the Democrats attempted to foist $70,000,000 in new, unnecessary relief taxes.

I think there are a few things to be cleared up here.

First and foremost, if the direct relief rolls can be cleared of all but the unemployables "in a very short time"—and I agree with Mr. Jones that they can be and should be—then why have not efforts been made to clear them.

I am certain that Mr. Jones and Governor Earle are on speaking terms. In fact, I would venture to say that they are quite friendly and that, if Mr. Jones knew something as important as the way to clear the relief rolls, speedily—"in a very short time"—of some 150,000 cases, he probably took the matter up right away with Governor Earle.

There can be no doubt that he took this matter up with Governor Earle at least two months ago—before this Special Session of the Legislature convened. I think we have a right to know why the Governor suppressed this information and why the Governor failed to bring about cooperation between his State Emergency Relief Board and the Federal WPA.

Why didn't the Governor, at that time, do something about removing these 150,000 employables cases from direct relief? Why, instead, did he try to foist $70,000,000 in new taxes upon the people of Pennsylvania?

Why does the Democratic Party want $70,000,000 when its leaders know the amount is not really needed for relief?

Why did the Democratic leadership of the House, which must also have known the truth from Mr. Jones, go ahead and steamroller through the Governor's relief program? Why didn't these Democratic leaders try to save the taxpayers unnecessary expense by working toward the smooth coordination between SERB and WPA which would have removed some 150,000 from the relief rolls?

And, getting close to home, why didn't the Democratic leaders of this Senate take steps to save this money for the taxpayers when it could have been done—as Mr. Jones points out—"by some State organization which would conscientiously cooperate with WPA"?

I fear there is something going on underground in the Democratic leadership—there is something very wrong, when this leadership will conceal information such as Mr. Jones has just made public, and when this leadership will attempt to gouge the people of $70,000,000 in new taxes.

In striking contrast, I must point out the record of the Republican majority in the Senate.

Had the Senate followed the lead of Governor Earle and the Democratic legislators, there would have been a short relief session in which $70,000,000 in new taxes would have been loaded upon the backs of our citizens. There would have been no reduction to $55,000,000. There would have been no 30,000 new WPA jobs. And, most important, Mr. Jones probably never would have revealed the true conditions—that "the direct relief rolls in Pennsylvania can be substantially reduced and even cleared of all except the unemployables, in a very short time."

But the Republican majority demanded the facts.

And now, finally, we are getting them.

QUESTION OF PERSONAL PRIVILEGE

Mr. HUFFMAN. Mr. President, rise to a question of personal privilege.

The PRESIDENT. The Senator from Monroe, Mr. Huffman, will state his question of personal privilege.

Mr. HUFFMAN. Mr. President, I had hoped that further discussion of the relief matter would have been avoided here tonight because some progress has been made towards settling the question. I do want to point out, however, just at this time, the fact that Mr. Jones does say many other things that have not been quoted, that there are 175,000 cases in Pennsylvania on the relief roll, 600,000 people, and the Senator from Montgomery does not point out how these 600,000 people are to be taken care of except as they are being taken care of now. It is well enough to say that these people could have been taken care of had they been put on the WPA, but after all we have a condition here to meet, and that condition is the relief situation in Pennsylvania, the relief set-up, and had the Senator quoted further he would have said that Mr. Jones stated that as a matter of fact the controversy, while it does involve the Democratic Party, literally it is a battle between two Republican subsidiaries of big business of Pennsylvania. On the one hand we have the Republican Senatorial bloc representing the utilities and manufacturing corporations and the great gasoline trusts fighting any and all kinds of relief taxes, and on the other hand the Republican controlled direct relief organization striving to hold together its army of social workers, with which it expects to take over all welfare and unemployment insurance and other State relief activities.

That is the situation we have in the State. Governor Earle's administration came in with the relief situation in the hands of the Republican Party,—it is still there—the head of this relief organization in Pennsylvania is Republican, his predecessors were Republican, and as has been said by Mr. Jones in the same speech, "the State Emergency Relief Administration was created by a Republican Governor and has always been under the direction of a Republican administrator; second, on all local relief boards the majority of members are Republican; third, a majority of the district directors are Republican in Pennsylvania, and, fourth, the entire SERA has consistently opposed" President Roosevelt's policy of relief as against the dole.

That is the situation we have in Pennsylvania, and had the Governor relieved this Republican head and put a Democrat in his place, undoubtedly here tonight we would have been charged with having a Democratic set-up, a political set-up. After all, we have on our side of the House here to battle with the Republican set-up in the relief organization in Pennsylvania, and it is that organization which I understand Mr. Jones is attacking. It is true, and he does say, had he received cooperation from that organization he could have taken over a great many of these people, and in due time perhaps all of them, but he does say at the same moment that there are at the present time 600,000 people in Pennsylvania who are in need of support, and it does seem to me that it does not come with good grace that after having been here for two months and nothing having been done by the Republican side of this Senate, and no real effort having been made to raise any money except $7,000,000, that it does not come with good grace, it seems to me, from them, when after all they control this situation—they control this set-up in every county in Pennsylvania—to say that now we need no money because Mr. Jones in another Department says that we do not have to have the sum that is desired. Had this Republican Senate proceeded to the appointment of the committee that was asked for by the Governor to meet jointly with a committee of the House, and a meeting of the committee had last week, it seems to me some progress would have been made towards relieving the situation. The Senate did not see fit to do that, but rather to come back this week and proceed along the same lines. The only new thing we do have as I see it tonight, is the statement made by Mr. Jones,—we have no more facts before us—plus the statement made by Mr. McClure, from Delaware, that a joint committee has been appointed for the purpose of studying the situation to determine the amount of money necessary and how to raise the money. It seems to me that if the two sides will cooperate in working out or in support of the committee appointed by the Finance Committee, we can arrive at a conclusion with respect to the kind of taxes we need to impose here and the amount that is necessary.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, the Republican members of the Senate seem to be more familiar with Mr. Jones than I. A few weeks ago they were calling him "Eddie," but tonight "Mr. Jones." I noticed last week and the week before there was rather a harsh tone used toward Mr. Jones; anything he said was not accepted, his statements were bandied about here in the Senate as if "Eddie"—as they called him—was a high-binder and had no business in the State. Tonight the Senator from Montgomery, Mr. Bean, is rather anxious and willing to make his political position that of Mr. Jones's. He says to-night that Mr. Jones knows.

There is only one way to prove whether these statements tonight are made for political purposes or are made in sincerity. I suggest to the Republican members, if they believe sincerely the statements Mr. Jones made, if they feel these statements were made by him after careful consideration of all the facts, that, first of all, they made a mistake in spending the money of the State of Pennsylvania for the months of May and June; they should be charged with having been spendthrifts—they having, in their resolution, recited, "Whereas there is necessary for the month of June $4,063,000, we, the Republican Senators, pledge ourselves to pass legislation." And the people of Pennsylvania should charge them

with the $4,000,000 they unnecessarily spent last month. They should also charge them with the $3,000,000 they unnecessarily permitted them to spend in the month of May.

And they should go further, and I challenge them to do it,—and that is, to take the position now that Mr. Jones's statement,—take it literally as they are doing now—means that no more money is needed in Pennsylvania for relief. And they can pass a resolution—they certainly know how to draw and pass them; they have the majority vote—in which they would say, "Resolved, That it is the sense of this Senate that there is no more money needed for relief; and we, the Republican Senators, place ourselves on record that we will not vote one penny for relief." If they believe that statement of Mr. Jones's, then that is the position they should take, consistently. I say they have not the courage to do it, because they do not believe the statement.

There are men here from Luzerne County, one county, who know that in Luzerne County there are 8,000 cases today that under no circumstances could be taken over by WPA,—because there are no projects in that county; and I cannot help what Mr. Jones said when he wrote that statement,—I am not interested in statements but in facts.

The Republican Senators have, for two-and-a-half months, been saying we do not need $70,000,000. I never said we did; I said there is evidence that $70,000,000 might be necessary; and I have said before, and I repeat again, I am prepared to vote, upon any statements that are based upon facts, for any amount that the Republican Senators will be good enough to give to the citizens of Pennsylvania who need help; and if these Republican Senators have known so much about the facts, and have been investigating, for two months, how much money is necessary, how much will they give? Do they believe that nothing is necessary? Then they should have the courage of their convictions, and stand guard, as they say they are, for the people of Pennsylvania, and place themselves on record.

This is nothing more than mere talk again. We have had it for two months, and will have it for two months more unless these gentlemen come down to an honest and real search, and decision on the matter. There are people in Pennsylvania who need help,—how many I do not know; the figures are set at 175,000. If these gentlemen can cut the figures down, and have the facts, let them produce them.

If the Republican Senators believe the statements they have made, then I challenge them to act on them, and show they have the courage of their convictions—or show they are convictions—and place themselves on record and say, "We will not vote any money." Then we can go home, and they can take the responsibility.

QUESTION OF PERSONAL PRIVILEGE

Mr. THOMPSON (Centre). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Centre, Mr. Thompson, will state his question of personal privilege.

Mr. THOMPSON (Centre). Last year, at the regular session of the Legislature, the Legislature made and the Governor approved a special appropriation of $50,000.00 to the Department of Mineral Industries in Pennsylvania State College. I think if we were cognizant of the work that has been done in research exploitation of Pennsylvania's mineral resources by this Department with this very meager appropriation, that we would all feel proud of the opportunity, for the first time in the history of this State, of having to vote for money to carry out such research.

I have before me a progress report of the expenditure of the major portion of these funds for the first year of the biennium, together with a brief summary of the work that has been done by the expenditure of these funds, and I would ask unanimous consent, Mr. President, that the report of the expenditure of this appropriation be incorporated in the Journal of the Senate.

The PRESIDENT. Does that pertain to State College?

Mr. THOMPSON (Centre). Mr. President, it does.

The PRESIDENT. Is there objection to this report being inserted in the Journal? The Chair hears none.

The report will be printed in the Journal.

PROGRESS REPORT ON COOPERATIVE MINERAL INDUSTRIES RESEARCH PROGRAM UNDER A SPECIAL APPROPRIATION OF THE STATE LEGISLATURE FOR THE BIENNIUM 1935-1937

The 1935 General Assembly of Pennsylvania enacted Senate Bill 1382 making an appropriation of $150,000 to the trustees of The Pennsylvania State College for the specific use of the School of Mineral Industries during the biennium 1935-1937. The Bill was approved in part by the Governor on July 22, 1935. The only item allowed was Part IV in the bill, appropriating the sum of $50,000 for mineral industries research during the biennium or such fraction thereof as may be required to match moneys received from industry for the same purpose.

During the first year of the biennium, research contributions amounting to $38,382.92 have been received from or pledged by industry. The balance of the $50,000 will be over-subscribed during the second year. The distribution of contributions to date is as follows:

Coal	$14,399.29
Petroleum	7,928.34
Natural Gas	2,786.52
Ceramics	9,100.00
Metallurgy	2,479.87
Miscellaneous	1,638.90
Total	$38,382.92

Five associations, representing the coal, petroleum and natural gas industries and fifteen individual companies are participating in the work.

The cooperative research program has been eminently successful. Substantial progress has been made in the fields of ceramics, fuel technology, metallurgy, mining and geophysics, and petroleum production.

Certain groups in industry are calling upon the School more and more for research and advice on technical problems.

Relations with the cooperating groups always have been cordial and have accomplished two very important results. In the first place, the research grants have enabled the School to render a greater service to the Commonwealth than would otherwise have been possible with the meager research funds available. In the second place, through meetings and research conferences, many industrial leaders have been brought to a sounder appreciation of just what constitutes research and what results may be expected from it.

Pennsylvania, although but thirty-second in size among the states, ranks second in population, wealth, and productive industry. This position is due largely to her mineral industries, a fact so well known as hardly to warrant repetition. However, a few figures may not be amiss.

In 1928 the capital investment in primary mineral industries in Pennsylvania was $2,780,000,000, 41 per cent of the total investment in productive industries.

In 1929 the value of the annual production of the primary mineral industries was over $1,700,000,000.

In 1929 more than 610,000 productive workers were employed in the primary mineral industries of which approximately 300,000 were engaged in coal mining. The dominance of these industries in Pennsylvania extends far beyond the industries themselves. The products of the processing plants are raw materials for many other industries. Some of these make machinery to be used in mining and processing minerals and hence are doubly tied to the mineral industries. Scarcely less dependent are certain types of manufacturing plants, such as the silk mills of the anthracite region, which rely upon the excess of female labor available in mineral industries regions.

However, the influence of these industries in Pennsylvania is by no means limited to mining and manufacturing. Railways depend upon coal for their power, while minerals constitute over three-fourths of their tonnage. Agriculture is affected because the workers in mineral industries constitute a large consuming element of the State's population. Wholesale and retail trade are similarly affected, and so is nearly every other economic activity. Mineral industries are the heart of Pennsylvania's economic development.

Attention is called to the rapid increase in mineral use in the World, and, particularly, in the United States, within the past several decades. This increase has been markedly less within the last five years and there are indications that the rate of increase will, even after the present depression is over, continue less than it formerly was. The alarming factor in this trend is that Pennsylvania's proportion of the United States total for many of the mineral industries is decreasing. and with the decrease is also going the wealth of the State. A comparison of the 1919 and 1929 figures for value created by the principal mining and primary mineral processing industries represented in the State is illuminating in ths regard. In the period referred to the value created by this group of industries in Pennsylvania declined about 5 per cent.; the value created by this same group of industries in the United States as a whole increased about 26 per cent. The State is apparently suffering more of a decline in its mineral industries than is the nation as a whole, and this decline is going on in almost every one of the State's mineral industries, excepting perhaps ceramics.

Since Pennsylvania depends extensively upon her mineral industries, the fact that she is losing ground in her relative importance in these industries in the United States is a serious matter. Without her mineral industries Pennsylvania would be but a minor state, since there would be little reason for the development of other manufacturing industries, and since much of the State's area is unsuited both by topography and by soil for the development of high-grade agriculture. It seems clear, therefore, that attention should be focused on the mineral industries, and that they should be accorded the treatment which their importance to the State justifies.

The Commonwealth is paying the penalty of pioneering. With many of her mineral resources the higher quality and more easily recoverable deposits are being depleted. In order to maintain her position she must make up in inventive genius and intelligence of operation what she is lacking in natural advantage. Research is, therefore, imperative.

Additional funds are urgently needed for many fundamental research problems that are of paramount economic importance to Pennsylvania. Among these are such long range projects as involve ultimate recovering of more petroleum from the ground, hydrogenation of coal to increase its sphere of utilization, deformation of metals at high temperatures, benefication of iron ores and clays, study of building stones and slates; and search for new, deep seated deposits of useful ores by the new methods of geophysical prospecting. Research of this character will aid future planning and should lead to new industries.

As pointed out before, the natural mineral resources are the basis for Pennsylvania's present prominent position in the industrial world. Enough of these resources are still left, if they are properly utilized, to insure the State's maintenance of a leading position for many years. How many years she will maintain this position, or how much actual prosperity Pennsylvania will derive from her natural gifts, are matters which lie in the hands of her people.

REPORTS FROM COMMITTEES

Mr. BATCHELOR. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BATCHELOR, from the Committee on Education reported as amended, the following resolution:

In the Senate, June 2, 1936.

Whereas, Reports have reached members of the Senate that active attempts are being made to interfere with the orderly management of educational institutions which have been receiving financial assistance from the people of this Commonwealth and which have been striving to stamp out radicalism and the teaching of dangerous and un-American doctrines notably the Indiana State Teachers College and

Whereas, These attempts are construed as merely the beginning of systematic efforts to debauch the educational system of Pennsylvania long distinguished for attainments made possible by complete freedom form political restraint and

Whereas, The selection of executive instructors teachers and employes of State Teachers Colleges of this Commonwealth has from the very beginning been free from partisan political consideration to the great benefit of the educational system and

Whereas, Dictation of the appointment of members of a faculty of a State Teachers College is only one step from dictation of what shall be taught bringing forcibly to the attention of every resident of Pennsylvania a threatened menace to the free public school system heretofore so sacredly safeguarded therefore be it

Resolved, by the Senate of Pennsylvania that the President Pro Tempore shall appoint a sub-committee of five members of the Committee of Education who are hereby directed to conduct immediately a searching investigation of the situation in order that members of the Senate may be informed of the truth of the reports and the extent and character of the abuses alleged and be it further

Resolved, that the sub-committee of the Committee on Education shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before it and to answer such questions touching matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee Any person who shall willfully neglect or refuse to testify before said committee or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases, be it further

Resolved, That the sub-committee of the Committee on Education shall report as speedily as possible to the Senate now in Extraordinary Session the result of its inquiry

Mr. BUCKMAN. Mr. President, in order that the resolution may be intelligently considered by the Senate, I ask that it take the regular course provided by the rules and lie over for a day, and I further move that it be printed for the use of the Senate as amended.

The PRESIDENT. The resolution will lie over for a day and if there is no objection it will be printed for the information of the Senate. The Chair hears no objection.

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objecton? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations, reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 22, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

ALLEGHENY COUNTY

Miss Madolyn Hoover, Pittsburgh, June 27, 1936.
Chas. F. Schisano, Pittsburgh, June 27, 1936.

CAMBRIA COUNTY

Miss Edna M. Walker, Johnstown, June 27, 1936.

CENTRE COUNTY

A. L. Francis, Bellefonte, June 27, 1936.

DAUPHIN COUNTY

George D. Fry, Harrisburg, June 27, 1936.

HUNTINGDON COUNTY

Charles A. Bauer, Huntingdon, June 27, 1936.

JEFFERSON COUNTY

B. L. Shobert, Sykesville, June 27, 1936.

LACKAWANNA COUNTY

Frank Chipak, Scranton, June 27, 1936.
Louis M. Marcus, Scranton, June 27, 1936.

LANCASTER COUNTY

H. S. Risser, Elizabethtown, June 27, 1936.

LEHIGH COUNTY

Miss Fay Seaman, Allentown, June 27, 1936.

LYCOMING COUNTY

Norman A. Norrito, Williamsport, June 27, 1936.

MERCER COUNTY

Royal J. Morrison, Stoneboro, June 27, 1936.

PHILADELPHIA COUNTY

Paul G. Bottolfsen, Philadelphia, June 27, 1936.
Miss Frances E. H. Graham, Philadelphia, June 27, 1936.
James E. Mason, Philadelphia, June 27, 1936.
Leon F. O'Neill, Philadelphia, June 27, 1936.
Miss Else W. Rennert, Philadelphia, June 27, 1936.
David Tonkin, Philadelphia, June 27, 1936.
Jackson Wheatley, Philadelphia, June 27, 1936.

TIOGA COUNTY

Virgil F. Bowyer, Wellsboro, June 27, 1936.
Justus H. Haun, Wellsboro, June 27, 1936.
H. G. Hedstrom, Wellsboro, June 27, 1936.
E. R. Seifert, Wellsboro, June 27, 1936.

BEAVER COUNTY

L. H. Hennig, Koppel, July 5, 1936.

ALLEGHENY COUNTY

James H. Cunningham, Pittsburgh, July 6, 1936.

LACKAWANNA COUNTY

Daniel H. Jenkins, Scranton, July 6, 1936.

LEHIGH COUNTY

O. R. Bittner, Allentown, July 6, 1936.

McKEAN COUNTY

Mrs. Rita D. Quirk, Smethport, July 6, 1936.

NORTHAMPTON COUNTY

Herbert Freeman, Bangor, July 6, 1936.

PHILADELPHIA COUNTY

A. H. Beary, Philadelphia, July 6, 1936.
Jesse E. Rovno, Philadelphia, July 6, 1936.
Miss Elizabeth A. Schenkel, Philadelphia, July 6, 1936.

BUCKS COUNTY

Mrs. Starling B. Conroy, Doylestown, July 7, 1936.

GEORGE H. EARLE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 22, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

George A. Briggs, Jr., McKeesport.
Ralph Graham, Coraopolis.
Miss Dorothy J. Kimmel, Emsworth.
J. S. Rockwell, Elizabeth.
John A. Schatz, Bellevue.

CARBON COUNTY

Mrs. Laura M. Diehl, Palmerton.
Kenneth H. Seaboldt, Lehighton.

FAYETTE COUNTY

Sam H. Shagam, Masontown.

INDIANA COUNTY

George Marcus, Indiana.

LUZERNE COUNTY

Miss Elizabeth J. Homan, Wilkes-Barre.

MONROE COUNTY

Chester A. Coleman, Stroudsburg.

SCHUYLKILL COUNTY

A. F. Bredickas, Pottsville.

SNYDER COUNTY

Warren F. Groce, Selinsgrove.

WASHINGTON COUNTY

Mrs. Gwendolyn M. Curley, Charleroi.

GEORGE H. EARLE,

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations:

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harvey,	Prince,	Salus,
Batchelor,	Homsher,	Pytko,	Scott,
Baumer,	Howell,	Rankin,	Shapiro,
Bean,	Huffman,	Reed, (Dauphin)	Sones,
Buckman,	Kahle,	Reed, (Washington)	Staudenmeier,
Cavalcante,	Lanius,	Rice,	Thompson, (Centre)
Chapman,	Law,	Roberts,	Thompson, (Westmoreland)
Coyne,	Mallery,	Rodgers,	Trainer,
Ealy,	McClure,	Rupp,	Woodward,
Frey,	McCreesh,	Ruth,	Ziesenheim,
Gelder,	McGinnis,		
Graff	Owlett,		
Harris	Pierson,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

RESOLUTION RELATIVE TO TRANSFER OF FUNDS

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows:

In the House of Representatives, June 17, 1936.

Whereas, it was estimated by the State Emergency Relief Board that six million, eighty-six thousand, two hundred eleven dollars ($6,086,211), in addition to the sum of eight hundred forty-five thousand dollars ($845,000), estimated to lapse on the thirty-first day of May, one thusand nine hundred and thirty-six, out of prior funds available for unemployment relief would be necessary for unemployment relief purposes for the month of June, one thousand nine hundred and thirty-six, and

Whereas, the General Assembly by Resolution Serial No. 18, approved by the Governor June 2, 1936, made available to the State Emergency Relief Board for unemployment relief purposes the sum of four million, eighty-six thousand, two hundred eleven dollars ($4,086,211), and, in addition, any prior funds appropriated to the board for unemployment relief purposes that remained unobligated and unexpended on May 31, 1936. and

Whereas, it now develops that the funds made available to the State Emergency Relief Board as aforesaid will be exhausted on or about the twenty-third day of June, one thousand nine hundred and thirty-six,

Therefore, be it resolved (if the Senate concur), That the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund the sum of two million dollars ($2,000,000) from the Liquid Fuels Tax Fund and the sum of one million dollars ($1,000,000) from the Liquor License Fund, and hereby makes available to the State Emergency Relief Board the aggregate sum of three million dollars ($3,000,000) for unemployment relief purposes, and

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the fiscal officers in making the transfers authorized by this resolution, (2) appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of three million dollars ($3,000,000), and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Liquid Fuels Tax Fund and the Liquor License Fund.

Mr. BUCKMAN. Mr. President, I move that the resolution be referred to the Committee on Appropriations.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

HOUSE BILL FOR CONCURRENCE

He also presented for concurrence bill of the House of Representatives as follows:

House Bill No. 88 (Senate Bill No. 88), entitled:

An Act imposing and providing for the collection of a tax for State purposes on the gross receipts of persons copartnerships, associations and corporations derived from the business of supplying water, electric current, and natural or artificial gas for domestic and industrial purposes.

Which was committed to the Committee on Finance.

REPORTS FROM COMMITTEES

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Constitutional Changes reported as committed, Senate Bill No. 4, entitled:

A Joint Resolution proposing an amendment to section one, article eight of the Constitution of the Commonwealth of Pennsylvania.

Mr. WOODWARD. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODWARD, from the Committee on Constitutional Changes reported as committed, Senate Bill No. 8, entitled:

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Mr. THOMPSON (Westmoreland). Mr. President, I

ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON (Westmoreland), from the Committee on Constitutional Changes reported as committed, Senate Bill No. 74, entitled:

A Joint Resolution proposing an amendment to article eight, section one, of the Constitution of the Commonwealth of Pennsylvania.

MOTION TO READ BILLS THE FIRST TIME

Mr. ARON. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 4, entitled:

A Joint Resolution proposing an amendment to section one, article eight of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 8, entitled:

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 74, entitled:

A Joint Resolution proposing an amendment to ortirle eight, section one, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, Pa., May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

MEMBER OF THE STATE BOARD OF UNDERTAKERS

Maurice A. Hoff, New Cumberland, from April 13, 1936, until August 31, 1946, and until his successor shall have been appointed.

MEMBERS OF THE BANKING BOARD

Samuel R. Rosenbaum, Philadelphia, from September 1, 1935, for the term of two years, and until his successor is duly appointed and qualified.

C. S. Newhall, Philadelphia, from September 1, 1935, for the term of four years, and until his successor is duly appointed and qualified.

George R. Howell, Reading, from September 1, 1935, for the term of four years, and until his successor is duly appointed and qualified.

George W. Reily, Harrisburg, from September 1, 1935, for the term of eight years, and until his successor is duly appointed and qualified.

W. Walter Wilson, Milton, from September 1, 1935, for the term of eight years, and until his successor is duly appointed and qualified.

A. C. Robinson, Pittsburgh, from September 1, 1935, for the term of six years, and until his successor is duly appointed and qualified.

A. E. Mackintosh, Oil City, from September 1, 1935, for the term of six years, and until his successor is duly appointed and qualified.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent

A motion was made by Mr. RICE.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. RICE,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harvey,	Prince,	Salus,
Batchelor,	Homsher,	Pytko,	Scott,
Baumer,	Howell,	Rankin,	Shapiro,
Bean,	Huffman,	Reed,	Sones,
Buckman,	Kahle,	(Dauphin)	Staudenmeier,
Cavalcante,	Lanius,	Reed,	Thompson,
Chapman,	Law,	(Washington)	(Centre)
Coyne,	Mallery,	Rice,	Thompson,
Ealy,	McClure,	Roberts,	(Westmoreland)
Frey,	McCreesh,	Rodgers,	Trainer,
Gelder,	McGinnis,	Rupp,	Woodward,
Graff,	Owlett,	Ruth,	Ziesenheim,
Harris,	Pierson,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. RICE. Mr. President, I move that the Executive Session do now rise.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow at 12 o'clock, noon.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:58 P. M. until tomorrow June 23, 1936, at 12 o'clock, noon.

HOUSE OF REPRESENTATIVES

MONDAY, June 22, 1936.

The House met at 9:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

Most holy and all-wise God, our Heavenly Father, we thank Thee that we are permitted to come again to this place, with a portion of strength and health.

We pray Thy blessings upon our families and loved ones that we have left at our several homes. May our feeble efforts to serve the people of this Commonwealth be supported by Thy almighty and never-failing strength.

May the love of God, the grace of our Lord and the communion of the Holy Spirit abide with us all. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, June 17, 1936.

The Clerk proceeded to read the Journal of Wednesday, June 17, 1936, when, on motion of Mr. WELSH the further reading was dispensed with and the Journal approved.

COMMUNICATIONS

The SPEAKER laid before the House the following communications which were read by the Clerk.

PACKAGE BEER DEALERS

A communication from Frank J. Flynn, Philadelphia, urging passage of House Bill No. 105.

Referred to the Committee on Ways and Means.

HIGHWAYS FUNDS

A resolution from the Roosevelt Highway Association of Pennsylvania, Corry, Pa., protesting diversion of Highway funds.

Referred to the Committee on Highways.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor, which were read as follows:

APPROVAL OF HOUSE BILL No. 83

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 18, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 83, Printer's No. 98, entitled, "An Act relating to the keeping of animals wild by nature in captivity upon any street or highway or upon land adjoining any street or highway or in vicinity of any commercial establishment for the evident purpose of attracting trade preventing cruel improper and inhuman treatment of such animals and protecting the public from injuries thereby providing for the granting of permits for roadside menageries as herein defined conferring powers and imposing duties on the Board of Game Commissioners and prescribing penalties."

GEORGE H. EARLE.

APPROVAL OF HOUSE BILL No. 49

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 18, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 49, Printer's No. 134, entitled, "An Act to amend sections four and five of the Act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled 'An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" as amended' by providing for the payment to newly organized counties of amounts set aside for unorganized counties for both the first and second fiscal years of the current biennium and suspending certain provisions of this act in case Federal aid for dependent children shall fail for any reason."

GEORGE H. EARLE.

LEAVES OF ABSENCE

Mr. Van Sickle asked and obtained leave of absence for Mr. ACHTERMAN for the week on account of death in the family.

Mr. DILLEY asked and obtained leave of absence for himself for the remainder of the week.

QUESTION OF PERSONAL PRIVILEGE

Mr. BERNHARD. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Carbon, Mr. Bernhard, will state his question of personal privilege.

Mr. BERNHARD. Mr. Speaker and members of the House, in last Tuesday's Harrisburg papers appeared an article which I would like to read, the title of which is, "Legislator obtained free hospital service for sixty-nine persons, Pennington says."

The article then goes on to say as follows:

"Charges were made today by Secretary of Welfare John D. Pennington that a Republican legislator, Frank Bernhard, Carbon County, had received free service at the Hazleton State Hospital for sixty-nine persons.

Secretary Pennington suspended Delilah M. Wagner, revenue agent of the hospital, accusing her of having authorized $2239.50 worth of hospital service for the sixty-nine patients.

Assemblyman Bernhard, according to the head of the

Welfare Department, had written letters in each of the sixty-nine cases, calling attention to the need for hospital service without charge on the ground that the patient was unemployed or had only a small income. The Secretary said that Miss Wagner made no investigation of the ability of the patients to pay for hospitalization after receiving the Bernhard letters.

The institution, known as a "miners' hospital," is supported by the Commonwealth. Pennington said a large part of the cost of the treatment of the cases referred to the hospital by the Carbon legislator could have been collected from the patients had the attempt been made. He directed the board of trustees of the hospital to investigate the matter at once and take action.

The Hazleton Hospital is the fourth to be affected by the checkup of alleged maladministration in State institutions, ordered by Governor Earle. Secretary Pennington has previously ordered the dismissal of the superintendents of the Shamokin and Philipsburg State Hospitals and the chief surgeon of the Blossburg State Hospital for irregularities."

After my Republican friends read that article they jokingly remarked to me, "You must have some kind of a drag with the Democratic Administration in which you are able to get sixty-nine Republicans into a hospital for free hospitalization."

I want to disillusion my Republican friends and I would also like to enlighten my Demorcatic friends on the situation.

After serving the Hazleton State Hospital faithfully for a member of years in the capacity of Revenue Agent, Miss Wagner has been discharged by Mr. Pennington, Secretary of the Welfare Department. The reason given with the view to justifying his action is that Miss Wagner authorized free service for sixty-nine cases "at the request of Bernhard, Republican Representative for Carbon County." Mr. Pennington contends that, if Miss Wagner had investigated the cases, a large part of the money could have been collected.

In assuming such an attitude, Mr. Pennington has committed a colossal blunder, which evidences the fact that he does not practice what he preaches. Why did not he himself make a thorough investigation before dismissing her? In fairness to Miss Wagner, why did he not give her a hearing? Was she not entitled to a hearing, and was he not honor bound to give her a hearing? This, however, he did not do, but resorted to political tactics of the most petty variety by stressing the point that free service was authorized "at the request of Representative Bernhard, Carbon Republican." His sole purpose apparently was to influence the public to believe that the patients involved were Republicans. Had Mr. Pennington—the advocate of investigation—been in possession of all the facts, he would never have dared to give this matter such publicity, and would have hesitated before dismissing Miss Wagner on such flimsy pretext. He would have waited until he had something more tangible.

For the information of Mr. Pennington, and for the enlightment of the public, I would state that practically all of the sixty-nine patients were Democrats; that they were either unemployed or had a small income. I would further state that some of them were recommended by a clergyman who is a loyal Democrat; that others were recommended by physicians who are staunch Democrats, but that the vast majority of them were recommended by an outstanding leader of the Democratic Party in Carbon County who has expressed his willingness to testify in this matter. These loyal Democrats had a perfect right to intercede for needy people, and I, a Republican, regard it as my bounden duty to intercede in behalf of suffering humanity regardless of whether they are Democrats or Republicans. I took the word of a Democrat clergyman; I took the word of Democratic physicians; I took the word of an outstanding leader of the Democratic Party for Carbon County—all of them reputable gentlemen—and passed that word on to Miss Wagner, and she was discharged by Mr. Pennington for accepting it. Think of it! Miss Wagner was discharged by a Democratic Secretary of Welfare because she accepted the recommendation of prominent Democrats in behalf of poor, needy, suffering Democrats, at the request of a Republican representative. There was nothing wrong in my accepting the word of these prominent and reputable Democrats especially where human suffering was involved; there was surely nothing wrong in Miss Wagner accepting my word in this matter; but there was something wrong in the action by Mr. Pennington in dismissing Miss Wagner under such circumstances.

At the beginning of this session, Governor Earle took the word of Dr. DeSchweinitz which was to the effect that $70,991,000.00 would be needed for relief. He now finds that only $55,000,000 is required for such purpose—a difference of merely $16,000,000. Did Governor Earle dismiss Dr. DeSchweinitz because the doctor did not go to Washington at the beginning of the session to make a thorough investigation with the view to ascertaining if 30,000 people could be put to work? Certainly not. It would have been absurd to do so. Yet Mr. Pennington cold-bloodedly dismissed Miss Wagner for not investigating the sixty-nine cases, practically all Democrats, in which not $16,000,000 were involved but the trivial amount of $2239.50. This surely is a case of "straining at a gnat and swallowing a camel."

Why do we have State Hospitals? For what purpose were they brought into being? Was it not to minister to the physical needs of suffering humanity? Was it not because we regard the health of our citizens as our greatest asset? Was it not to give hospitalization to those in urgent need of it regardless of their ability or inability to pay?

Miss Wagner, who served the Hazleton State Hospital with the utmost faithfulness for several years, was dismissed by Mr. Pennington without just cause. He had to give a reason for his action and the reason he gave is a grave reflection upon the character and reliability of prominent and reputable Democratic leaders. The fact of the matter, however, is that Miss Wagner was discharged so that her position could be given to a Democrat. Such a procedure is now regarded as general under the present Democratic regime. Service, ability and character evidently mean nothing when Mr. Pennington goes scalp-hunting. Both he and his colleagues have presumed to inject petty politics into institutions that Americans hitherto regarded as sacred. The Coaldale State Hospital is one of the most outstanding examples of such despicable tactics.

I would like to read to you an editorial on that same question to bring to your attention what I have in mind. This appeared in the Allentown Morning Call, and was written by Dr. Shifferstine, of Lansford, Pennsylvania. The article is as follows:

"Editor, the Morning Call.

Every institution is the elongated shadow of one man. A political system may displace that man, but his shadow will always be reflected in the institution.

As our politicians saw fit to release our Dr. E. E. Shiffenstine as the head of the Coaldale Hospital, which he managed since its inception, the writer desires to give the doctor full credit for the great work he has accomplished and the good work he did during the quarter century of his service. It is to be regretted that, not only at Coaldale but in many other parts of the state, politics have entered institutions that heretofore were free to go forward uninterruptedly in their missions of mercy.

As the career of Dr. Shifferstine has been such an outstanding one, in which his very life was wrapped for the success of the Coaldale hospital, let me here recount how he gradually achieved even more than he had started out to do. A graduate of the Tamaqua High School in 1891, he matriculated in the University of Pennsylvania in 1895. This was followed by his serving an interneship in the Ashland hospital where he also served as assistant surgeon from 1900 to 1903. After a year of studying in Germany, he returned to Tamaqua and began the practice of his profession.

He quickly recognized the needs of the community. Before him was a community of some 7200 people who had no direct hospital service. The idea soon grew into action and gathering a responsive people about him, they began the erection of a thirty bed hospital. Those were interesting days when miners, business men and professional men and women as well as laborers all joined hands to establish an institution which meant so much too for the health of their people. The first hospital building was valued at $32,500. Then there were three nurses. The value of the buildings today is estimated to be about $700,000; there are over one hundred beds, twenty-two nurses and a directress.

In his capacity as superintendent and head surgeon, there was a distinct saving, for he had supervised the enlargement and improvements from time to time and conducted it in a frugal yet progressive manner. A dollar had to do its full duty under him and he even accumulated a substantial fund for special purposes in the hospital.

In 1914, plans were made for enlarging the building and in 1932 the new nurses' home was completed. The physiotherapy department was remodeled in 1933 and the general standard of the hospital kept it in the front ranks of the hospitals in the State. That the work of the doctor was recognized throughout the State is evidenced by the honor paid him by his co-workers from many sections. As a member of the American College of Hospital administrators, he contributed substantially and his counsels were sought. He also did a valuable service for the hospitals of the State. As the head of the hospital association he visited over a hundred hospitals bringing back the new things he had learned and used them at his hospital. His association with the Lehigh Valley Medical association of which he was honored with the presidency gave him fine contacts. His address at the dedication of the Good Samaritan hospital at Pottsville was an outstanding production.

His remarkable work along surgical lines in the Coaldale Hospital is history. The very growth of the hospital is the best evidence of his remarkable career. He had done a full man's job and more during the year he served the hospital and saved money for the community and the State. As an administrator and a surgeon he has established himself in the minds and hearts of the people of his section and equally so as their friend. He served unselfishly and accomplished much. His name will always be held in high esteem and he will always be remembered as the founder and the builder of our hospital and the one whose shadow will always be reflected there. He has accomplished a life work, but being still in his prime let us hope he may continue his practice right here in his old home town where he won his laurels.

Mr. Speaker and members of the House, that is exactly where he is today, where he started. After building this hospital, and serving in the capacity as administrator and surgeon, he is back to where he started thirty odd years ago. That is the story of the Coaldale State Hospital.

Mr. Speaker and members of the House, this is the first time I have been on the floor of this House, and I hope to have you bear with me for a minute longer. I want to read to you an article that appeared in last week's paper, dated June 18th. This article appeared in an edition of the Philadelphia Inquirer and reads as follows:

"Governor Earle's own appointees to the Board of Trustees of the Shamokin State Hospital have charged political interference with the institution by the State Administration.

The charges, aimed directly at Commander John D. Pennington as Secretary of Welfare, accuse him of being "inhuman" and "dictatorial" and moved by politics in the shake-up of the hospital's staff which Pennington recently ordered.

The accusations are made in a resolution in which the Earle appointed Democratic trustees of the institution demand the Governor investigate Pennington.

The protest to the Governor was made at the insistence of Judge Herbert W. Cummings, Sunbury, Democratic jurist whom Governor Earle elevated to the Northumberland County bench last year. Judge Cummings as a member of the Hospital Board of Trustees, to which Earle also named him, sponsored the resolution which was seconded by J. Paul Garrett, another trustee. Jacob E. Leisenring, chairman of the board, also a prominent Northumberland county Democrat and was a candidate for State Senate in the April primary.

The trustees' protest is the result of the Welfare Secretary's recent action in forcing resignation of the hospital's superintendent, Dr. George W. Reese, and dismissal of the superintendent's son, Dr. George G. Reese, and ordering them to vacate their living quarters in the 60-bed hospital. When the trustees objected to the action, they said Pennington curtly told them to submit or he would have the Governor oust them and name a new board.

The trustees, instead of bending the knee, appealed to the Governor themselves, and demanded Pennington's action be investigated. Instead of waiting for Pennington to get the Governor's ear first, the trustees sent their own version to Earle in a resolution which contained this meaty paragraph:

"It is plain to the board that John D. Pennington, Secretary of Welfare is inhuman and does not have the interest of the patients at that institution at heart, but he is moved politically without consideration of the welfare of the institution; that he has taken a dictatorial position and has advised members of the Board of Trustees that in the event of their failure to act in accordance with his

dictatorship he would have the Governor dismiss the board and a new board appointed; that we as a board condemn the action of John D. Pennington, Secretary of Welfare, and request the Governor to cause an investigation of the action of John D. Pennington, relative to said hospital."

May I say, in the joking manner of today, "I will say, 'Flash, Flash, investigator being investigated.'" That tells you the story of the two hospitals. It would seem to me that Mr. Pennington, the advocate of investigation, is the one who should be investigated. He should be compelled not only to reinstate Miss Wagner but to tender to her an apology for his unwarranted action. Justice demands it, and any fair-minded gentleman would humbly, readily and gladly offer it.

Had Mr. Pennington investigated the case, he would have learned that the request of Bernhard the Republican was in reality the request of prominent Democratic leaders made solely in the interests of poor, needy, suffering Democrats, as was also the action of Miss Wagner, and the probability is that he would have acted with greater caution and prudence. However, by injecting petty politics into this picture, Mr. Pennington has broken down a few more palings in the political fence which the Democratic State Chairman will find difficult, if not impossible, to repair. "With what measure ye mete it shall be measured to you again." "The harvest is surely coming, you'll reap whatsoever you sow."

Mr. Pennington sought to make political capital at the expense of Bernhard the Republican legislator from Carbon County, but in doing so the truth has been revealed and the fact established that Bernhard (unlike Pennington) gives sympathetic and just consideration to the needs of all the people in the County of Carbon which he has the honor to represent and without regard to their political affiliation.

May I add in conclusion, you will note that Judge Cummings has sent his resignation to Governor Earle, because even good Democrats cannot stand that kind of treatment. I thank you.

The SPEAKER. The remarks under this question of personal privilege will be spread upon the record.

SYMPATHY EXTENDED ON DEATH OF GROVER C. TALBOT

Mr. NOTHNAGLE offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and unanimously adopted by a rising vote:

In the House of Representatives, June 22, 1936.

Whereas, There come to the membership of this House of Representatives from time to time, men, who by their unusual ability, their magnetic personality and their sympathetic understanding of the problems of their fellow members rise to unusual heights in their lifetime and thereby reflect great credit to this body and to this Commonwealth; and

Whereas, The grim hand of the Great Reaper frequently and without warning snatches from our midst these distinguished comrades before they have yet reached the pinnacle of success, thereby depriving the Commonwealth and its communities of the useful services of such men; and

Whereas, On December 21, 1935, there came to his untimely death our former colleague, Grover Cleveland Talbot, who brought to this House unusual honor through his services both as a member and as Speaker; and

Whereas, There shall ever remain in the memory of the Members of this House who were his comrades, the unusual character of Grover C. Tabot; therefore be it

Resolved, That this House of Representatives express its deep and sincere sorrow for the death of Grover C. Talbot and direct the Chief Clerk to forward a certified copy of this resolution to the mother and other relatives of our deceased brother who will always be remembered as a man of great understanding and sympathy, whose motto was:

"Let me live in a house
By the side of the road,
Where the race of men go by
The men that are good
And the men that are bad
As good and as bad as I.
I would not sit in the scorner's seat
Nor wield the scepter's ban
Let me live in a house
By the side of the road,
And be a friend to man."

STATEMENT BY MR. YOURISHIN

Mr. YOURISHIN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I was indeed surprized to hear my good friend, the gentleman from Carbon, read the statement that he did, with reference to the Hazleton Hospital, and especially the statement concerning Miss Wagner. Whether or not the gentleman from Carbon has submitted sixty-nine letters, asking for free treatment, the fact still remains to one who has been going into the Hazleton Hospital for the past fifteen or twenty years knowing that Miss Wagner all the time she has been there and especially in the past seven or eight years, has shown favors, not only to Republicans but to Democrats as well, so long as they were her particular friends. I dare say while it is a miners' hospital, I know of specific cases where men were taken in there from the mine injured, barely able to make a living, and when they came out of the hospital Miss Wagner insisted that they pay their bill. I also know of specific cases where people were taken to the hospital, who were able to pay, well able to pay, but who were friends of Miss Wagner and never paid their hospital bills.

Whether or not Doctor Pennington has fired Miss Wagner just for the reason that the gentleman from Carbon has submitted sixty-nine letters,—whether or not,—God knows I have submitted one hundred sixty-nine letters and that plenty of patients have received free treatment. But I do know that Miss Wagner has been very partial in the Hazleton Hospital, and if she has been fired, so far as I am personally concerned, I think it is the best thing that has ever happened to the Hazleton Hospital.

STATEMENT BY MR. BERNHART

Mr. BERNHART asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I don't know Miss Wagner. I have been in the Hazleton Hospital twice in my life. But it seems to me peculiar that out of all of the thousands and thousands and thousands of free cases that have been handled in the Hazleton Hospital, I should have been singled out for these sixty-nine cases. That is the peculiar situation that I am faced with. Am I the only one, or it is just because I am a Republican? I can-

not understand it, and out of fairness to Miss Wagner, certainly she should have been given the courtesy of a defense, which was not granted to her in this particular situation in which she finds herself, because Dr. Pennington, and I wont even say Dr. Pennington, Commander Pennington did not investigate these cases. I want to reiterate that had he investigated the cases, he would have found out that even the Democratic County Chairman concedes that eighty percent were Democrats and I am sure he would not have been so hasty in dismissing Miss Wagner.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 149, entitled:

An Act to amend an act, approved the fourth day of June, one thousand nine hundred and thirty-six (Act No. 3), entitled "An act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof," by adding thereto a new section to be known as section six and one-tenth; providing for the compensation of delinquent tax collectors, their employes and expenses for the collection of delinquent taxes in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 118, entitled:

An Act abating accrued penalties and interest on certain delinquent taxes levied by counties cities boroughs towns townships school districts and poor districts where such taxes have heretofore been paid in full at face.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 123, entitled:

An Act to provide for the public sale by cities of the first class of negotiable tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes of funds realized or estimated to be collectible from the sale thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 98, entitled:

An Act to create a State Planning Board prescribing its powers and duties imposing certain duties upon political subdivisions and making an appropriation

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "State Planning Board Law"

Section 2 There is hereby created a State Planning Board which shall be an independent administrative board to consist of nine members appointed by the Governor by and with the advice and consent of the Senate Four members of the State Planning Board shall be appointed from among the heads or chief executive officers of State departments The remaining five members shall be appointed from among the citizens of the State and they shall hold no other State office to which any salary is attached The term of office of members of the State Planning Board shall be five years and until their successors are appointed and qualified Provided however That members who are also heads or chief executive officers of State departments shall not serve as members of the State Planning Board beyond their term of office in such other State service Of members of the State Planning Board first appointed three shall be appointed for a term of one year three for a term of three years and three for a term of five years Thereater all appointments shall be made for a term of five years In case of a vacancy the Governor shall make appointment for the unexpired term The Governor shall designate the chairman of the board Five members of the board shall constitute a quorum All members shall serve without compensation except as hereinafter provided but they shall be allowed such reasonable expenses as are authorized by the board and incurred in the immediate discharge of their duties to be paid out of such funds as may be available and in the same manner as the expenses of other State officials are paid The board may pay to its citizen members honoraria not to exceed ten dollars ($10.00) for each official board meeting attended provided that the total amount paid to any board member in any biennium shall not exceed five hundred dollars ($500.00) The State Planning Board shall maintain offices which shall be provided by the Department of Property and Supplies

The State Planning Board shall keep permanent and complete records of its proceedings meetings hearings orders and decisions It is authorized and empowered to employ such technical and clerical assistants as may be required and fix their compensation and incur other necessary expenses within the limits of the appropriations provided The head of any department or agency of the State government or any political subdivision of the Commonwealth is hereby authorized to assign technical employes to assist the board

Section 3 The board with the approval of the Governor shall appoint and fix the compensation of a planning secretary who shall act as executive director of the board and who shall conduct the work of the board under its supervision The planning secretary shall hold no other position in the service of the Commonwealth or any subdivision thereof and shall be technically qualified for the duties of his office

Section 4 (a) It shall be the duty of the State Planning Board to prepare and from time to time to perfect a State master plan for the physical development of the State Such State master plan with the accompanying maps plats charts and descriptive matter shall show the board's recommendations for the development of the State and may include among other things parkways bridges waterways water front development flood prevention work parks reservations forests wild life refuges aviation fields drainage and sanitary systems works for the prevention of stream pollution railroad and motor vehicle routes power transmission facilities public buildings and other public ways grounds spaces utilities facilities structures institutional and other buildings and works which by reason of their function size extent location legal status or other reason are of State-wide as distinguished from merely local concern or the location construction or authorization of which falls according to law within the province of State agencies or officials or which for any reason are appropriate subjects of a State as distinguished from a merely local program or plan

the general location and extent of existing and prepared forests agricultural areas and other development areas for purposes of conservation food and water supply sanitary and drainage facilities or the protection and perfection of urban and rural development also a land utilization program including the general classification and allocation of the land within the State amongst mineral agricultural soil conservation water conservation forestry recreational industrial urbanization housing and other uses and purposes The board shall in addition

(b) Advise with the various State departments and bureaus and with local authorities and individuals with a view to the coordinating of all physical development plans including plans for highway airway and air terminals parkways parks water supply development flood control and land use recreation areas and forest reservations and such other things as are related to an ordered and comprehensive development of the State

(c) Prepare amend and keep up to date a long term development program of all major State improvement projects The public works program so prepared shall be a comprehensive construction and financial program covering a ten year period and shall be prepared in consultation with the several State departments for the purpose of assisting by long term budgeting of capital expenditures in stabilizing industry and employment by promoting the planning and timing of public works within the State and by the elimination of unplanned untimely unnecessary and extravagant projects All State departments divisions and officials shall submit their respective ten year programs and proposals for improvements to the board and it shall be the duty of the board to coordinate such programs and proposals with each other and with the State master plan The board shall encourage the preparation of detailed plans for construction projects by the departments boards commissions and other agencies of the State All plans for all projects as enumerated above and originating under whatsoever authority or department shall be presented to the State Planning Board for consideration by them when first taken under consideration by such authority or department and in a preliminary form The public works program shall be revised annually for the purpose of extending it one year in the future and a report thereon shall be submitted by the board to the Governor once a year or more often if requested by the Governor It shall also be the duty of the board to promote and encourage the development of similar public works programs in the various political subdivisions of the State and to coordinate local public works programs where joint action is required

(d) Collect and publish information relating to the proper development of the State and the conservation of its natural resources designed to promote the general welfare and make such recommendations thereon to the Governor as it may deem proper and advisable

Section 5 The board may adopt the State master plan as a whole or as the work of making the plan progresses may from time to time adopt a part or parts thereof and any such part or parts so adopted shall cover one or more of the functional elements which may be included in the plan The board may from time to time amend extend or add to the plan or carry any part of the plan into greater detail The adoption of the plan or any part amendment extension or addition thereof shall be by resolution of the board adopted by the affirmative votes of not less than eight members of the board The resolution shall refer expressly to the maps charts and descriptive matter intended by the board to form the whole or part of the plan and the action taken shall be recorded on the maps charts and descriptive matter by the indentifying signature of the chairman of the board

Section 6 The board may submit its master State plan or any portion thereof to the Governor with recommendation for official approval Before approving any plan or plans for such official action the board may hold public hearings thereon Such plan or plans when approved by the Governor shall be known as the official State plan

Section 7 From and after the adoption by the State Planning Board of the State master plan or of any part thereof and the certification by the board to the Governor of a copy of the plan or such parts thereof then and thenceforth no State highway park forest reservation or other State way or ground and no State building or structure or property shall be constructed or acquired with State funds or located constructed or authorized by any State board official or department unless the proposed location and extent thereof shall have been submitted to the State Planning Board and the report and advice of the board thereon shall have been recived but this rquirement shall be deemed to be waived if the board fails to furnish in writing its report and advice upon the proposal within forty-five days after the submission thereof to it In case any such way ground building structure or property be given a location or extent which does not accord with the report and advice of the State Planning Board the State department or official having charge of the location authorization construction or acquisition of the same shall file in its or his office a statement of its or his reason for the departure from such report and advice and such statement shall be open to public inspection

This section shall not apply to ways grounds buildings structures or properties which are under construction or acquisition which shall have been fully authorized or whose location and extent shall have been determined previous to the taking effect of this act

Section 8 Upon request by the Governor the General Assembly or any State department or agency and if the money therefor is made available over and above the board's appropriation the board is authorized to make special studies and recommendations with respect thereto of any subject or problem coming within the general purview of the board as defined by this act

Section 9 The State Planning Board shall cooperate with county municipal and regional planning boards if and when created for the purposes of aiding and encouraging an orderly and coordinated development of the State and encourage and assist in their creation and shall also cooperate with planning boards and similar bodies of other States and of the Federal Government in formulating comprehensive regional plans and in the solution of regional problems

Section 10 The State Planning Board may request from the various State departments and other agencies of the Commonwealth and its political subdivisions such available information as it may require in its work and all these agencies shall within a reasonable time furnish such requested information to the board

Section 11 The board or any member thereof when authorized to do so by a majority of the board may hold public hearings administer oaths take affidavits and may by subpoena compel the attendance of witnesses and the production of books records papers and evidence relating to the authority for investigation and study invested in the board Upon application by the board the court of common pleas of any county shall by proper proceedings enforce the attendance before it and the production of testimony of witnesses and the production and examination of books papers and records by issuing its subpoena

Section 12 The State Planning Board shall submit a report of its recommendations for State improvements and developments in January of each year to the Governor

Section 13 The State Planning Board is hereby authorized and empowered to use and expend any funds coming into its hands for the purposes of this act and it is authorized and empowered to accept and use any funds provided by the United States Government or any agency thereof or of gifts made for such purposes

The fourteenth section was read as follows:

Section 14 The sum of fifty thousand dollars ($50,000) is hereby specifically appropriated to the Pennsylvania State Planning Board for the biennium ending May thirty-first one thousand nine hundred and thirty-seven for the purpose of carrying into effect the provisions of this act

On the question,

Will the House agree to the section?

Mr. HARMUTH. Mr. Speaker, I desire to offer the following amendment.

The Speaker. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 14, page 9, line 12, by striking out the following: "fifty thousand dollars ($50,000)" and insert in lieu thereof "twenty-five thousand dollars ($25,000)"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifteenth and sixteenth sections and title were separately read and agreed to as follows:

Section 15 The provisions of this act are severable and if any of the provisions thereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 16 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

An Act to create a State Planning Board prescribing its powers and duties imposing certain duties upon political subdivisions and making an appropriation

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 134, entitled:

An Act requiring unemployment relief orders to be presented for payment within a certain period otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Emergency Relief Board shall as of the first day of January one thousand nine hundred and thirty-seven and periodically thereafter take credit on its books and calculate as cash to the credit of the General Fund all amounts held in the form of cash for the payment of unemployment relief orders issued by said board which have not been presented for payment within one year from the date of issue The State Emergency Relief Board shall cancel all such orders at the time credit is taken on its books and notify the State Treasurer accordingly in order that the full amount thereof shall be credited to the General Fund

All claims against the Commonwealth represented by relief orders issued by the State Emergency Relief Board which are not presented for payment prior to the time of cancellation shall be considered paid and all sums of money held or appropriated for the payment of such relief orders not presented within said period are hereby escheated to the Commonwealth

On the question,

Will the House agree to the section?

Mr. COHEN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 7 by striking out at the end of the line after the word "the" the words: "[General Fund]" and inserting in lieu thereof the following: "current appropriation to the board for unemployment relief purposes"

Amend section 1, page 1, line 15 by striking out at the end of the line after the word "the" the words: "[General Fund]" and inserting in lieu thereof the following: "current appropriation to the board for unemployment relief purposes"

Amend section 1, page 2, line 7 by inserting at the end of the line after the word "Commonwealth" the following: "and shall be credited to the current appropriation to the board as hereinbefore provided"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act requiring unemployment relief orders to be presented for payment within a certain period otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth

On the question,

Will the House agree to the title?

Mr. COHEN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend page 1, line 4 of the title, by inserting at the end of the line after the word "Commonwealth" the following: "and credited to the current appropriation for unemployment relief purposes"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 108, as follows:

An Act making an appropriation to the State Emergency Relief Board for the adjustment and payment of certain claims

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-five thousand dollars ($75,000) or so much thereof as may be necessary is hereby specifically appropriated from the Motor License Fund to the State Emergency Relief Board for allocation to the County of Northampton for the purpose of adjusting the compensation and wages of certain persons and paying compensation and wages to such persons as were heretofore compelled to perform work on State highways in return for relief orders issued by the Family Welfare Association and where no wages or compensation whatever was paid by the Commonwealth for such work

which condition of forced labor is called attention to in the several reports of the Legislative Committee of the House of Representatives appointed to investigate relief agencies and conditions in the County of Northampton

Payment from said appropriation shall be made after the filing of proof of claim and an inspection of the records of the State Highway Department in such manner as the Executive Director of the State Emergency Relief Board may require

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 135, entitled:

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and over-payments collected by or for said board

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all restitutions and over-payments of moneys paid out for unemployment relief purposes collected by or for the State Emergency Relief Board shall be deposited in the General Fund and be credited to the current appropriation for unemployment relief and shall be available and are hereby appropriated to the State Emergency Relief Board for the same purposes for which such current appropriation is available

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 111, as follows:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof.

That section one of article nine of the Constitution of Pennsylvania is hereby amended to read as follows

Section 1 All property and capitation taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws

All excise taxes shall be reasonable in rate and shall be levied and collected under general laws but such laws may grant uniform exemptions and provide for graded or graduated rates Income taxes and taxes measured by income shall be deemed to be excise taxes irrespective of the source from which the income is derived.

Real property used for public purposes actual places of religious worship places of burial not used for private or corporate profit institutions of purely public charity real and personal property owned occupied and used by any branch camp or post of honorably discharged soldiers sailors and marines and a uniform value in money of the total taxable value of each person's real property not however exceeding four thousand dollars ($4,000) in any one municipality or township may be exempted by law from taxation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 143, entitled:

An Act to provide revenue by prohibiting the employment of miners in the bituminous coal mines unless certificated after examination by a miners examining board and the payment of certain fees providing for the appointment of such boards and defining their powers and duties and providing penalties

The first section was read and agreed to as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of January one thousand nine hundred and thirty-seven no person shall be employed or engaged as a coal miner in any bituminous coal mine in this Commonwealth without first having obtained a certificate of competency and qualification so to do from the miners examining board of the proper district appointed under this act Provided however That any miner holding a certificate may have one person working with him and under his direction as an apprentice for the purpose of learning the business of mining

The second section was read as follows

Section 2 There shall be established in each of the miners' examination districts in the bituminous counties a board to be styled the "Miners' Examining Board" of the ..... district to consist of nine miners who shall be appointed by the judges of the courts of the various counties as hereinafter provided from among the most skilful miners actually engaged in said business in their respective districts and who must have had two years' practical experience in the same The said persons so appointed shall each serve for a term of two years from the date on which their appointment takes effect and they shall be and constitute the "Miners' Examining Board" for their respective districts and shall hold the office for the term for which they were appointed or until their successors are duly appointed and qualified and shall receive as compensation for their services three dollars ($3.00) per day for each day actually engaged in this service and all legitimate and necessary expenses incurred in attending the meetings of said board under the provisions of this act and no part of the salary of said board or expenses thereof shall be paid out of the State Treasury

Each of said boards shall organize by electing one of their members president and one member as secretary and by dividing themselves into three sub-committees for the more convenient discharge of their duties each of said committees shall have all powers hereinafter conferred upon the board and whenever in this act the words "examining board" are used they shall be taken to include any of the committees thereof

Every member of said board shall within ten days of their appointment or being apprised of the same take and subscribe an oath or affirmation before a properly qualified officer of the county in which they reside that they will faithfully and impartially discharge the duties of their office

Any vacancies occurring in said board shall be filled in the manner hereinbefore provided for original appointment from among such only as are eligible for original appointment

The bituminous counties of the Commonwealth shall be divided into miners' examination districts for the purpose of carrying out the provisions of this act as follows First District Washington County Second District Fayette and Greene Counties Third District Westmoreland and Somer-

set Counties Fourth District Indiana Armstrong Jefferson Clarion Elk and McKean Counties Fifth District Allegheny Beaver and Butler Counties Sixth District Lawrence Mercer and Venango Counties Seventh District Cambria Blair Bedford Huntingdon and Fulton Counties Eighth District Clearfield Centre Clinton Lycoming Tioga and Bradford Counties

The Miners' Examining Board for the said districts shall be appointed by the judges of the court of common pleas of Washington County for the First District Greene County for the Second District Somerset County for the Third District Indiana County for the Fourth District Allegheny County for the Fifth District Mercer County for the Sixth District Cambria County for the Seventh District and Clearfield County for the Eighth District

On the question,

Will the House agree to the section?

Mr. GATES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 2 page 2 line 18 by striking out the words and figures "Three dollars ($3.00)" and inserting in lieu thereof "Ten dollars ($10.00)"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read and agreed to as follows:

Section 3 The several miners' examining boards shall hold examinations at such times and places prior to the first day of January one thousand nine hundred and thirty-seven as the Secretary of Mines may designate and thereafter shall designate some convenient place within their districts for the meeting of the several committees thereof of which due notice shall be given by advertisement in two or more newspapers of the proper county and so divided as to reach as nearly as practicable all the mining districts therein but in no case shall such meeting be held in a building where any intoxicating liquors are sold

Each of said committees shall open at the designated place of meeting a book of registration in which shall be registered the name and address of each and every person duly qualified under this act to be employed as a miner in a bituminous coal mine and it shall be the duty of all persons employed as miners to be properly registered and in case of a removal from the district in which a miner is registered it shall be his duty to be registered in the district to which he removed

Application for registration only may be sent by mail to the board after being properly attested before any person authorized to administer an oath or affirmation in the county in which the applicant resides The form of application shall be subject to such regulation as may be prescribed by the board but in on case shall any applicant be put to any unnecessary expense in order to secure registration

The fourth section was read as follows:

Section 4 Each applicant for examination and registration and for the certificate hereinafter provided shall pay to the miners' examining board a fee of two dollars ($2.00) and a fee of twenty-five cents (25c) shall be charged for registering any person who shall have been examined and registered by any other said board and the amount derived from this source shall be held by said boards and applied first to the expenses and salaries herein provided and such as may arise under the provisions of this act The said boards shall report annually to the court of common pleas of the county by which appointed and to the Department of Mines all moneys received and disbursed under the provisions of this act together with the number of miners examined and registered under this act and the number who failed to pass the required examination and the balance of money in their possession which is not deemed necessary by the Department of Mines for the payment of expenses and salaries shall be ordered paid over to the State Treasury to be used for the furnishing of assistance to aged persons and mothers and for such purposes is hereby appropriated to the Department of Welfare for allocation to counties

On the question,

Will the House agree to the section?

Mr. GATES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 4, page 5, lines 5 and 6, by striking out the words and figures "two dollars ($2.00)" and inserting in lieu thereof: "one dollar ($1.00)"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth, sixth, seventh and eighth and ninth sections and title were separately read and agreed to.

Section 5 It shall be the duty of each of the said boards to meet once every month and not oftener and said meeting shall be public and if necessary the meeting shall be continued to cover whatever portion may be required fo a period of three days in succession and examine under oath all persons who shall desire to be employed as miners in their respective districts and said board shall grant such persons as may be qualified certificates of competency or qualification which shall entitle the holders thereof to be employed as and to do the work of miners as may be expressed in said certificate and such certificate shall be good and sufficient evidence of registration and competency under this act and the holder thereof shall be entitled to be registered without an examination in any other of the bituminous districts upon the payment of the fee herein provided

All persons applying for a certificate of competency or to entitle them to be employed as miners must produce satisfactory evidence of having had not less than two years' practical experience as a miner or as a mine laborer in bituminous mines and in no case shall an applicant be deemed competent unless he appear in person before the said board and answer intelligently and correctly at least twelve questions in the English language pertaining to the requirements of a practical miner. The said board shall keep an accurate record of the proceedings of all its meetings and in said record shall show a correct detailed account of the examination of each applicant with the questions asked and their answers and at each of its meetings the board shall keep said record open for public inspection Any miner's certificate granted under the provisions of this act shall not be transferable to any person or persons whatsoever and any transfer of the same shall be deemed a violation of this act Certificates shall be issued only at meetings of said board and said certificates shall not be legal unless then and there signed in person by at least three members of said board

Section 6 No person shall after the first day of January one thousand nine hundred and thirty-seven engage as a miner in any bituminous coal mine in this Commonwealth without first having obtained a certificate of competency and qualification as provided for in this act nor shall any person firm or corporation or his or its agent employ as a miner any person who does not hold such certificate Any person firm or corporation who shall violate or fail to comply with the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not less than one hundred

dollars ($100.00) and not to exceed five hundred dollars ($500.00) or shall undergo imprisonment for a term not less than thirty (30) days and not to exceed six (6) months or either or both at the discretion of the court

Section 7 It shall be the duty of the several miners' examining boards to investigate all complaints or charges of noncompliance or violation of the provisions of this act and to prosecute all persons so offending and upon their failure so to do then it shall become the duty of the district attorney of the county wherein the complaints or charges are made to investigate the same and prosecute all persons so offending and it shall at all times be the duty of the district attorney to prosecute such members of the miners' examining board as have failed to perform their duty under the provisions of this act but nothing herein contained shall prevent any citizen a resident of this Commonwealth from prosecuting any person or persons violating this act with power to employe private counsel to assist in the prosecution of the same Upon conviction of any member of the miner's examining board for any violation of this act in addition to the penalties herein provided his office shall be declared vacant and he shall be deemed ineligible to act as a member of the said board

Section 8 For the purposes of this act the members of the said miners' examining board shall have power to administer oaths

Section 9 All acts or parts of acts inconsistent herewith are hereby repealed

An Act to provide revenue by prohibiting the employment of miners in the bituminous coal mines unless certificated after examination by a miners examining board and the payment of certain fees providing for the appointment of such boards and defining their powers and duties and providing penalties

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts which were laid upon the table.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bil No. 122, entitled:

An Act to suspend the laws of this Commonwealth authorizing the collection of local taxes by distress and sale of goods and chattels.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. BAINE. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. SOWERS. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Baine.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. BAINE. I will, Mr. Speaker.

Mr. SOWERS. Mr. Speaker, may I ask the gentleman what purpose he has in view in delaying the passage of this bill.

Mr. BAINE. Mr. Speaker, some of the members on the other side of the House have approached me in this matter, because they want to go into it a little further, and I decided to postpone it.

Mr. SOWERS. Mr. Speaker, don't the gentleman think he had better try it now?

Mr. BAINE. Well, Mr. Speaker, that is up to me.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 150 (Senate Bill No. 14), entitled:

An Act providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties authorizing the Department of Welfare to cooperate with and to accept and disburse monies received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons providing for the recovery of monies expended for assistance in certain cases prohibiting political activity by employes of the board providing substitute provisions in case Federal grants for old age assistance shall fail for any reason providing penalties and repealing inconsistent acts

On the question,

Will the House agree to the bill on third reading?

Mr. COHEN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 17, Page 10, Line 23 by inserting after the word "convention" and before the word "nor" the following: "as an employe or in any official capacity"

Amend Section 17, Page 10, Line 26 by inserting after the word "his" and before the word "position" the following: "or her"

Amend Section 17, Page 10, Line 26 by inserting after the word "or" and before the word "in-" the following: "use his or her position to"

Amend Section 17, Page 11, Line 6 by inserting after the word "travel" and before the word "Any" the following: "No member of the board and no investigator clerk or other employe of the board shall directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting or receiving any assessment subscription or contribution whether voluntary or involuntary intended for any political purpose whatever"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agred to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING

Mr. OMINSKY. Mr. Speaker, I desire to call up at this time House Bill No. 88, Printer's No. 119, on page 3 of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. OMINSKY,

The House resumed the consideration on third reading of House Bill No. 88, entitled:

An Act imposing and providing for the collection of a tax for State purposes on the gross receipts of fines and penalties of persons copartnerships associations and corporations derived from the collection of fines and penalties imposed upon delinquent accounts incident to the business of supplying water electric current and natural or artificial gas for domestic and industrial purposes.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—119

Alexander,	Dent,	Klingler,	Ruffennach,
Allen,	Diehl,	Kobelak,	Sarraf,
Andrews,	Downey, G. E.,	Long,	Scanlon,
Anthony,	Downey, J. J.,	Lovett,	Schaeffer,
Arnold,	Eberharter,	Lynch,	Schrope,
Aukerman,	Eroe,	Male,	Schwab,
Baine,	Falkenstein,	McCreary,	Shaw,
Baker, J. J.,	Ferko,	McDermott,	Shepard,
Barber,	Finnerty,	McElroy,	Shugarts,
Beadman,	Fitch,	McHenry,	Siegel,
Bernhard,	Flanagan,	Melchiorre,	Simon,
Bradley,	Flinchbaugh,	Mentzer,	Sinwell,
Brancato,	Gerard,	Moomaw,	Smith, J. A.,
Brown, H. S.,	Haberlen,	Mooney,	Smith, W. G.,
Brown, J. E.,	Hagerty,	Moran,	Stank,
Brownfield,	Haluska,	Moul,	Stevens,
Brumbaugh,	Hamilton, F. P.,	Munley,	Stone,
Burke,	Harkins,	Murrin,	Sumney,
Cannon,	Harmuth,	Nagel,	Sweeney,
Caputo,	Hartman,	O'Keefe,	Tronzo,
Carson,	Hermansen,	Ominsky,	Tumelty,
Chervenak,	Hetrick,	O'Neill,	Van Sickle,
Coakley,	Hindman,	Patterson, C.,	Weiss,
Cochran,	Hirsch,	Patterson, J. W.,	Welliver,
Cohen,	Holland,	Pearson,	Welsh,
Coleman,	Hoopes,	Pfaff,	Westrick,
Coolahan,	Kelso,	Piole,	Yourishin,
Cordier,	Kenney,	Powers,	Zappala,
Davies,	Kilroy,	Reising,	Furman,
Decker,	Kinney,	Robinson,	

NAYS—67

Altenburg,	Hamilton, R. S.,	Reynolds,	Surface,
Atkins,	Horst,	Rhys,	Tahl,
Baker, F. T.,	Jackson,	Root,	Terry,
Baldi,	Jones,	Royer,	Trout,
Barnhardt,	Kane,	Schrock,	Turner,
Blumberg,	Kelder,	Serrill,	VanAllsburg,
Boose,	LaRue,	Shortz,	Wall,
Boyd, R.,	Longaker,	Shreiner,	Wasserman,
Boyer,	McDevitt,	Simpson,	Weidemann,
Brennan,	McKinney,	Sloan,	White,
Condon,	Merrell,	Snyder, F. E.,	Wickersham,
Flynn,	Moore,	Snyder, J. L.,	Winner,
Forrest,	Muir,	Sowers,	Witkin,
Gates,	Nothnagle,	Sproul,	Wood,
Gillette,	Panton,	Stewart,	Woodside,
Greenstein,	Peters,	Stockham,	Yeakel,
Habbyshaw,	Phillips,	Stott,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

RESOLUTION

UNEMPLOYMENT RELIEF

Mr. COHEN asked and obtained unanimous consent to offer a resolution, and asked unanimous consent for its immediate consideration.

The resolution was read by the Clerk for the information of the House as follows:

In the House of Representatives, June 22, 1936.

Whereas, it was estimated by the State Emergency Relief Board that six million, eighty-six thousand, two hundred eleven dollars ($6,086,211), in addition to the sum of eight hundred forty-five thousand dollars ($845,000), estimated to lapse on the thirty-first day of May, one thousand nine hundred thirty-six, out of prior funds available for unemployment relief would be necessary for unemployment relief purposes for the month of June, one thousand nine hundred thirty-six, and

Whereas, the General Assembly by Resolution Serial No. 13, approved by the Governor June 2, 1936, made available to the State Emergency Relief Board for unemployment relief purposes, the sum of four million, eight-six thousand, two hundred eleven dollars ($4,086,211), and, in addition, any prior funds appropriated to the board for unemployment relief purposes that remained unobligated and unexpended on May 31, 1936, and

Whereas, it now develops that the funds made available to the State Emergency Relief Board as aforesaid will be exhausted on or about the twenty-third day of June, one thousand nine hundred thirty-six,

Therefore, be it resolved (if the Senate concur), that the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund the sum of two million dollars ($2,000,000) from the Liquid Fuels Tax Fund and the sum of one million dollars ($1,000,000) from the Liquor License Fund, and hereby makes available to the State Emergency Relief Board the aggregate sum of three million dollars ($3,000,000) for unemployment relief purposes, and

Resolved, that the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the fiscal officers in making the transfers authorized by this resolution, (2) appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of three million dollars ($3,000,000) and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Liquid Fuels Tax Fund and the Liquor License Fund.

The SPEAKER. Will the House give its unanimous consent for the immediate consideration of the resolution? Are there objections? The Chair hears none and consent is granted.

On the question,

Will the House adopt the resolution?

Mr. WITKIN. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York permit himself to be interrogated.

Mr. COHEN. I will, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, the resolution states: "Whereas, it now develops that the funds made available to the State Emergency Relief Board as aforesaid will be exhausted on or about the twenty-third day of June, one thousand nine hundred thirty-six." Does the gentleman have any figures, accurate figures, to tell us just how much money has been used to date and how much money still remains in the State Emergency Relief Board.

Mr. COHEN. Mr. Speaker, last Wednesday, prior to the adjournment, there was in preparation at that time this identical resolution. Due to the adjournment on the part of the Senate, it was impossible to pass the resolution and there was no necessity to have the resolution introduced at that time, it being a concurrent resolution.

However, the amount of money that has been expended for the month of June so far amounts to approximately four million nine hundred and sixteen thousand dollars. Those moneys were expended begining with the first of June and will expire on June 23, 1936, or tomorrow. At the expiration of June 23rd, there will be no moneys left in

the State Emergency Relief Board with which to conduct its functions.

Mr. WITKIN. Mr. Speaker, do I understand the figure of four million nine hundred sixteen thousand dollars to be the figure submitted by Dr. De Schweinitz to the gentleman in connection with the amount of moneys that shall have been expended up until the twenty-third of June, 1936?

Mr. COHEN. That figure, Mr. Speaker, represents the actual transfer by resolution No. 18, in the actual sum of four million eighty-six thousand two hundred eleven dollars, plus the unexpended balance of approximately eight hundred fifty thousand dollars. Those figures added together and the figures that I have indicated represent the amount of moneys expended during the month of June, 1936.

Mr. WITKIN. Mr. Speaker, this resolution that has been introduced refers in its preamble to the month of June and then subsequently refers to an additional appropriation of three million dollars. Is it the thought of the gentleman that that three million dollars is for the balance of the month of June?

Mr. COHEN. It is not, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, what is the gentlemen's thought.

Mr. COHEN. Mr. Speaker, it is my thought that the three million dollars will be utilized by the State Emergency Relief Board in the same manner that the four million nine hundred thousand dollars plus was utilized by the State Emergency Relief Board as long as it will go. It has been the recommendation of the entire State Emergency Relief Board that the sum of six million dollars be appropriated for the functions of the board. However, it is becoming gradually more difficult to find funds that are susceptible of transfer, and as the result the resolution, as it is now presented, was presented in the sum of three million dollars rather than six million dollars. This three million dollars will be utilized by the State Emergency Relief Board both for the remaining days of June and as far as it will go into the month of July.

Mr. WITKIN. Mr. Speaker and members of the House, I arise to oppose this resolution in its present form for this reason: whereas the gentleman from York states that the three million dollars is to be appropriated to the State Emergency Relief Board for as long as it lasts, nevertheless his statement does not conform to his resolution, and whereas his statement is a perfectly justifiable one, his resolution does not bespeak nor support his statement, because it very specifically provides, at the very beginning of the resolution, that we are legislating for the month of June. He argued so himself on the floor of this House, and should time permit I could quote from his arguments, because when the Senate had a resolution amended in exactly the same form, he argued that the sum for unemployment relief was limited to a particular month, so that the gentleman now asks for three million dollars, in my judgment, in this resolution for the balance of the month of June, although his explanation is contradictory.

Now, let us examine the figures. In the short time that has been given to me, we've endeavored by quick arithmetic to get the facts. The facts are these: I computed upon the basis of a figure of four million nine hundred thirty-one thousand two hundred and eleven dollars, and I divided it by twenty-three days. The result was two hundred fourteen thousand four hundred dollars per day that was expended for the month of June. That figure would have to be cut down considerably, because of spending four million—I withdraw that—not "considerably" but "somewhat", because the gentleman's figures are five hundred sixteen thousand and not nine hundred thirty-one thousand—it doesn't make much difference. There are seven days after the twenty-third of June, and if by simple arithmetic you multiply two hundred and fourteen thousand four hundred dollars by seven for the balance of the month of June, you reach the figure of one million five hundred thousand eight hundred dollars, more or less by a few pennies. What is the net result? We are now asked to transfer three million dollars when, according to the expenditures that are being made per day, we would only need for the balance of the month of June approximately a million and a half dollars. It is quite simple to see the reason for this particular figure: because if you put in a large figure then when you cut it down, you cut it down less, and I have doubt that the gentleman feels that if he asks for three million dollars and then it is amended, it will go down to the figures that he wants.

The peculiar part about the whole thing is this: that the Emergency Relief Board itself does not ask for this figure, even upon the gentleman's own statement, because the figure for the month of June submitted to us in May totalled six million nine hundred thirty-one thousand two hundred and eleven dollars as computed by taking the six million eighty-six thousand two hundred and eleven dollars and adding thereto ninety-eight hundred and forty-five thousand lapsed funds.

Now, they come along and say, we don't want six million nine hundred thirty-one thousand two hundred and eleven dollars, but we want seven million nine hundred thirty-one thousand two hundred and eleven dollars, because the figure already appropriated of four million nine hundred thirty-one thousand two hundred and eleven dollars plus the three million contained in this bill, would increase the appropriation for the month of June to seven million nine hundred thirty-one thousand two hundred and eleven.

I listened with a great deal of interest last week to His Excellency, the Governor, telling us how much better things were getting. He made what I considered a national political Democratic speech at a joint assembly of this House and the Senate. He told us that times were getting so much better, that, thank God, we could cut down on the amount of money necessary for direct relief. So, the way to cut it down is simply to add three million dollars more than what is needed in May of 1936. These are inescapable facts, and figures don't lie.

I don't know who is right in the controversy that is now existent between the Federal WPA Administrator or our State Emergency Relief Director. I do hope that when they both get done finding mistakes in each other's methods of administering both direct relief and WPA, we may get the truth. I marvel at Mr. Jones. I don't take sides with Doctor De Schweinitz, but I do say, as a fact, that the only criticism that I have found or heard against the State Emergency Relief Board has been its large and overwhelming administration costs, upwards of nine hundred thousand dollars per month it costs us to administer relief, but I have heard considerable criticism concerning WPA. At least Doctor De Schweinitz has

never refused or never failed to give this House information concerning the workings of his department. He is an Earle appointee, he is part and parcel of the Democratic State Administration. Mr. Jones nor none of the other Democratic chieftains can divorce him by words from the Democratic Administration at Harrisburg. He is their baby, so to speak, and they have to hold on to him. But I say, in all fairness to him, he has not concealed the facts.

Mr. Jones cannot brag about the same thing. He has concealed them and he has fought it—

POINT OF ORDER

Mr. TUMELTY. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia, Mr. Tumelty, will state his point of order.

Mr. TUMELTY. Mr. Speaker, I don't believe there is anything contained in this resolution that has anything to do with the WPA. It is a transfer of funds to the State Emergency Relief Board, and I think the gentleman should leave the WPA out of it. That is a Federal affair and not a State affair.

The SPEAKER. The point of order is not well taken and the Chair will read from Jefferson's Manual:

"Freedom of speech and debate in the House of Representatives should never be denied or abridged, but freedom of speech in debate does not mean license to indulge in personal abuse or ridicule. The right of the members of two Houses to criticize official acts of executive officers is beyond question."

Therefore, the point of order is not well taken and the gentleman will proceed.

Mr. WITKIN. Mr. Speaker and members of the House, what the gentleman has very correctly stated in raising his point of order is what I am complaining about; leave the WPA out of it. That is the howl and the cry of every Democratic chieftain in Pennsylvania. However, in arguing that a certain amount of money is too large an amount for appropriation, it is well to stop and think and to ascertain whether or not direct relief is being properly administered.

I do not know the facts, because it is so difficult to get the facts, but Mr. Jones, whether he is right or wrong, says this:

"Weeks ago SERA was told that a superficial investigation by WPA had indicated that there were over 50,000 WPA cases that could be exchanged for larger family units on direct relief with a resultant saving to the taxpayers of Pennsylvania of $2,500,000 per month.

But SERA was not interested.

Weeks ago, SERA was notified that there were tens of thousands of WPA workers from families in which several other members had secured employment in private industry.

SERA was told that if they would investigate these cases and request it, these workers would be dropped and their places filled from the direct relief rolls.

But SERA was not interested."

Now, members of the House, I am frank to say that I do not believe Mr. Jones, because I can't believe a man who won't give facts; I cannot put credence in a statement of a gentleman who refuses to give us the necessary information, but I do say that where there is smoke there is fire or where there is smoke, fire is more likely to eminate from that smoke. So, I suggest to the gentlemen of the Federal Emergency WPA administration and the Director of the State Emergency Relief Board that they get together and give us the facts.

If Jones is right, then we have been appropriating and wasting millions of dollars in Pennsylvania. If Jones is not right, then of course, Dr. DeSchweinitz would at least be vindicated insofar as his administration of direct relief is concerned, because you can't escape the fact that the proper administration of WPA is directly connected with the proper administration or direct relief, because the more people taken off direct relief and put on WPA, the less people in Pennsylvania will we have to supply direct relief to. So, if you Democrats will spend more of your time in endeavoring to bring this controversy to an issue—

QUESTION OF INFORMATION

Mr. SCHROPE. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Schuylkill, Mr. Schrope, will state his question of information.

Mr SCHROPE. In view of the fact, Mr. Speaker, that we have heard this speech on five Monday nights in succession, is it not possible, Mr. Speaker, to declare a recess for the House and have the gentleman from Philadelphia speak to the gallery?

The SPEAKER. The gentleman from Philadelphia is entitled to be heard. The question before the House is the adoption of the resolution. The gentleman will proceed.

Mr. WITKIN. Mr. Speaker and members of the House, I do not blame the gentleman from Schuylkill, Mr. Schrope, for making that statement. It has no basis of sense, but I don't blame him for making it, but when several of the Democrats here show that they can think no better by applauding it, then I say I am astounded. However, that is not the question. I am perfectly willing to stop these speeches on one condition. I will stop them when and only when they open up the bag, the concealed bag, and let out the facts. When they do that, then I will not be able to yell about concealment, fraud, debauchery, trickery, and the endeavor to fool and bewilder the taxpayers of Pennsylvania. Until then, God having given me the power of speech, I will use it to your discomfort, because I see many of you wriggling in your chairs.

I say, very courteously, to my Democratic colleagues that if an endeavor to stop the effect of what I say concerning direct relief and WPA is going to be made by your making a noise, or hissing, and you want to indulge or engage in a hissing contest, we eighty-eight members on this side of the House can yell just as loud when you get up, and they will take themselves down on a football field and vie with you even at that, but you are not going to stop what I have to say if I have to stay here all night.

Now, members of this House, to those of you that are capable of understanding and those who are not, may I say this: that when you give us the facts, you will find that you are wasting the taxpayer's money. You know you are wasting it but at the present time you don't seem to be able to do anything about it, the reason you don't seem to be able to do anything about it, in

my judgment, is because you don't stop to give it the proper deliberation of your own free will and accord. If you did that, you should be agreeing with me. In your hearts I know you agree with me. I dare say that most of the Democratic members in this House believe that concealment of facts from a legislative body is something that ought to be looked upon with askance. You know it. If you don't, you ought to know it.

Now, Jones and De Schweinitz are arguing. While they are arguing, we are here to appropriate money. The Republican minority of this House wants to appropriate every dollar of relief necessary. We want to feed the hungry and the starving. We have just as much humanity within our hearts and within our souls as the Democrats do. You are making political capital out of it. We are making political capital out of the fact that you are extravagently wasting money. Your own Democrats are saying that you are doing it. Jones has indicted De Schweinitz and says that he is wasting two million five hundred thousand dollars a month. Laugh all you want; ridicule all you want, but the Federal Administrator of the WPA, of the United States Government, appointed by President Roosevelt, says that you are wasting two million five hundred thousand dollars per month and indicted your State Emergency Relief Director. You ought to ascertain in his defense whether he is wasting that two million five hundred thousand dollars or whether he is not wasting it. If he is wasting it, he ought to go, and if he is not wasting it Jones ought to go. One of them must go. Which one shall it be. Get the facts and then you can make the proper decision. You won't know until you get the facts. I now charge that the man who stops the facts from coming to light is the man who makes the accusation, and it ill becomes the man to accuse, to hide behind legal technicalities, as you would call them. He ought to come out in the open and indict those people who ought to be indicted for malfeasance or misfeasance in office.

In conclusion, I want to say that insofar as the figures are concerned, in my judgment, three million dollars is not the proper amount. I do not know what is the proper amount, but we should not go beyond the request made by the State Emergency Relief Board, and if that request is complied with, it would be one million five hundred thousand eight hundred dollars, and we have no right to appropriate three million by resolution or otherwise.

The day will soon come in the State of Pennsylvania when Pennsylvanians will rise and say that they are sick and tired not in hearing me for five Monday nights but that they are sick and tired of this waste, that they are sick and tired of the insinuations of the administrative pot calling the kettle black, although in that statement I do not mean to refer to Doctor De Schweinitz, because the only charge I have to make and have found against him is that the administrative costs are much too large, that the nine hundred thousand dollars a month ought to be cut down. If the indictment is true, then he should be asked to go. If it not true, then he should stay.

I ask the members of this House to vote down this resolution, because it appropriates much more money than should be appropriated, and because we, the Republican minority, want to give the people of Pennsylvania what they need to feed the needy and the hungry and not a penny to waste extravagantly, to build up a political machine, and to that end we will continue to fight as long as this session lasts and even after that.

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Witkin.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WITKIN. I will, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia relative to his factual remarks in distinction to his political remarks. Will the gentleman from Philadelphia explain for the benefit of the House where in this resolution it is stated that these funds are appropriated for the month of June, 1936, in contradistinction to the appropriation for an indefinite period of time?

Mr. WITKIN. Mr. Speaker, in doing so, I will use the argument of the gentleman, when he was arguing the same way I did. In the first paragraph there is a preamble that refers to $6,086,211 for unemployment relief that would be necessary for the month of June, 1936. Then the gentleman goes on, and in the third whereas clause he says, "Whereas, it now develops that the funds made available to the State Emergency Relief Board as aforesaid will be exhausted on or about the twenty-third day of June, one thousand nine hundred thirty-six." I take it that the words "as aforesaid" refer distinctly and definitely to the month of June, although in the final clause you use the words "For unemployment relief purposes" without specifying the time. And nevertheless a document, as the gentleman knows and ought to know, has to be taken in its entirety, and in its entirety it become very plain and evident that it is the intention of this House, if it passes this resolution, to appropriate $3,000,000 for the balance of the month of June, and I may recall to the gentleman from York, if I am not incorrect, that he used the identical argument and used the same language here when the Senate amended one of his bills.

Mr. COHEN. Mr. Speaker, the gentleman has cited the third whereas clause and the appropriation of funds "as aforesaid," referring to the first paragraph. On close reading of the third whereas clause, does not the "as aforesaid" refer to the moneys that were made available under Resolution Serial No. 18, which appears in the second whereas clause and not in the first whereas clause?

Mr. WITKIN. Mr. Speaker, in answer to the gentleman, I would have to be a Houdini to be able to differentiate as to whether the "aforesaid" refers to the first or second paragraph. The word "aforesaid," as I understand the English language, refers to anything that goes before it, and the two paragraphs going before refer to $6,086,211 and to $4,086,211, so that "aforesaid" must necessarily, by the use of Webster's dictionary, refer to one or both of the first and second paragraphs.

Mr. COHEN. My Speaker, may I ask the gentleman from Philadelphia in which paragraph, the first or second whereas clause, the money is made available.

Mr. WITKIN. Mr. Speaker, I would say that in the first two paragraphs the money is made available, because the first paragraph speaks of the estimate of the State Emergency Relief Board, and the second paragraph speaks of an appropriation in a lesser sum, but you have here in the first paragraph "out of prior funds available for unemployment relief," and I call your attention to the fact that the moneys were made available, $845,000 was made available even before the month of June, before

the month of May, so that your available clause refers to the $845,000, which is made part and parcel of your whole sum.

Mr. COHEN. Mr. Speaker, may I ask the gentleman if his objection to the resolution, relative to the time of limitation of the appropriation would be removed by striking from the resolution the entire first paragraph?

Mr. WITKIN. Mr. Speaker, I would answer that by saying that it would be less acceptable. In other words, I believe this: that when we appropriate for the month of July, we ought to have before us some data for the month of July. I am opposed at this moment to appropriating money for the month of July, because I do not have as yet—you may have it—information as to the cost for the month of July. I do not know whether it has been furnished to the membership of this House; I believe it has not, and the State Emergency Relief Director ought to give us something to show us what we need for July, because if what Governor Earle has said in his speech is true, we will hardly need any money because business is getting better and we won't have to appropriate half as much.

Mr. COHEN. Mr. Speaker, then do I understand that the objection of the gentleman from Philadelphia to this resolution is because there is supposedly a time limitation, and if that time limitation were removed he would still object, because there was not a definite time limitation; is that correct.

Mr. WITKIN. Mr. Speaker, I apologize to the gentleman from York for not hearing his question, but I was interrupted and I did not hear it. May I ask the gentleman to repeat it?

Mr. COHEN. Mr. Speaker, I will be glad to repeat it. I understand from the argument presented by the gentleman from Philadelphia that he objects to the resolution on the grounds, one, that it does contain a definite time limitation for the month of June and if that time limitation is removed he still objects to the resolution, because it does not contain a definite time limitation, is that correct?

Mr. WITKIN. Well, Mr. Speaker, the question, in my opinion, is unusual in that it does not make sense, but nevertheless I will try—I do not say that disrespectfully, I say it because I can't understand it, because I am unable to intelligently understand it, but I say this to the gentleman: I am in favor of appropriating money for unemployment relief for the balance of the month of June, and I am in favor of a resolution appropriating money for the month of July, and when I am doing that, I want, before I appropriate for the month of July, the facts, I want to be able to get the information. If you can give me the information necessary for the month of July, I am ready to appropriate for unemployment relief that much. Failing in that, I am willing to appropriate for the seven days, for the balance of the month of June, although the figures of the State Emergency Relief Board for the month of June, the highest even under their own estimate you can reach is $1,500,000, and if this resolution is amended to read $1,500,000, I would be willing to vote in favor of the resolution for the balance of the month of June. So that is my answer to the gentleman as to his question at the present time, as to the time I am willing to vote for a resolution for a particular time for a particular sum. The particular time: seven days or thirty-seven days depending upon whether you can give us the information for the month of July, because in the month of June if I read Mr. Jones' statement correctly, he says that the direct relief rolls in Pennsylvania will be substantially reduced and even cleared of all except unemployables in a very short time, if there was some State Administration that would agree to cooperate with WPA. So, I say to the gentleman from York, if you would use your good offices as the majority leader of this House and get that cooperation, the chances are that for the month of July we will need much less money, thereby meaning much less taxes, and I will go along on this resolution if you will reduce the amount for a particular time, and I hope that answers the gentleman's question.

Mr. COHEN. It does, Mr. Speaker. If my memory does not fail me, this is approximately the third time the membership of this House has been confronted with the necessity of making relief appropriations. And each and every instance the membership of this House has found objection from the other side. In one instance they objected to the amount, the second time they objected to the time provision, and in this instance they are objecting both to the amount and because there is no time specified.

The question that I asked the gentleman from Philadelphia, which he indicated was nonsensical on my part, was purely a question with a view to ascertaining how this resolution could be presented to this membership so it would meet with the accord of the minority side of the House. Covering the appropriation for June, the Democratic membership of this House presented an appropriation bill which we estimated would meet the requirements for the month of June. The Republican minority objected and the membership of the Republican Senate, if my memory doesn't fail me, reduced that amount to a four million plus figure. The House objected to the reduction, the time limitation was stricken out, and the four million dollars plus was the amount that the State Emergency Relief Board found necessary to take care of their demands.

At that time it was understood and the conferees so reported that the moneys which we appropriated would be utilized as long as they lasted. They lasted and they are still lasting, but on June 23rd those sums of money will be entirely consumed, and again we are here confronted with the necessity of making an additional appropriation.

How much shall we appropriate? Should we utilize the figure as recommended by the gentleman from Philadelphia, $1,500,000 and appropriate money for the seven days or should we at one stroke appropriate $3,000,000 so that by Monday night this House will not again be confronted with the necessity of presenting an appropriation resolution or a transfer resolution?

Follow the chain of thought indicated by the gentleman from Philadelphia and carry it out to its extremity, he is now desirous of appropriating to the Emergency Relief Board on a weekly basis, and to carry it out further, he might at some time desire that the appropriation to the State Emergency Relief Board be placed on a daily basis, and to carry it to its absurdity, he might require this House and Senate to remain in continuous session, so that we could make appropriations to the State Emergency Relief Board on an hourly basis.

He admits and says that the minority would go along on an appropriation of $1,500,000 for the balance of the month of June. This resolution does not have any time limitation. This resolution is a resolution transferring and appropriating $3,000,000, one and one-half million

dollars which possibly might be used in the month of June, the balance of the month of June, the balance of one and one-half million dollars might possibly take care of the first week of the month of July.

Does the gentleman from Philadelphia, does the minority desire, that this House remain in continuous session, making continuous appropriations, presenting continuous resolutions, and consuming the time of this body performing an act that can be performed at the present time for at least two weeks by the enactment of this resolution?

I ask the entire membership of this House, in view of the statement made by the gentleman from Philadelphia, that the entire membership of this House vote in favor of a resolution which will appropriate for at least two weeks to the State Emergency Relief Board.

Mr. WITKIN. I am yielding to the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the majority leader, the gentleman from York.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I desire to ask the gentleman from York whether he can cite any opinion, any decision of the courts or any opinion of the Attorney General establishing the validity of resolutions appropriating funds of ths Commonwealth for any particular purpose.

Mr. COHEN. Mr. Speaker, I can not cite any opinion of the court or any opinion of the Attorney General, but since 1933, the first session which I attended as a member of this House, transfers and appropriations have been made in this manner, and during this session transfers of appropriations have been made in the very self same manner. Apparently no objection has been found thereto by the fiscal officers of our Commonwealth nor have any objections been found thereto by the Department of Justice. I dare say that this being a nation founded on the common law, wherein precedent plays a great part in determining our actions—I dare say that the courts in view of the long established precedent of making transfers in this manner would undoubtedly, if the question were raised, decide that it is a constitutional procedure.

POINT OF ORDER

Mr. ANDREWS. It is true, Mr. Speaker, that in 1933, in order to meet an emergency, funds were transferred and appropriated by resolution. It is true that subsequently emergencies have periodically recurred and funds have been appropriated by resolution.

The gentleman from York knows and every lawyer in this House knows that the method is absolutely unconstitutional. The gentleman from York knows and every lawyer in this House knows that no set of precedents established by this House can over turn the constitution. If there was to be any end of the emergency, Mr. Speaker, I would not arise, but I say to you and I say to the members of this House that if they are establishing a precedent they are establishing a most dangerous precedent for a parliamentary body. If you can transfer and appropriate $3,000,000 by resolution you can appropriate and transfer $30,000,000, and if you can transfer and appropriate $30,000,000 by resolution you can transfer and appropriate $90,000,000, and it is not within the purview of the constitution that this House by a single act, by a resolution passed even without a recorded vote should appropriate money.

The gentleman from York, the majority party, the administration knew a week ago that we would be at this point and if they wanted to transfer money there was abundant opportunity to bring in an appropriation bill and do the thing in a legal manner.

I would not arise tonight to protest if I did not think that next week we would be doing the same thing.

Now, this being a parliamentary body owes it to itself, owes it to its tradition, owes it to its knowledge of the law to proceed in a constitutional manner and appropriate money by a bill, read three times in the House and concurred in legally by the Senate.

I don't care what action this House takes. I only want to get right myself from the parliamentary point of view and, therefore, Mr. Speaker, I rise to a point of order that this resolution is out of order and that it is clearly and unmistakably unconstitutional.

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order. My point of order deals with the point of order just raised by the gentleman from Cambria.

Mr. Speaker, I want to raise the point of order that the point of order of the gentleman from Cambria is not properly presented to this House, because under our rules it requires four seconders and the gentleman has not had his point of order in raising a constitutional question properly seconded.

The SPEAKER. The point of order of the gentleman from Philadelphia is not well taken. The Chair read the rule for the information of the House.

POINT OF ORDER WITHDRAWN

Mr. ANDREWS. Mr. Speaker, I withdraw my point of order.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, withdraws the point of order raised by him.

POINT OF ORDER WITHDRAWN

Mr. WITKIN. Mr. Speaker, I withdraw the point of order raised by me.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, withdraws the point of order raised by him.

Mr. BROWNFIELD. Mr. Speaker and members of the House, the minority floor leader may be consistent in his arguments on these transfers for relief that we have made from time to time, but after listening to these arguments the four different times we have made transfers, I find it pretty hard to believe that he is. We made a transfer of 13 or 14 million dollars in September at the Special Session called by Governor Pinchot. At that time the Democratic block stood solid for enacting the necessary tax measures to furnish that relief, but the Republican majority hurriedly enacted transfer measures and went home, because the election, I suppose, was nearly at hand. At that time I heard the present minority floor leader state that he felt that the next regular session of the Legislature would adequately provide for the relief needed at that time and also refund those transfers. But the Session met in January, and all through January, February, March and April the Senate played in a dilatory manner—you will remember it,—for weeks at the beginning of that session the Senate met on Monday night and then adjourned on Tuesday forenoon. April came and a relief crisis was imminent, and the deadline was

set for the cessation of Federal Relief at April 15th, and something had to be done. Again I recall the minority floor leader advocated transfers of money. It had to be done, of course, but why? Then, the Senate, instead of providing for the amount of relief for the time that it should have been, provided for one year's relief, which made this special session necessary. And we meet again in May and we find that the Senate again dallies and refuses to enact the necessary tax measures. Then the last of May comes along and we need another transfer of money. This time the minority floor leader opposes the transfer.

We now come to another time when a transfer is necessary and this time again he opposes it. The other two times he favored the transfers. Of course, these two times he says that it is not the transfer he objects to, but the amount and the time of the amount. He always has a reason, whether it is a good reason or not. How long are we going to keep up this transfer of moneys? How long is the Senate, with the cooperation of the minority in the House, going to make it necessary for us to make these transfers, I would like to know? We would not need to talk and talk and talk and fill pages and pages and pages of the Journal for political purposes if the thing was done that should be done, and that is enact the tax measures necessary to furnish this relief before it became necessary to make transfers.

Mr. BARBER. Mr. Speaker, I desire to interrogate the gentleman from Cambria, Mr. Andrews.

The SPEAKER. Will the gentleman from Cambria, Mr. Andrews, permit himself to be interrogated?

Mr. ANDREWS. I will, Mr. Speaker.

Mr. BARBER. Mr. Speaker, I desire to ask the gentleman from Cambria, Mr. Andrews, whether or not he has ascertained that there will be additional transfer resolutions presented to this body?

Mr. ANDREWS. I cannot answer that question, Mr. Speaker, but I can tell the gentleman that I shall do everything in my power to discourage any more transfer resolutions.

Mr. WITKIN. Mr. Speaker and members of the House, I merely want to take a few minutes to reply to the gentleman from York, Mr. Cohen, and the gentleman from Fayette, Mr. Brownfield. May I first state very frankly to the gentleman from York that in the statement I made referring to his question, that it does not make sense, I did not intend in any manner to belittle the gentleman from York. I did mean as to me I could not understand the question, and I did not intend that the gentleman should feel that I was endeavoring to ridicule him by calling his question non-sensical.

I do want to say, however, in answer to the gentleman from York, Mr. Cohen, that he criticized our weekly or monthly appropriation. I want to say in answer to him this: that if the monthly, weekly, or hourly transfer of funds is the means of saving millions of dollars to the taxpayers of Pennsylvania, then I am for such appropriation, because the expense of our sitting in legislative assembly cannot possibly be much compared to the saving that apparently we have already made, and that I feel certain we will make in the future.

When his Excellency the Governor, gave us his figure of $70,000,000, had the Senate and the House immediately bowed to his will, had we immediately appropriated that money, had the Senate been a proper stooge for the Governor had the House in its entirely been a proper stooge, we would have immediately retired to our respective chambers, we would have immediately appropriated $70,000,000 of the taxpayers' money and we would have adjourned long before the Governor found out that business conditions had changed so that we could drop sixteen millions of dollars from the burden of taxation upon the people of Pennsylvania. I say that as the Senate dallies so save we money to the taxpayers of Pennsylvania, and as far as I am concerned I hope they continue to dally until we get the facts, because if we do, we may save sixteen million dollars more to the taxpayers of Pennsylvania. So much for the continuous session.

I also want to say to the gentleman from York that I said I was willing to go along with the resolution, if it were a million and a half. I won't admit, nor do I concede, that that is the proper figure that we need for seven days, but in view of the exigency I was willing to go along and still am. No statement has been presented by Dr. De Schweinitz, giving us any figures. The gentleman from York has given us figures and I have no doubt they are correct to the best of the gentleman's knowledge. But we ought to have accurate figures, we ought to know where we stand.

I merely want to say to the gentleman from Fayette, Mr. Brownfield, that what I have replied to the gentleman from York in respect to the dallying, is in answer to his argument about the dilatory manner, but there is one thing that I want to add, and that is this; when we appropriated $60,000,000 during the last session, Washington told us that they were going to give us money up to June 30, 1936. Washington broke faith with us, they broke their agreement, because if they had kept their agreement they would have continued to provide the direct relief for the State of Pennsylvania, which pays more money in taxes than most any other state in the Union, and we would not be in the position of being short of money. They broke faith with us by stopping direct relief to the State of Pennsylvania in December of 1935 so that the responsibility for our being convened in extraordinary session is due to the faith breaking and the breach of agreement on the part of the Federal Government with the State of Pennsylvania.

Mr. COHEN. Mr. Speaker and members of the House the gentleman from Philadelphia apparently desires some facts and I will be glad to give them to him. We are confronted here with an appropriation of $3,000,000. They are not my figures, they are not his figures; they are the figures that were determined by the Emergency Relief Board. They were the figures that were recommended not in the sum of $3,000,000, but in the sum of $6,000,000 by the State Emergency Relief Board. They were the figures that the State Emergency Relief Board, composed of the two fiscal officers, two Republican fiscal officers Mr. Waters and Mr. Baldwin, recommended for passage by this House. The State Emergency Relief Board recommended. as I indicated before, an appropriation transfer of $6,000,000 for a definite period of time. On account of the necessary transfers it has become increasingly difficult to find the funds at hand available for a transfer of $6,000,000, and as a result those figures were cut down for a limited period of time by necessity to $3,000,000. They are not my figures; they are the figures that hav

been recommended to this House by the State Emergency Relief Board, concurred in and recommended also by the Republican members of that body, and I assure you that this House can do no better act this evening than pass this resolution.

Mr. HOOPES. Mr. Speaker and members of the House, we have been debating this resolution here for considerably over an hour. They seem to be talking about everything except the needs of the unemployed of Pennsylvania. If I understand correctly, the funds that have been appropriated will be exhausted tomorrow. So, we are confronted with the fact whether or not we are going to provide relief for the unemployed beginning tomorrow or whether we are going to haggle and talk politics and pass charges back and forth between the majority and the minority, and let the needy starve. I am sometimes tempted to think that at least some members of this House are more concerned with making a political point than they are with feeding those who are without the means to live in the State of Pennsylvania at the present time. The only thing that they seem to be concerned about is saving taxes for the wealthy taxpayers of this State. The minority floor leader has just told you if he has succeeded in saving $16,000,000 he is well satisfied. Apparently it does not matter whether the unemployed are adequately taken care of or whether they are taken care of at all. The main thing is to save the taxpayers money. I think it is about time we are stopping this thing of talking all the time about saving for the taxpayers and consider what it means to the unemployed. What does it mean to be continually confronted with deadlines, beyond which no relief has been provided, and beyond which they don't know whether there will be any relief provided or not?

Members of the House, how would you like to be in a position where you would have a relief voucher due on Wednesday, but the funds are exhausted on Tuesday, and the Legislature at midnight on Monday has not as yet provided for the funds so that you may know whether you are going to get your voucher on Wednesday or not. That is the situation in which hundreds of thousands of people in Pennsylvania find themselves today. They don't know whether their next voucher is going to go through or not; they don't know what is going to happen. They know that they are getting so little that they cannot possibly stretch it beyond the time they are getting it. Right here I think something should be said about the statement that was issued by Mr. Jones of the WPA, today or yesterday, in which he stated that if there were some fifty thousand WPA cases that could be exchanged for larger family units on direct relief, you would save the taxpayers two and a half million dollars a month. But he does not tell us if some of those larger family units on direct relief were transferred to WPA they would get often less than they are getting on direct relief. I do not think that anyone who has analyzed these figures or allowed it through in any way is prepared to say that they are getting so much on direct relief that they ought to get less on WPA. Yet that is the implication with the larger family units on the wages that are being paid by WPA at the present time. Certainly I believe in work relief. Certainly it is better for those who receive the relief to have to work for it, but by all means they should get an adequate wage for the relief when they work for it. They should not be compelled to take less than they get on direct relief. Figures have been presented which I briefly summarized last week, and as some of the other members of the House make a speech every week, it seems to me it would be proper to again call your attention to what these relief figures mean to the unemployed. I pointed out that time that on the appropriations that were allowed there is only $1.86 per week for administration costs, dental and medical care, the average case consisting of three and three tenth persons; that only $1.40 is allowed for milk, which is only two quarts per day, at ten cents per quart, and milk cannot be purchased in all parts of the State at ten cents per quart; that only two dollars and fifty cents per week is allowed for rent and shelter. I again call your attention to the fact that if you are not concerned about the unemployed, how about the landlord who is asked to rent premises that are tenantable at $2.50 per week? How many of you know landlords who are anxious to do that? How many of you know landlords that have evicted people, both those on direct relief and on WPA, because the allowances for rent are not sufficient to pay the taxes and interest and upkeep on the house which they occupy, with the result that the landlords cannot afford to keep them. We cannot blame the landlords, at least from an economic viewpoint, for not wanting to keep tenants at less than it costs them. Nevertheless that is all that is allowed. What are they to do on $2.50 per week, which is all that is allowed for a family of three and three-tenth persons, under the schedule of direct relief in the State of Pennsylvania at the present time? Whether all of you know it or not, it is practically impossible to find a landlord who will take a tenant or who will rent premises to a person who is either on direct relief or working for WPA, because he does not know how long it is going to last, with the result that thousands of them are being evicted. Only week before last four or five families with several children were thrown out of the Berks County almshouse, where they had gone after being evicted from private homes. Where they went from the almshouse nobody knows, and unfortunately nobody seems to care very much.

That is the way the thing has been going on. Are you going to do anything about it? Are you going to keep on arguing on a basis of political advantage to one side or the other? Sixty cents allowed for fuel and heat, sixty cents a week for a family. Go home and look at your electric light bill or your gas bill or whatever you use for cooking and see how many of you are getting by with sixty cents a week for cooking alone. To be sure at this time of the year you may not need any heat, but this allowance applies to winter months as well. These are the sort of allowances that some of our friends are talking about cutting down and reducing, getting lower and lower and lower in order to save the taxpayers, regardless of what happens to the unemployed. How long are we going to continue that? Thirty cents for light, $1.65 for three and three-tenth persons for clothing per week. Well now, if you take the total of those figures you get $8.31, and as I pointed out to the House last week the allowances for the present time total only about $12.82, which only allows $4.50 a week for a family of three and three-tenth persons for food. Food costs have increased seventeen percent during the past year. Clothing allow-

ances have been cut twenty-five percent, still you talk about reducing, cutting, and lessening the expense of relief.

To be sure, nobody wants to waste the money, but in all this talk and propaganda on both sides of the House and in the Senate and in the newspapers, about continually cutting down and saving for the taxpayer, it is about time, if we are going to do so much investigating, if we are going to find out how much money is being wasted and all that sort of thing, it is about time we are finding out how much money is needed to maintain a decent standard of living for the unemployed Pennsylvanians. That is the way this problem should be treated. Do not continually make the unemployed the football of politics; you should consider their needs seriously. Let us deal with it on a definite, long term basis. This thing of compelling them every week to wonder whether or not they are going to get their voucher for the following week, even though they deserve it in every way, because there has been no appropriation made, why should we do this thing every week? Why should we be here for six weeks and still have made no provision beyond tomorrow? Are we going to keep this up indefinitely? Are we going to stay here until Labor Day or until after election, when they kick us out, or are we going to really solve this problem in a statesmanlike manner and take care of the unemployed on a decent basis? That is the problem, that is what they are expecting us to do. I think it is time that we get down and consider this problem and stop this bantering back and forth, trying to have political advantage, one over the other, with a scheme of saving money for the taxpayers, regardless of how much pain and suffering may be involved for the unemployed of Pennsylvania.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. BURKE and Mr. MORAN.

Mr. MORAN. Mr. Speaker, I ask for a verification of the roll.

The roll was verificd and was as follows:

YEAS—129

Alexander,	Downey, G. E.,	Long,	Ruffennach,
Allen,	Downey, J. J.,	Lovett,	Sarraff,
Andrews,	Eberharter,	Male,	Scanlon,
Anthony,	Eroe,	McCreary,	Schaeffer,
Arnold,	Falkenstein,	McDermott,	Schrope,
Aukerman,	Ferko,	McDevitt,	Schwab,
Baine,	Finnerty,	McElroy,	Shaw,
Baker, F. T.,	Fitch,	McHenry,	Shepard,
Baker, J. J.,	Flanagan,	Melchiorre,	Shortz,
Barber,	Gerard,	Mentzer,	Shugarts,
Beadman,	Haberlen,	Moomaw,	Siegel,
Bradley,	Hagerty,	Mooney,	Simon,
Brancato,	Haluska,	Moran,	Sinwell,
Brennan,	Hamilton, F. P.,	Moul,	Smith, J. A.,
Brown, H. S.,	Harkins,	Munley,	Smith, W. G.,
Brown, J. E.,	Harmuth,	Murrin,	Sowers,
Brownfield,	Hartman,	Nagel,	Stank,
Brumbaugh,	Hermansen,	O'Keefe,	Stevens,
Burke,	Hetrick,	Ominsky,	Stone,
Cannon,	Hindman,	O'Neill,	Sumney,
Caputo,	Hirsch,	Parks,	Tronzo,
Carson,	Holland,	Patterson, C.,	Tumelty,
Chervenak,	Holstrum,	Patterson, J. W.,	VanAllsburg,
Coakley,	Hoopes,	Pearson,	VanSickle,
Cochran,	Jones,	Pfaff,	Wasserman,
Cohen,	Kelder,	Piole,	Weiss,
Coleman,	Kelso,	Powers,	Welliver,
Coolahan,	Kenney,	Reising,	Welsh,
Decker,	Kilroy,	Rhys,	Westrick,
Denning,	Kinney,	Rinn,	Yourishin,
Dent,	Klingler,	Roan,	Zappala,
Diehl,	Kobelak,	Robinson,	Furman,
Dilley,	LaRue,		

NAYS—53

Altenburg,	Gillette,	Nothnagle	Sweeney
Atkins,	Greenstein,	Peters,	Tahl,
Baldi,	Habbyshaw,	Phillips,	Terry,
Barnhardt,	Hamilton, R. S.,	Root,	Trout,
Bernhard,	Hoffner,	Royer,	Turner,
Blumberg,	Horst,	Schrock,	Weidemann,
Boose,	Jackson,	Shreiner,	White,
Boyd, R.,	Linderman,	Simpson,	Wickersham
Boyer,	Longaker,	Sloan,	Winner,
Condon,	Lynch,	Snyder, F. E.,	Witkin,
Davies,	McKinney,	Snyder, J. L.,	Wood,
Flynn,	Moore,	Stott,	Woodside,
Forrest,	Muir,	Surface,	Yeakel,
Gates			

So the question was determined in the affirmative and the resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. WEISS. Mr. Speaker, I desire to call up at this time House Bill No. 71, Printer's No. 118, on page 3 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WEISS,

The House resumed the consideration on final passage of House Bill No. 71, entitled:

An Act to promote the construction of flood control works and improvements by providing for the appropriation of certain waters of the Commonwealth to the Commonwealth and incidental thereto to secure the use thereof for the benefit of the people declaring void certain condemnations and appropriations of waters by municipalities corporations copartnerships or persons providing for ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities corporations copartnerships or persons and appeals therefrom conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto providing for future condemnations and appropriations of waters by municipalities corporations copartnerships or persons and compensation therefor and conferring powers and imposing duties upon the Water and Power Resources Board.

On the question recurring,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker and members of the House, I arise to oppose the passage of this bill in the form in which it is now presented to the House. This bill purports to be a flood control bill, although I have been unable to discern in reading the bill what relation it could have to the question of flood control. This is an extremely important measure and a far reaching measure, and one that will have great effect upon the affairs of many of the people of this Commonwealth and upon the affairs of many of the municipalities of this Commonwealth. It provides for the taking over of the streams in the Commonwealth by the State, and provides that except those that now have rights upon streams by reason of prior condemnations, that henceforth, if they desire to condemn the land along any stream for the purpose of taking water, they must first apply to the Department of Forests and Waters and receive a permit before they can take any of the waters. It provides that if there has been any condemnation started in the past, under the laws as they have existed on the statute books for a great many years

that unless the actual taking is performed within the next two year period, they shall not be allowed to proceed with their condemnation, and thereafter must go to the board for a license. If that license is granted by the board, it can be granted under such rules and regulations as the board may determine, and the board may require that the company, or the municipality, or the individual that is taking the water shall pay a license fee that shall range from one to five dollars per million gallons of water taken. There is no restriction upon the board as to the classifications that shall be created. There is no restriction upon the board as to any discrimination that it may make between those that are to take the water. The question of a million gallons of water may seem to you like a large amount of water, but I made a quick survey in my own county among some of the manufacturing concerns and others located along the Delaware River, and I found that, for instance, the water that is being used in one of the plants in the oil industry—and we have some five or six,—used one million gallons of water a day, which it does not take from the stream and use up; but merely passes it through the pipes for condensing purposes and returns it to the stream without any loss. I found that an electric company had a power plant on the Delaware River that likewise uses about one hundred million gallons of water a day for cooling purposes, which is again returned to the stream, and yet a charge would be made of anywhere from one to five dollars per million gallons for water used by those two organizations, who merely pass it through the pipes and return it to the Delaware River. I found that almost every industry along the Delaware River uses large quantities of water, ranging from four million gallons of water a day to as high as twenty to twenty-five millions of gallons of water per day. I was told by one industry that it would cost them twenty-five thousand dollars a year, on the basis of the five dollar charge, for the water consumed by that one industry. This is an added tax. You have already passed bills here to increase the taxes on industries. The Federal Government has already passed stringent measures to enforce further taxation, and very heavy taxation upon corporations, mostly industrial corporations, and this is but adding to the burden of industry in this State. I know that there are many men here who are not concerned with what burdens are put upon industry, but I want to sound a warning note to you men that industry in this State is looking elsewhere for places to go. When I called upon one of the plants in our community, a plant that has kept in continuous operation, with three shifts a day throughout the depression, a plant that pays good wages to its people, a plant in which many of our people seek employment, the treasurer of that concern said to me, "You may believe it or not, but sitting across the desk from me at this time is a man from another state, and that state offered to us a free plant site, and the sum of one hundred thousand dollars with which to build a unit and ten years free taxes. If this condition continues in Pennsylvania,—"if this concern that sells a product that is sold world-wide and must meet all kinds of competition, that sells on a very small margin of profit," —if this concern is further burdened in Pennsylvania with a continuation of taxation, we must to preserve our own concern look elsewhere than the State of Pennsylvania for any further extension of our industry."

I was told by the superintendent of another plant the other day, whom I met, that they had a plant in East St. Louis, and he said if the situation continues in Pennsylvania,—we have lost $12,000,000 in the last few years running our plant, employing seven hundred men—if this condition continues we see no other alternative than to close this plant here and to throw all our work into the East St. Louis plant.

I could go on telling you experiences in my own community, and I wonder if you men who here upon this floor are continually pleading for the workers, who are continually talking about labor, I wonder if you are considering the conditions that you are creating in Pennsylvania, and the work that you may take away from the very people for whom you are pleading. So much for industry.

There is another angle to this bill. This bill would compel municipal water plants to be placed in the same position as privately owned water companies. Last week I attended the convention of the League of Boroughs of Pennsylvania. At that convention were representatives of some six hundred boroughs in the state of Pennsylvania. That convention passed a unanimous resolution opposing this measure. Why did they do it? First, because of this question of charge, and, secondly, because they know that in the future, should they condemn a private plant they would then have to come to the Department here for a license and would have to pay this fee, which would have to be added to the rate that the taxpayers and the rate-payers of the community were paying for their water. Therefore, when this question was raised upon the floor, there was an immediate resolution passed, urging this Legislature to refuse to pass this bill.

Then, there is just another angle to this bill. It is absolutely unworkable. Those plants, those private corporations, that are taking water from streams at the present time, and have lands which they have condemned, could not be affected by this bill, but those that come in the future will be. Not only those that are upon large bodies of water, but this bill would affect every kind of an industry and every kind of an individual who took water from the smallest kind of a stream in Pennsylvania. As to the talk about taking water from the flowing streams, I want to say to you men from the coal regions, that I have no doubt that this bill will affect the waters in the coal mines of the State of Pennsylvania. In addition to that, I think there is a very grave question whether this bill could affect those industries along the Delaware River, because the Delaware River is an interstate stream, it is a navigable stream that is controlled by the United States Government. How are we going to determine that the water taken from the Delaware River is Pennsylvania water, when it flows from between the states of Pennsylvania and New Jersey?

The only plea that can be made for this bill is that in the future, when the State of Pennsylvania may want to do something about flood control, there may be some conditions existing where some companies may say that they have condemned lands along streams, and therefore the State of Pennsylvania might have to pay something for the land that was taken for flood control. That is the remote question under which they are trying to bring it under flood control, because they know that that is a popular issue at the present ime, for they know that is something that will appeal to the members of the Legislature, and that is the only way that this bill can come under the call of the Governor at the present time, and therefore I urge the members of the House to vote "No" on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. TURNER. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—111

Alexander,	Downey, G. E.,	Long,	Sarraf,
Allen,	Downey, J. J.,	Lovett,	Scanlon,
Andrews,	Eberharter,	Lynch,	Schaeffer,
Anthony,	Eroe,	Male,	Schrope,
Arnold,	Falkenstein,	McDermott,	Schwab,
Aukerman,	Ferko,	McElroy,	Shaw,
Baine,	Finnerty,	Melchiorre,	Shepard,
Baker, J. J.,	Fitch,	Mentzer,	Shugarts,
Bradley,	Flanagan,	Moomaw,	Siegel,
Brancato,	Flinchbaugh,	Mooney,	Simon,
Brown, H. S.,	Gerard,	Moran,	Sinwell,
Brown, J. E.,	Haberlen,	Moul,	Smith, J. A.,
Brownfield,	Hagerty,	Munley,	Smith, W. G.,
Brumbaugh,	Haluska,	Murrin,	Stank,
Burke,	Hamilton, F. P.,	Nagel,	Stevens,
Cannon,	Harkins,	O'Keefe,	Stone,
Caputo,	Harmuth,	Ominsky,	Sumney,
Carson,	Hartman,	O'Neill,	Tronzo,
Chervenak,	Hetrick,	Patterson, Cliff,	Tumelty,
Coakley,	Hirsch,	Patterson, J. W.,	VanSickle,
Cochran,	Holland,	Pearson,	Weiss,
Cohen,	Holstrom,	Pfaff,	Welliver,
Coleman,	Kelso,	Piole,	Welsh,
Coolahan,	Kilroy,	Powers,	Westrick,
Decker,	Kinney,	Reising,	Yourishin,
Dent,	Klingler,	Rinn,	Zappala,
Diehl,	Kobelak,	Robinson,	Furman,
Dilley,	LaRue,	Ruffennach,	

NAYS—74

Altenburg,	Gillette,	Panton,	Stott,
Atkins,	Greenstein,	Perry,	Surface,
Baker, F. T.,	Habbyshaw,	Peters,	Sweeney,
Baldi,	Hamilton, R. S.,	Phillips,	Tahl,
Barnhardt,	Hermansen,	Reynolds,	Terry,
Beadman,	Hoffner,	Root,	Trout,
Bernhard,	Hoopes,	Royer,	Turner,
Blumberg,	Horst,	Schrock,	Van Allsburg,
Boose,	Jackson,	Serrill,	Wall,
Boyd, R.,	Kane,	Shortz,	Wasserman,
Boyer,	Kenney,	Shreiner,	Weidemann,
Brennan,	Longaker,	Simpson,	White,
Condon,	McCreary,	Sloan,	Wickersham,
Cooper,	McDevitt,	Snyder, F. E.,	Winner,
Davies,	McKinney,	Sowers,	Witkin,
Duffort,	Merrell,	Sproul,	Wood,
Flynn,	Moore,	Stewart,	Woodside,
Forrest,	Muir,	Stockham,	Yeakel,
Gates,	Nothnagle,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

RESOLUTION

REPORT OF STATE COMMITTEE

Mr. COHEN asked and obtained unanimous consent to offer the following resolution from the State Committee which was twice read, considered and adopted:

In the House of Representatives, June 22, 1936.

Resolved, That the following person be elected Page of the House of Representatives to fill a vacancy as of May 4, 1936, as provided for by the Act of Assembly:

William Cuff, Carlisle, vice Harold Fry, Lemoyne, resigned.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 110,

An Act providing that no person shall be denied refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate and providing penalties.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 45.

An Act validating certain proceedings and elections of political subdivisions had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuant of such proceedings and elections

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, next to last line, by inserting after the word "bonds" the words "or other security"

Amend Section 1, page 1, line 4, by striking out at the beginning of said line the words "all proceedings and elections", and inserting in lieu thereof the words "every proceeding and election"; also in line 5, by inserting after the word "city" the words "except city of the first class"; also by inserting after the word "district" the words "except school district of the first class"; also on page 3, line 8, by inserting after the word "litigation" the following: "in respect to any such issue of bonds or other security"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—185

Alexander,	Eroe,	McElroy,	Shreiner,
Allen,	Falkenstein,	McKinney,	Shugarts,
Altenburg,	Ferko,	Melchiorre,	Siegel,
Andrews,	Finnerty,	Mentzer,	Simon,
Anthony,	Fitch,	Merrell,	Simpson,
Arnold,	Flanagan,	Moomaw,	Sinwell,
Atkins,	Flinchbaugh,	Mooney,	Sloan,
Aukerman,	Flynn,	Moore,	Smith, J. A.,
Baine,	Forrest,	Moran,	Smith, W. G.,
Baker, F. T.,	Gates,	Moul,	Snyder, F. E.,
Baker, J. J.,	Gerard,	Muir,	Sowers,
Baldi,	Gillette,	Munley,	Sproul,
Barnhardt,	Greenstein,	Murrin,	Stank,
Beadman,	Habbyshaw,	Nagel,	Stevens,

Bernhard,	Haberlen,	Nothnagle,	Stewart,
Blumberg,	Hagerty,	O'Keefe,	Stockham,
Boose,	Haluska,	Ominsky,	Stone,
Boyd, R.,	Hamilton, F. P.,	O'Neill,	Stott,
Boyer,	Harkins,	Panton,	Sumney,
Bradley,	Harmuth,	Patterson, Cliff,	Surface,
Brancato,	Hartman,	Patterson, J. W.,	Sweeney
Brennan,	Hermansen,	Pearson,	Tahl,
Brown, H. S.,	Hetrick,	Perry,	Terry,
Brown, J. E.,	Hirsch,	Peters,	Tronzo,
Brownfield,	Hoffner,	Pfaff,	Trout,
Brumbaugh,	Holland,	Phillips,	Tumelty,
Burke,	Holstrom,	Piole,	Turner,
Cannon,	Hoopes,	Powers,	VanAllsburg,
Caputo,	Horst,	Reising,	VanSickle,
Carson,	Jackson,	Reynolds,	Wall,
Chervenak,	Kane,	Rhys,	Wasserman,
Coakley,	Kelso,	Roan,	Weidemann,
Cochran,	Kenney,	Robinson,	Weiss,
Cohen,	Kilroy,	Root,	Welliver,
Coleman,	Kinney,	Royer,	Welsh,
Condon,	Klingler,	Ruffennach,	Westrick,
Coolahan,	Kobelak,	Sarraf,	White,
Cooper,	LaRue,	Scanlon,	Wickersham,
Davies,	Long,	Schaeffer,	Winner,
Decker,	Longaker,	Schrock,	Witkin,
Dent,	Lovett,	Schrope,	Wood,
Diehl,	Lynch,	Schwab,	Woodside
Dilley,	Male,	Serrill,	Yeakel,
Downey, G. E.,	McCreary,	Shaw,	Yourishin,
Downey, J. J.,	McDermott,	Shepard,	Zappala,
Duffort,	McDevitt,	Shortz,	Furman,
Eberharter,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ADJOURNMENT

Mr. McELROY. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12:00 o'clock noon.

The motion was agreed to, and (at 12:07 A. M.) the House adjourned until Tuesday, June 23, 1936, at 12:00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., TUESDAY, JUNE 23, 1936. No. 23.

SENATE

TUESDAY, JUNE 23, 1936

The Senate met at 12 o'clock noon.

The PRESIDENT PRO TEMPORE (Mr. John G. Homer) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

O Lord, Thou hast given us a goodly heritage. We enjoy vineyards which we have not planted and possess cities which we have not builded. Through our forbears all the plentitude which today is ours has been bestowed upon us by Thee.

How prone we are to forget Thee and how often are we inclined to take unto ourselves credit which belongs to Thee.

Grant unto us a new revelation of our obligations to Thee and spur us on to endeavor to discharge that obligation.

Uphold this Senate as it meets the responsibilities facing it this day and hour. May the members thereof quit themselves like men and thereby hasten the coming of Thy kingdom on earth. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HARRIS, the further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of commission:

ALLEGHENY COUNTY

M. Don Kittelberger, 429 Fourth Ave., Pittsburgh.

ELK COUNTY

J. Robert Bauer, St. Marys.

INDIANA COUNTY

Miss Kathryn McGraw, Indiana.

GEORGE H. EARLE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

ALLEGHENY COUNTY

Walter R. McDonough, Pittsburgh, June 27, 1936.

BERKS COUNTY

Warren W. Swoyer, Reading, June 27, 1936.

PHILADELPHIA COUNTY

Robert Vincent, Philadelphia, June 27, 1936.

GEORGE H. EARLE

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 71 (Senate Bill No. 89), entitled:

An Act providing for the appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof; declaring void certain condemnations and appropriations of waters by municipalities, corporations, co-partnerships, or persons; providing for the ascertainment of the validity and the recording of certain condemnations and appropriations of water by municipalities, corporations, co-partnerships, or persons, and appeals therefrom; conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto; providing for future condemnations and appropriations of waters by municipalities, corporations, co-partnerships, or persons, and compensation therefor; and conferring powers and imposing duties upon the Water and Power Resources Board.

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN AMENDMENTS BY THE SENATE TO HOUSE BILL NO. 45

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 45, entitled:

An Act validating certain proceedings and elections of political sub-divisions had and held pursuant to the provisions of an act, approved the twentieth day of April, one

thousand eight hundred and seventy-four (P. L. 65), entitled "Municipal Indebtedness Law," and the amendments and supplements thereto, and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

REPORTS FROM COMMITTEE

Mr. HOWELL, from the Committee on Municipal Government, re-reported as amended, Senate Bill No. 64 (House Bill No. 109), entitled:

An Act to authorize and empower municipalities and townships, separately or jointly, to erect dykes, river bank protection or flood control works within or without their territorial limits and to expend moneys and incur indebtedness for such purposes.

Mr. REED (Dauphin), from the Committee on Judiciary General, reported as amended, the following resolution:

In the Senate, June 22, 1936.

Whereas, It is common report that numerous persons have been appointed to departmental positions in various departments of the State Government under the Governor on a per diem basis and are now enjoying such employment on such a basis and that many of these per diem employes have been connected with the State Government service for months; and

Whereas, It is to the best interest of the people of Pennsylvania that such a practice should cease and that employes now on a per diem basis either should be placed on regular salary or be dismissed; therefore be it

Resolved, By the Senate of Pennsylvania, that the Budget Secretary is hereby requested to inform the Senate at the earliest possible moment the number, names and addresses of persons on the departmental payrolls on June 15, 1936, on the per diem basis (other than persons customarily employed on a per diem basis like those in field work) and the amount of such per diem pay according to the departments in which such persons are employed; and be it further

Resolved, That it is the opinion of the Senate of Pennsylvania that employment of persons on a per diem basis, except in the case of emergency, should be discontinued as speedily as possible.

Mr. REED (Dauphin). Mr. President, I ask unanimous consent that Rule 39 which requires resolutions reported from Committee to lie on the table one day, be suspended and that the Senate do now proceed to the immediate consideration of the Resolution just read.

The PRESIDENT. Is there objection?

Mr. SHAPIRO. Mr. President, I object.

The PRESIDENT. The Chair hears objection. The resolution will lie over.

MOTION TO PRINT

Mr. SHAPIRO. Mr. President, I move that the resolution as amended be printed for the use of the Senate.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 4, as follows:

A Joint Resolution proposing an amendment to section one article eight of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one of article eight is hereby amended to read as follows

Section 1 Every citizen twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections subject however to such laws requiring and regulating the registration of electors as the General Assembly may enact

1 He or she shall have been a citizen of the United States at least one month

2 He or she shall have resided in the State one year (or having previously been a qualified elector or native born citizen of the State he or she shall have removed therefrom and returned then six months) immediately preceding the election

3 He or she shall have resided in the election district where he or she shall offer to vote at least two months immediately preceding the election

4 If twenty-one years of age and upwards he or she shall have paid within two years a county municipal or school tax which shall have been assessed at least two months and paid at least one month before the election

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 8, as follows:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one article eighteen of the Constitution of Pennsylvania is hereby amended to read as follows

Section 1 Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives and if the same shall be agreed to by a majority of the members elected to each House such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published three months before the next election in at least two newspapers in every county in which such newspapers shall be published and if in the General Assembly next afterwards chosen such proposed amendment or amendments shall be agreed to by a majority of the members elected to each House the Secretary of the Commonwealth shall cause the same again to be published in the manner aforesaid and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two Houses as the General Assembly shall prescribe and if such amendment or amendments shall be approved by a majority of those voting thereon such amendment or amendments shall become a part of the Constitution An amendment or amendments may be submitted at any general or municipal election but no amendment which has been submitted and has failed of approval shall be again submitted within a period of five years thereafter When two or more amendments shall be submitted they shall be voted upon separately

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 74, as follows:

A Joint Resolution proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one of article eight is hereby amended to read as follows

Section 1 Every citizen twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections except elections for the creation or increases of municipal indebtedness subject however to such laws requiring and regulating the registration of electors as the General Assembly may enact

1 He or she shall have been a citizen of the United States at least one month

2 He or she shall have resided in the State one year (or having previously been a qualified elector or native born citizen of the State he or she shall have removed therefrom and returned then six months) immediately preceding the election

3 He or she shall have resided in the election district where he or she shall offer to vote at least two months immediately preceding the election

In the case of elections for the creation or increase of municipal indebtedness the electors shall possess the foregoing qualifications and in addition thereto shall be the owners in fee simple of real property located within the political subdivisions of the Commonwealth the indebtedness of which is proposed to be created or increased

Section 2 The provisions of this amendment shall not become effective until the first day of January one thousand nine hundred and forty

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. GRAFF. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Armstrong, Mr. Graff, will state his question of parliamentary inquiry.

Mr. GRAFF. Mr. President, I would like to inquire whether or not Senate Resolution No. 3 has been printed, in accordance with the instructions of the Senate last evening.

The PRESIDENT. The Chair informs the Senator from Armstrong, Mr. Graff, that Senate Resolution No. 3 has been printed.

QUESTION OF PERSONAL PRIVILEGE

Mr. GRAFF. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Armstrong, Mr. Graff, will state his question of personal privilege.

Mr. GRAFF. Mr. President, Senate Resolution No. 3, which has to do with an inquiry into the affairs of the Indiana State Teachers College, at Indiana, Pennsylvania, is now in shape to be called up for consideration; but in view of the fact that a request was made by the Senator from Indiana, Mr. Bennett, who is ill, and confined to his home at the present time, I have agreed not to press for action on the resolution here this morning.

This resolution simply aims to make a fair, impartial and thorough investigation of the very persistent rumors that have been going around that there has been interference with the orderly procedure of affairs in this Teachers College in Indiana; and I want to say that, although I do not intend to press for action this morning, I think the resolution is fair and should be passed, and I want to serve notice now that it is my intention to call it up for consideration on Monday evening next.

Mr. CAVALCANTE. Mr. President, I desire to interrogate the Senator from Armstrong, Mr. Graff.

The PRESIDENT. Will the Senator from Armstrong, Mr. Graff, permit himself to be interrogated?

Mr. GRAFF. Mr. President, I will.

Mr. CAVALCANTE. Mr. President, I desire to ask the Senator from Armstrong, Mr. Graff, under what provision of the Governor's Proclamation for this Special Session does the resolution fall?

Mr. GRAFF. Mr. President, it is my understanding that a resolution would always be in order when the Senate is willing to entertain it. I might add that the Senate has so ruled in connection with the resolution authorizing the appointment of a Committee to Investigate the Functioning of WPA.

QUESTION OF PERSONAL PRIVILEGE

Mr. WOODWARD. Mr. President, I reluctantly rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Woodward, will state his question of personal privilege.

Mr. WOODWARD. Mr. President, I say I reluctantly rise to a question of personal privilege. The fact is that I have become somewhat jealous of the Senator from Philadelphia, Mr. Shapiro. I do not like him to monopolize this well known doctrine of free speech. Unlike the Senator from Philadelphia, I am perfectly willing to speak when the galleries are not crowded.

The Democratic Party is always threatened by dissension. The Democrats may be deserving sometimes, but always they are disagreeing among themselves. It may be the hangover from that ancient Irish spirit of being "agin the government". Witness the civil war now raging, Earle vs. Guffey; de Schweinitz vs. Jones; SERB vs WPA. At the moment of the Roosevelt Convention when all Democrats are lifting their hats and voices for their Doctor of Letters; when all Democrats tried and true are contracting water on the knee from their complete adoration of their peerless leader; at this auspicious moment of apparent unanimity, what does Mr. or Eddie or WPA Jones do but start a fight right out in front of the united front of the new and spendthrift democracy. The Republican leaders can well afford to confer upon Mr. Jones the honorary degree of M. D., Master of Discord.

"Leaders of the Republican Party" suggest the question, who are they? I have never met the Mellons, I have never met the Pews. I have met Senator Grundy, a delightful gentleman, but he has never solicited my vote for any social security legislation. There must be leadership somewhere or we would not be so safe and sane. It must be these progressive advanced thinkers in the Republican leadership who teach us that statesmanship consists in making haste slowly.

The Chairman of our committee on Constitutional Changes confided to me that the Republican leadership does not want any constitutional changes. They do not

want any changes. They do not want any changes except a change in Administration. They would like to change an accidental Democratic Governor, who will perhaps know how to be Governor at the end of four years, for a well-seasoned Republican statesman who will be motivated by their progressive spirit of whatever is, is right (excepting always the Democratic Party); That good old Constitution under which we are enjoying virtue, liberty and independence; that Constitution of 1776, or perhaps it was 1873; that sacrosant document, according to them, is a perfect expression of perfect men and closed a perfect day, a day which they all know so well and never want anything different.

The Republican leadership in this "make haste slowly or let us take a walk backwards" statesmanship blind their eyes like the Bourbons of France, and may keep their eyes blinded until their necks are under the more progressive knife of Dr. Guillotine.

I do not wish to associate the distinguished Senator from Tioga, the progressive Chairman of the Constitutional Changes Committee, with the guillotine. I hope he will never lose his head. I do, however, protest against our prevailing custom of committee meetings at midnight in Mr. Boyd Hamilton's little room to the left. I have long noticed that it is so little that there is no room for any air, and that the proponents of any progressive measure generally find themselves badly "left"; therefore, the appropriate name of the little room to the left.

Last night we amended the Constitution safely and sanely by rejecting two amendments, namely a graded income tax and civil service. There was no debate, and when it came to a rising vote it was difficult for the weary members of the committee to even rise. They were too tired to rise; that may be the reason that we lost both amendments.

The Senator from Bucks, depending entirely upon his 1873 subconscious mind, remarked from mere habit, "I move to indefinitely postpone this bill." The Committee rose joyfully for adjournment. The Chairman, having displayed his sympathy with all advanced movements, declared that there would be no further meetings of the Committee on Constitutional Changes, that we had changed it enough at this epoch-making meeting of Monday midnight.

The pity of it is that this regressive band of 1873 will sometimes, after a good night's sleep and in the clear light of early morning, admit that we ought to have the right to graduate inheritance and income taxes; they will even admit that we ought have enacted civil service under a Republican Governor, so that all our Republican employees around the Capitol need not be fired—that is, in the bright light of the morning. At midnight they react, revert and renig.

We now have a perennial conference committee conferring on Wednesdays and Mondays and Tuesdays and Wednesdays. They have become fast friends, they are so fast they cannot separate. The pity of it is that all this fast friendship could have been avoided if we could have had civil service. Perhaps the Senator from Lackawanna and the Senator from Dauphin enjoy talking to Miss Brancato —she certainly has charms—and I fear our rock-ribbed Republican conferees may yield to Miss Brancato.

I, therefore, appeal to our progressive 1873 Chairman to call a daylight meeting of the Committee on Constitutional Changes. I appeal to our distinguished floor leader, the Senator from Bucks, to bring his subconscious mind a little forward to practice enough self-denial to inhibit his habit of "postponing this bill indefinitely." I ask all statesmanlike Republicans to remember that we are now in the thirty-seventh year of the twentieth century.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Armstrong, Mr. Graff.

The PRESIDENT. Will the Senator from Armstrong, Mr. Graff, permit himself to be interrogated?

Mr. GRAFF. Mr. President, I will.

Mr. SHAPIRO. Mr. President, I would like to preface this question by saying I am in sympathy with any investigation that will take politics out of an educational institution; but I am sure the Senator from Armstrong, Mr. Graff, does not want to first condemn and then investigate, and I would like to call his attention to the first recital clause of the resolution, particularly the words "stamp out radicalism and the teaching of dangerous and un-American doctrines, notably the University of Pittsburgh and the Indiana State Teachers College," and ask him whether the same result could not have been accomplished in this resolution by eliminating those words from the recital clause, so that we will not be first condemning and then investigating. With the exclusion of those words I should be very glad to vote for it; with the inclusion of them I should hesitate to vote for the resolution.

Mr. GRAFF. Mr. President, I would answer the Senator from Philadelphia, Mr. Shapiro, by saying I am perfectly willing to have those words stricken out of the resolution; I believe the same purpose can be obtained by having those words eliminated.

The PRESIDENT. The resolution is not under consideration at the time.

Mr. THOMPSON (Center). Mr. President, I move that Senate Resolution No. 3 be recommitted to the Committee on Education for the purpose of amendment.

The PRESIDENT. The resolution not having been called up for consideration, a motion to recommit it is out of order.

MOTION TO CALL UP SENATE RESOLUTION NO. 3

Mr. SHAPIRO. Mr. President, I move that the Senate do now proceed to the consideration of Senate Resolution No. 3 (Printer's No. 15).

Mr. GRAFF. Mr. President, I second the motion.

The resolution was read as follows:

SENATE EDUCATION COMMITTEE TO INVESTIGATE STATE-AIDED EDUCATIONAL INSTITUTIONS

In the Senate, June 3, 1936.

Whereas, Reports have reached members of the Senate that active attempts are being made to interfere with the orderly management of educational institutions which have been receiving financial assistance from the people of this Commonwealth and which have been striving to stamp out radicalism and the teaching of dangerous and un-American doctrines notably the University of Pittsburgh and the Indiana State Teachers College and

Whereas, These attempts are construed as merely the beginning of systematic efforts to debauch the educational system of Pennsylvania long distinguished for attainments made possible by complete freedom from political restraint and

Whereas, The selection of executives instructors teachers and employes of State Teachers Colleges of this Commonwealth has from the very beginning been free from partisan political consideration to the great benefit of the educational system and

Whereas, Dictation of the appointment of members of a faculty of a State Teachers College is only one step from dictation of what shall be taught bringing forcibly to the attention of every resident of Pennsylvania a threatened menace to the free public school system heretofore so sacredly safeguarded therefore be it

Resolved by the Senate of Pennsylvania that its Committee of Education be directed to conduct immediately a searching investigation of the situation in order that members of the Senate may be informed of the truth of the reports and the extent and character of the abuses alleged and be it further

Resolved that the Committee on Education shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before it and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall willfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases be it further

Resolved, That the Committee on Education shall report as speedily as possible to the Senate now in Extraordinary Session the results of its inquiry.

On the question,

Will the Senate agree to the resolution?

Mr. SHAPIRO. Mr. President, I move to amend by striking out, on page 1, line 5, the words "and which have meen striving to"—

The PRESIDENT. The amendment offered by the Senator from Philadelphia, Mr. Shapiro, should be in writing.

Mr. SHAPIRO. Mr. President, I assume a strike-out may be made a matter of record without a written motion.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will proceed.

Mr. SHAPIRO. Mr. President, I move to amend, page 1, line 5, by striking out the words "and which have been striving to stamp out;" and, in line 6, the words "radicalism and the teaching of dangerous and un-American;" and, in line 7, the word "doctrines;" and I shall present the Recording Secretary with a written motion embodying this amendment.

Mr. GRAFF. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

The PRESIDENT. The resolution will lie over for printing.

BILLS SIGNED

The PRESIDENT PRO-TEMPORE (Mr. John G. Homsher) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 45, entitled:

An Act validating certain proceedings and elections of political subdivisions had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65), entitled "Municipal Indebtedness Law," and the amendments and supplements thereto, and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections

House Bill No. 110, entitled:

An Act providing that no person shall be denied, refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate; and providing penalties.

Whereupon,

The PRESIDENT PRO-TEMPORE (Mr. John G. Homsher) in the presence of the Senate signed the same.

RECESS

Mr. ARON. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, June 22, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, June twenty-ninth at 9:00 o'clock Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene on Monday evening, June twenty-ninth at 9:00 o'clock Eastern Standard Time.

REPORTS FROM COMMITTEES

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendations the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

M. Don Kittelberger, 429 Fourth Ave., Pittsburgh.

ELK COUNTY

J. Robert Bauer, St. Mary's.

INDIANA COUNTY

Miss Kathryn McGraw, Indiana.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

ALLEGHENY COUNTY

Walter R. McDonough, Pittsburgh, June 27, 1936.

BERKS COUNTY

Warren W. Swoyer, Reading, June 27, 1936.

PHILADELPHIA COUNTY

Robert Vincent, Philadelphia, June 27, 1936.

GEORGE H. EARLE.

He also, from the Committee on Executive Nominations reported with negative recommendations made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

MEMBERS OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE TEACHERS COLLEGE.

J. Buell Snyder, Perryopolis, from March 2, 1936, for the term of four years, and until his successor is qualified.

Ephraim S. Tyler, Point Marion, from March 3, 1936, for the term of four years, and until his successor is qualified.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported, excluding the names of J. Buell Snyder and Ephraim S. Tyler.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harvey,	Prince,	Shapiro,
Batchelor,	Howell,	Pytko,	Sones,
Baumer,	Huffman,	Rankin,	Staudenmeier,
Bean,	Kahle,	Reed, (Dauphin)	Thompson, (Centre)
Buckman,	Lanius,	Reed, (Washington)	Thompson, (Westmoreland)
Cavalcante,	Law,	Rice,	Trainer,
Chapman,	Mallery,	Roberts,	Woodward,
Coyne,	McClure,	Rodgers,	Ziesenheim,
Ealy,	McCreesh,	Ruth,	Homsher.
Frey,	McGinnis,	Salus,	Pres. Pro. Tem.
Gelder,	Miller,	Scott,	
Graff,	Owlett,		
Harris,	Pierson,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Senate do now proceed to the consideration of the nominations of J. Buell Snyder and Ephraim S. Tyler, just reported from the Committee on Executive Nominations, with a negative recommendation.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The question is: Shall the recommendation of the Committee be sustained, or shall the names be confirmed notwithstanding the negative recommendation of the Committee? A vote "aye" will sustain the recommendation of the Committee, and a vote "no" will confirm the names notwithstanding the negative recommendation of the Committee.

Mr. CAVALCANTE. Mr. President, one of the men involved in this negative recommendation comes from my district. However, I intend to vote "aye" on the recommendation of the Committee for the reason that heretofore I have been advised that it has been the custom not to appoint any member of the Legislature to any of these Boards, and following that rule, I feel that a Congressman should come under the same rule. At this time Congressman J. Buell Snyder is running for re-election to the office of Congressman and I am also interested, as the Republican side of this House is to keep politics just as far away from our educational institutions as it is possible, and it is for that reason that I intended to support the negative recommendation of the Committee.

MOTION TO RE-REFER

Mr. THOMPSON (Centre). Mr. President, I move that the names of J. Buell Snyder and Ephraim S. Tyler, reported negatively from the Committee on Executive Nominations, be re-referred to the Committee on Executive Nominations.

Mr. FREY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BUCKMAN. Mr. President, I would like to interrogate the Senator from Centre, Mr. Thompson.

The PRESIDENT. Will the Senator from Centre permit himself to be interrogated?

Mr. THOMPSON (Centre). Mr. President, I will.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Centre, Mr. Thompson, the object of this motion. These names have been before the Committee on Executive Nominations for a number of weeks, they have been acted upon and reported out, and I would like to ask why they should not be disposed of by this Senate.

Mr. THOMPSON (Centre). Mr. President, replying to the interrogation of the distinguished Senator from Buck Mr. Buckman, I think you will agree with me that there is some provision in the Constitution of the State of Pennsylvania which prohibits persons from holding office of public trust, under both the State and Federal Government, is that correct?

Mr. BUCKMAN. Mr. President, I understand that to be true.

Mr. THOMPSON (Centre). Mr. President, perhaps you may find a line of distinction between them. I would suggest that the Governor be given an opportunity to with

draw these names, if there is a substantial objection against them, rather than have the names turned down by the Senate, I think the Governor has withdrawn institutional names before where there were objections to them, and I think, if substantial objections exist, that probably the Governor would do the same thing in this case.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Centre, Mr. Thompson, whether he is afraid to vote against these names, notwithstanding that the Senator from the district that the nominees come from is against their confirmation, merely because the Governor has sent them over.

Mr. THOMPSON (Centre). Mr. President, no, I am not afraid, but I think if there were objections to a person nominated from my district, I would first go to the Governor and ask him to withdraw the nomination rather than ask the Senate first to vote them down. If he would not withdraw the nomination and if there were a substantial objection then I would support a negative recommendation.

Mr. BUCKMAN. Mr. President, I would like to call attention of the Senator from Centre to the fact that the Governor cannot recall these nominations without the consent of the Committee on Executive Nominations. If his motion prevails the nominations will then be in the hands of the Committee and the Governor cannot recall them wothout the consent of that Committee.

Mr. THOMPSON (Centre). Mr. President, I would like to call the attention of the Senator from Bucks to the fact that the Governor, at the last regular session of the Legislature, did withdraw the name of a nominee for Trustee of Pennsylvania State College, I think that was acquiesced in and I think it will be extending courtesy to the Chief Executive to return these names to the Committee to give him the same opportunity.

Mr. CAVALCANTE. Mr. President, I want to be very clear on this proposition. I am not voting to sustain the recommendation of the Committee because I think that either Congressman Snyder or Mr. Tyler are not capable intelligent and fair men, but I am voting to support the recommendation because, as I have stated, I do not think that a Congressman should be appointed to a Board and at the same time deny that same privilege to members of the General Assembly in this State who vote for appropriations to these State institutions, and who are vitally interested in them and should be when he represents his constitutents at Washington, D. C.

Mr. SHAPIRO. Mr. President, I would like to interrogate the Senator from Fayette, Mr. Cavalcante.

The PRESIDENT. Will the Senator from Fayette permit himself to be interrogated?

Mr. CAVALCANTE. Mr. President, I will.

Mr. SHAPIRO. Mr. President, does the Senator from Fayette Mr. Cavalcante, have any objection to the confirmation of Mr. Tyler?

Mr. CAVALCANTE. Mr. President, I do.

Mr. SHAPIRO. Mr. President, I desire to ask the Senator from Fayette, Mr. Cavalcante, if that is because he holds an office in some political division?

Mr. CAVALCANTE. Mr. President, he is receiver of quite a number of closed banks in my county.

Mr. SHAPIRO. Mr. President, the Senator from Fayette neglected to state his objection to Mr. Tyler. I think we ought to get those on the record too. I was afraid the objection to the one man might have a bad effect on the action on the other man.

I should like to ask the question whether or not it is possible to vote on these nominations separately.

The PRESIDENT. The Chair informs the Senator from Philadelphia, Mr. Shapiro, that it is possible.

Mr. SHAPIRO. Mr. President, I move you that in taking this vote we vote separately on the nominations.

POINT OF ORDER

Mr. THOMPSON (Centre). Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Centre will state his point of order.

Mr. THOMPSON (Centre). Mr. President, the question before the House is a motion to re-refer these nominations to the Committee on Executive Nominations.

The PRESIDENT. The Chair sustains the point of order.

And the question recurring,

Will the Senate agree to the motion?

Mr. OWLETT. Mr. President, before voting on this motion to re-refer these nominations I would like to interrogate the Senator from Centre, Mr. Thompson.

The PRESIDENT. Will the Senator from Centre permit himself to be interrogated?

Mr. THOMPSON (Centre). Mr. President, I will.

Mr. OWLETT. Mr. President, does the Senator from Centre, Mr. Thompson, assure the Senate that these names will be withdrawn by the Governor and these men not be re-appointed if we permit the re-reference of these names to the Committee on Executive Nominations?

Mr. THOMPSON (Centre). Mr. President, I cannot speak for the Governor; that is, the Governor himself must, in the last analysis, make the decision as to what should be done with these names, but I am quite sure that the Governor would extend the member of Congress a degree of consideration at the request of the Senator from Fayette or from any other person in the Senate that had objection to the confirmation of these names and will withdraw them.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Centre, Mr. Thompson, whether that will hold good of trustees of other State Teacher Colleges, because I can point out to him that in my district also there have been trustees appointed who the people feel are making political institutions out of the State Teachers Colleges. If there is going to be objection to the names being withdrawn I think the Senate ought to have that information now.

Mr. THOMPSON (Centre). Mr. President, again my answer is that I cannot speak for the Governor, he must speak for himself, in the last analysis, on this situation and I think, if the Senator from Tioga agrees, this might be a way to find out just what the Governor will do.

Mr. SHAPIRO. Mr. President, I should like to ask some member of the Executive Committee to inform the Senate whether or not objections to these gentlemen have been made known to the Governor, that we might know whether or not the Governor had an opportunity to act upon them.

Mr. BUCKMAN. Mr. President, I am not authorized to speak for the Chairman of this Committee, but I am a member of this Committee and we do our own work.

The Constitution says it is our function to advise and consent to these nominations and we do not ask the Governor anything about it, we either confirm or we do not confirm, or at least recommend to the Senate that they shall confirm or not confirm. Therefore, when a Senator from a district requests that we do not confirm, as in this case was done, they are sent out with a negative recommendation. Our function is to advise and consent, not to ask the Governor whether he wants to withdraw or not.

Mr. SHAPIRO. Mr. President, then I raise the same objection as I did last year. I said the Governor was appointing without the advice and consent of the Senate. Now I raise the objection that the Senate is refusing to reject them without advising the Governor. In other words, I accept the statement of the Senator from Bucks that these appointments are made by the Governor with the advice and consent of the Senate. Therefore, I suggest that we should not place ourselves in the position we complained about last year. And I disagree with the Senator from Bucks that we do our own thinking. We have a constitutional prerogative not to consent but we also have a constitutional duty to advise, and we should advise the Governor that we object to these names for the following reasons. It is quite possible that the Governor, who makes appointments throughout the State, may not be informed but the Committee, who makes the recommendations, they should advise, and if they do not advise him they should not criticize him when he makes the appointment.

Mr. COYNE. Mr. President, I am glad the Senator from Bucks, Mr. Buckman, got up and made the statement for the Committee, and I will assure the Senator from Philadelphia, Mr. Shapiro, if he wants to take the trouble and the time to ask the Governor that if he advises the Executive Committee on the names that he presented, that we will be glad to advise him what we were going to do.

Mr. SHAPIRO. Mr. President, that may be funny but I think that there is a serious situation here, and while I have a sense of humor and can appreciate it, I cannot appreciate the sense of humor of some people who take the names of public-spirited citizens into the public eye and condemn them without a hearing on their part. I am quite sure that no one in this Senate would like to have remarks and statements made about them and insinuations made about these two men, of whom I know nothing, without having an opportunity to be heard, and there is a duty on the part of the Governor, which he has fulfilled; he has advised this Committee that he appoints these men, and he has done his full duty. There is nothing in the law which requires the Governor to ask the Chairman of the Committee on Executive Nominations whether he should appoint X Y or Z, but there is something in the Constitution and something in decency which requires the Executive Committee, before they bring a man's name before the public to be criticized, that gives him an opportunity to be heard, and there is nothing funny about what I have been saying or about that situation so far as these men are concerned.

Mr. McGINNIS. Mr. President, it seems to me that this is a little bit different from the ordinary case. Here is a case involving a Congressman of the United States, and the other man a Receiver—I have learned here—of Federal Banks. Now, they are not criminals—from what I know they are good men—Congressman Snyder was elected twice in the district. It seems to me that this Senate owes enough courtesy to refer these names back to Committee and advise the Governor of its objection. It may be that the Governor did not know that there is some provision in the Constitution. These objections may never have been raised before, and perhaps it would not occur to him, but it does seem to me that before we slam a Congressman or slight him in any way, we ought to have an opportunity to refer these names back to the Committee and save them this humiliation, if possible. I think we owe this to the Congressman.

And the question recurring,

Will the Senate agree to the motion?

The PRESIDENT. The Chair desires to restate the motion. The motion is that the nominations which were reported negatively by the Committee be re-referred to that Committee. A vote "aye" will be to refer the nominations back to the Committee on Executive Nominations, and a vote "no" will be against referring them back to the Committee.

The yeas and nays were required by Mr. THOMPSON and Mr. FRY and were as follows, viz:

YEAS—30

Aron,	Kahle,	Pytko,	Shapiro,
Bean,	Lanius,	Rankin,	Sones,
Cavalcante,	Law,	Reed,	Staudenmeier,
Ealy,	Mallery,	(Washington)	Thompson,
Frey,	McCreesh,	Rice,	(Centre)
Gelder,	McGinnis,	Roberts,	Thompson,
Harris,	Miller,	Rodgers,	(Westmoreland
Harvey,	Prince,	Ruth,	Trainer,
Huffman,			

NAYS—13

Batchelor,	Graff,	Reed,	Ziesenheim,
Buckman,	Howell,	(Dauphin)	Homsher,
Chapman,	Owlett,	Scott,	Pres. Pro. Tem
Coyne,	Pierson,	Woodward,	

So the question was determined in the affirmative.

Mr. WOODWARD. Mr. President, in voting "no", I wish to append thereto that I will vote "no" until the Governor has read the Constitution of Pennsylvania.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 98 (Senate Bill No. 90), entitled:

An Act to create a State Planning Board; prescribing its powers and duties; imposing certain duties upon political subdivisions; and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 108 (Senate Bill No. 91), entitled:

An Act making an appropriation to the State Emergency Relief Board for the adjustment and payment of certain claims.

Which was committed to the Committee on Appropriations.

House Bill No. 111 (Senate Bill No. 92), entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

House Bill No. 134 (Senate Bill No. 93), entitled:

An Act requiring unemployment relief orders to be presented for payment within a certain period, otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 135 (Senate Bill No. 94), entitled:

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by and for said board.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations re-reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

MEMBERS OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE TEACHERS COLLEGE.

J. Buell Snyder, Perryopolis, from March 2, 1936, for the term of four years, and until his successor is qualified.

Ephriam S. Tyler, Point Merion, from March 3, 1936, for the term of four years, and until his successor is qualified.

GEORGE H. EARLE.

Mr. COYNE. Mr. President, I am re-reporting from the Committee on Executive Nominations with favorable recommendation the names referred to, and state at the same time that the only interest I have is what the Senator from that district has said, but it seems that a majority of the members want them confirmed, and for that reason we have changed our recommendation and ask to have them confirmed.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

Mr. OWLETT. Mr. President, before the vote is taken, I would like to interrogate the Senator from Fayette, Mr. Cavalcante.

The PRESIDENT. Will the Senator from Fayette, Mr. Cavalcante, be interrogated.

Mr. CAVALCANTE. Mr. President, I will.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Fayette, Mr. Cavalcante, if these nominations are from his district, whether he wishes to have them confirmed or not.

Mr. CAVALCANTE. Mr. President, I have already declared myself, and I hope that I will be quoted correctly in the Journal. I was in favor of upholding the recommendation of the Committee, and if the Committee, without any visible reason for the consideration of their recommendations, feel that the persons recommended should be members of that Board, in view of the reasons stated by me, I shall vote to support their recommendation.

Mr. SHAPIRO. Mr. President, again I suggest that this is not a joke. Again I point out that there have been statements made on the floor of this Senate which are derogatory to the reputation of people of character, and these men, it has been stated, that the Governor did not consider the Committee when he made the nominations, that the Committee does its own investigating, and has its own duty and knows what should be done, and if the objections to these men were of so slight a nature that within two minutes after having been referred back to the Committee on Executive Nominations, the Committee can re-report these same nominations favorably, then it is a sample of the kind of work we are doing here, and should be criticized by the public and the people who send us here to do our work. I want to place myself on record as objecting to that kind of procedure, particularly when it concerns and reputation and character of men of standing in the community.

Mr. COYNE. Mr. President, I want to state as the Chairman of the Committee, that we do not go any farther than the Senator from the district where the nominations come from. So far as our recommendation of these people is concerned, we are contented with just consulting the Senator from that district, and whatever he says, that we go by. I find that a majority of the members of the Senate are for the confirmation, and for that reason they were reported out with a favorable recommendation to the Senate for confirmation.

POINT OF ORDER

Mr. HUFFMAN. Mr. President, it seems to me that this can be ironed out if we have another day's time to do it. I rise to a point of order.

The PRESIDENT. The Senator from Monroe, Mr. Huffman, will state his point of order.

Mr. HUFFMAN. Mr. President, my point of order is that the nominations may not be voted on today. The rules of the Senate provide that they must lie over for one day.

The PRESIDENT. The point of order is well taken.

MOTION WITHDRAWN

Mr. SONES. Mr. President, I withdraw my motion to suspend Rule 38, that the Senate resolve itself into executive session.

Mr. RICE. Mr. President, I withdraw my second.

The PRESIDENT. The motion to suspend Rule 38 is withdrawn.

Mr. THOMPSON (Centre). Mr. President, I move that the report of the Committee of Executive Nominations lie on the table until next Monday evening at 9:30 o'clock, and that it be made a special order of business at that time.

Mr. McGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, after listening to the Senator from Allegheny, Mr. Coyne, I desire to interrogate him.

The PRESIDENT. Will the Senator from Allegheny, Mr. Coyne, permit himself to be interrogated?

Mr. COYNE. Mr. President, I will.

Mr. SHAPIRO. Mr. President, will the Senator from Allegheny, Mr. Coyne, state whether he made the negative recommendation on the names of these two gentlemen because the Senator from that district requested it?

Mr. COYNE. Mr. President, yes, the Democratic Senator from Fayette, not a half Democrat, just a regular Democrat from Fayette.

Mr. SHAPIRO. Mr. President if I am here long enough I will be a regular Democrat.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED (Dauphin). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Dauphin, Mr. Reed, will state his question of personal privilege.

Mr. REED (Dauphin). Mr. President, I have not taken any part in this debate, but in view of certain statements that have been made in this debate, I desire to state my position. It is my belief, under the Constitution of Pennsylvania, that it is the duty of the Governor of the Commonwealth to nominate, and not his duty before making a nomination to come before the Senate, or any committee of the Senate, to procure its approval or disapproval. After nomination is made, under the Constitution it is the duty of the Senate to deliberate. We have for years had a Committee on Executive Nominations, to which all executive nominations are referred. That Committee has performed its duty. An objection to these nominations has been made, as has been said by the Senator from that district, and the Committee, acting upon that suggestion, reported these nominations with a negative recommendation.

I have always taken the position that when this Senate properly gives to the Committee on Executive Nominations the right and duty to pass on the fitness of the nominee, that this Senate should follow the recommendations of that Committee, and for that reason, believing that this Committee has acted properly in securing the advice of the Senator from Fayette, under those circumstances I was prepared to vote against their confirmation, even though I know nothing of these men personally as to their fitness or qualifications. But I simply make this point to emphasize what I believe have been statements as to our duties as Senators in acting upon executive nominations, and I say that it is not the duty of the Senate, after a nomination has been made, to confer with the Governor. It is our duty, under the rules, to act on the nomination, and I propose now that as the Committee on Executive Nominations has made a favorable recommendation, as soon as I have an opportunity, to vote for their confirmation.

Mr. COYNE. Mr. President, it is true that the Governor does not consult us about any appointments, and it is just as reasonable that we should not consult him when acting on these nominations. That is the only reason why I made that remark.

HOUSE MESSAGE

SENATE BILL NO. 14 RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 14, entitled:

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons; authorizing the appointment of trustees for certain persons; providing for the recovery of moneys expended for assistance in certain cases; certain cases prohibiting political activity by employes of the board providing substitute provisions in case Federal grants for old age assstance shall fail for any reason; providing penalties; and repealing inconsistent acts

with the information that the House has passed same with amendments in which the concurrence of the Senate is requested.

Mr. FREY. Mr. President, I move that Rule 21 which requires amended bills to be noted on the calendar be in this case dispensed with and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. McCREESH. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Page 10, line 23, by inserting after the word "convention" the following: "as an employee or in any official capacity;" also line 27 by inserting after the word "his" the words "or hers"; also line 28, by inserting at the beginning of the line the words "use his or her position to"; also page 11, line 8, by inserting after the word "travel" the following: "No member of the board and no investigator clerk or other employee of the board shall directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting or receiving any assessment subscription or contribution whether voluntary or involuntary intended for any political purpose whatever."

On the question,

Will the Senate agree to the amendment?

QUESTION OF LEGISLATIVE INQUIRY

Mr. BUCKMAN. Mr. President, I rise to a question of legislative inquiry.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his question of legislative inquiry.

Mr. BUCKMAN. Mr. President, I would like to be advised whether or not this bill as amended is printed and on the Senators' desks as required by the Constitution?

The PRESIDENT. The Chair informs the Senator from Bucks, Mr. Buckman, that it is printer's number 11, file of the Senate No. 14.

Mr. REED (Dauphin). Mr. President, I desire to call to the attention of the members of the Senate that the only amendments which the House has inserted occur on page 10 and page 11 of the bill. If the Senators will refer to the last draft, that is, printer's No. 11, I call your attention to the following amendments as being the new amendments inserted by the House of Representatives:

On page 10, line 23, the words "as an employee or in any official capacity" were inserted by the House; also line 27, by inserting after the word "his" the words "or her"; also, line 28, by inserting at the beginning of the line the words "use his or her position to"; also page 11, line 8, by inserting after the word "travel", the following: "No member of the board and no investigator clerk or other employee of the board shall directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting or receiving any assessment subscription or contribution whether voluntary or involuntary intended for any political purpose whatever."

I have checked over the bill carefully and so far I can find these are the only amendments inserted by the House of Representatives, and I am informed by the members of the House that my finding is correct.

In the committee of conference on the Brancato bill, these amendments were discussed and were agreed to for the Brancato bill, and, therefore, Mr. President, believing that these amendments only perfected the provisions which the Senate wrote into the bill, I trust the members of the Senate will concur to the amendments as inserted by the House.

Mr. FREY. Mr. President, as sponsor of this bill, I desire to state that these House amendments are entirely satisfactory, and I ask the Senate to concur in the House amendments.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harvey,	Prince,	Shapiro,
Batchelor,	Howell,	Pytko,	Sones,
Bean,	Huffman,	Rankin,	Staudenmeier,
Buckman,	Kahle,	Reed,	Thompson,
Cavalcante,	Lanius,	(Dauphin)	(Centre)
Chapman,	Law,	Reed,	Thompson,
Coyne,	Mallery,	(Washington)	(Westmoreland)
Ealy,	McCreesh,	Rice,	Trainer,
Frey,	McGinnis,	Roberts,	Woodward,
Gelder,	Miller,	Rodgers,	Ziesenheim,
Graff,	Owlett,	Ruth,	Homsher,
Harris,	Pierson,	Scott,	Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted 'aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. ARON. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Municipal Government reported as committed, Senate Bill No. 87, entitled:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class, school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof.

Also from the Committee on Municipal Government re-reported as amended, Senate Bill No. 76, entitled:

An Act to authorize the Board of Revision of Taxes in cities of the first class to classify the real estate situated therein so as to discriminate between those parcels employed exclusively for manufacturing purposes and other real estate in such cities; and to provide for carrying such classification into effect.

Mr. PYTKO. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PYTKO, from the Committee on State Government reported as committed, Senate Bill No. 50, entitled

An Act to limit the amount of moneys allocated to and expended in counties by the State Emergency Relief Board for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with the care of the poor for the maintenance of unemployable residents; and requiring such political subdivisions to make certain reports.

BILL SIGNED

The PRESIDENT PRO-TEMPORE (Mr. John G. Homsher) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows·

Senate Bill No. 14, entitled:

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons; authorizing the appointment of trustees for certain persons; providing for the recovery of moneys expended for assistance in certain cases; certain cases prohibiting political activity by employes of the board providing substitute provisions in case Federal grants for old age assistance shall fail for any reason; providing penalties; and repealing inconsistent acts.

Whereupon,

The PRESIDENT PRO-TEMPORE (Mr. John G. Homsher) in the presence of the Senate signed the same.

RECESS

Mr. ARON. Mr. President, I move that the Senate do now take a recess until four o'clock.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

CITY OF PHILADELPHIA URGED TO EXERCISE RIGHTS IN ALLOWING FIREMEN TWENTY-FOUR HOURS REST EACH WEEK

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows:

In the House of Representatives, June 8, 1936.

Whereas, At the last regular session of the General Assembly of Pennsylvania, there was passed an act entitled "An act requiring cities of the first class to allow members of the fire departments twenty-four consecutive hours of rest each week, except in emergency cases," said act having been approved the tenth day of July, one thousand nine hundred and thirty-five (Pamphlet Laws six hundred thirty-nine); and

Whereas, The City of Philadelphia has not exercised the powers granted in the above said act; therefore, be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania request and urge the City of Philadelphia to exercise the authority granted to it under the act, approved the tenth day of July, one thousand nine hundred and thirty-five (Pamphlet Laws six hundred thirty-nine), and that if a compliance is not possible at this date, that the said City of Philadelphia shall, at the earliest possible moment, give this matter its earnest consideration so that the firemen of the City of Philadelphia shall be enabled to enjoy twenty-four hours a week rest from their public duties.

Mr. ARON. Mr. President, I move that the resolution be referred to the Committee on Municipal Government.

Mr. COYNE. Mr. President, I second the motion.

It was agreed to.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Glenna E. Smith, Aspinwall.

PHILADELPHIA COUNTY

Mrs. Rita M. Marine, 1320 Packard Bldg., Philadelphia.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for re-appointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

ALLEGHENY COUNTY

Hymen Schlesinger, Pittsburgh, June 27, 1936.

ERIE COUNTY

Hjalmar M. Johnson, Erie, June 27, 1936.

LEHIGH COUNTY

Miss Iva E. Krause, Bethlehem, June 27, 1936.

SCHUYLKILL COUNTY

Miss Dora D. Thompson, Tower City, June 27, 193

GEORGE H. EARLE.

REPORTS FROM COMMITTEES

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on State Government reported as committed, Senate Bill No. 69 (House Bill No. 76), entitled:

An Act to amend section eight of the act, approved the nineteenth day of January, one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three—one thousand nine hundred thirty-four, Pamphlet Laws, two hundred eighty-six), entitled "An act making appropriations out of The State Stores Fund to the State Emergency Relief Board for direct relief, work relief, and expenses, including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments," by imposing a time limit within which counties, cities, boroughs, incorporated towns, townships, school districts and poor districts may obtain reimbursement for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects.

Mr. GELDER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, reported amended, the following resolution:

June 17, 1936.

Resolved, (if the Senate concur), That the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund the sum of one million dollars ($1,000,000) from the Liquor License Fund, and hereby makes available to the State Emergency Relief Board the aggregate sum of one million dollars ($1,000,000) for unemployment relief purposes up to and including June 30, 1936, and

Resolved, that the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the fiscal officers in making the transfers authorized by this resolution, (2) appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of one million dollars ($1,000,000), and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Liquor License Fund.

Mr. GELDER. Mr. President, I ask unanimous consent

that Rule 39 which requires concurrent resolutions when reported from Committee, be suspended and that the Senate do now proceed to the immediate consideration of the Resolution just read.

The PRESIDENT. Is there objection?

Mr. SHAPIRO. Mr. President, the amendments just having been read, of course, there is no opportunity to present a written motion. I, therefore, make the motion now that the amendments of the Committee reducing the appropriation requested from three million dollars to one million dollars — — —

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, my point of order is that this being a House resolution just reported from Committee, under the Rules it must lie over for one day, unless unanimous consent be given, or unless the rules be suspended to give immediate consideration.

The PRESIDENT. The Chair rules that the point of order is well taken.

Mr. SHAPIRO. Mr. President, I move that the Rule requiring resolutions to lie over for one day be suspended, for the purpose of offering amendments.

Mr. RODGERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

A division being called for, eighteen Senators voted in the affirmative and twenty-three in the negative, whereupon, the question was decided in the negative.

The PRESIDENT. Under the rules the resolution will lie over, unless unanimous consent is given for immediate consideration.

Mr. SHAPIRO. Mr. President, I object to consideration at the present time.

The PRESIDENT. The Chair hears objection, and the resolution will lie on the table.

Mr. SHAPIRO. Mr. President, I move that the resolution as amended be printed.

Mr. HOWELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The motion is agreed to.

REPORTS FROM COMMITTEES

Mr. COYNE. Mr. President, I ask unanimous consent o make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears one.

Mr. COYNE, from the Committee on Executive Nomiations reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1936.

o the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to ominate for the advice and consent of the Senate the llowing appointment:

E. Berwood Zeller, of Mount Joy, Lancaster County, as Justice of the Peace in the Borough of Mount Joy, Lancaster County, until the first Monday in January, 1938.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointment:

Herman C. Hoffman, of 306 North Avenue, East Pittsburgh, Allegheny County, as Justice of the Peace in the Borough of Chalfant, Allegheny County, until the first Monday in January, 1938.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations:

Which was agreed to.

A motion was made by Mr. SONES,

Whereupon,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Howell,	Pytko,	Shapiro,
Batchelor,	Huffman,	Rankin,	Sones,
Bean,	Kahle,	Reed,	Staudenmeier,
Buckman,	Lanius,	(Dauphin)	Thompson,
Cavalcante,	Law,	Reed,	(Centre)
Chapman,	Mallery,	(Washington)	Thompson,
Coyne,	McClure,	Rice,	(Westmoreland)
Ealy,	McCreesh,	Roberts,	Trainer,
Frey,	McGinnis,	Rodgers,	Woodward,
Gelder,	Miller,	Rupp,	Ziegenheim,
Graff,	Owlett,	Ruth,	Homsher,
Harris,	Pierson,	Salus,	Pres. Pro. Tem.
Harvey,	Prince,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. THOMPSON (Centre). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Centre, Mr. Thompson, will state his question of personal privilege.

Mr. THOMPSON (Centre). Mr. President, I think, from the action of the Senate this afternoon, that it is quite obvious that the Democratic side of this House is not afraid to stay in session, whether there is a National Convention on or not, and do the work that it should.

Two weeks ago, when the Republican Convention was on, in defiance of the Constitution and laws, and everything else, we adjourned this Senate on Tuesday evening, in order that anybody that wanted to might get to the Republican Convention. I think that we have gotten to about the lowest depths from the standpoint of public opinion, when we try, as has been attempted here this afternoon, to put the question of relief in Pennsylvania on the basis of a weekly meal ticket. The resolution as it came from the Resolution Committee, and which the Republican side of this Senate refuses to have amended, provides relief on the standard that the Republican side of this Senate sets for just exactly one week. In other words, the people of Pennsylvania are being given by the Republican majority in the State Senate a weekly meal ticket. Now, this exists in face of the fact that for almost two months we have had had in this Senate and its committees appropriation bills and finance bills, which we have received from the lower house, which can adequately dispose of this relief problem—whatever the disposition of it may be.

Now, certainly there is not anybody who is going to know a bit more about the merits of this relief question Monday night than they do this afternoon; because everybody—on the Republican side of the Senate, at least—seems to be in a hurry to go home, and does not want to admit it.

I think the time has about come when we will have to quit transferring funds; and I think the time has come when the Democratic Party, as a party, in this Senate and Legislature, have got to say this foolishness is over; that the position of the weekly meal ticket is ridiculous; either that we appropriate money or we do not appropriate money; either that we are going to pass tax bills or that we are not going to pass tax bills. As the Senator from Philadelphia, Mr. Shapiro, said last night, let us have the courage to do one thing or another. Let us not potter around over this situation like some missionary society, or something like that. We have bills in committee—Goodness knows there are plenty of bills in the Committee on Appropriations; Goodness knows there are plenty of bills in the Committee on Finance; and if the Senate wants to act on them, it is here to act on them. The House has already acted on them.

I want to say, Mr. President, that I, for one, will not vote for any more transferring of funds. Any more transferring of funds is absolutely inexcusable. And it is obvious, from what we have seen here today, that the Republican majority of the State Senate never intends to bring any tax bills on the floor of the Senate, or appropriation bills on the floor of this Senate, to dispose of this relief problem. If we are going to have relief in Pennsylvania, if we are going to provide these people with money, we have had too much time—and have not done it. If we are not going to do it, let the Republican side of the Senate come out and say, "We will not do it." If the Republicans want to give money for relief, the bills are there and can be brought out at five minutes' notice. Mr. President, I say, anybody who thinks about this situation and wants to do anything about this question of relief in this State, from now on there is no justification for voting any further transfer of funds.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, I think I ought to make some explanation of the position I have taken in this question. I think a few figures will convince the members of this Senate, if they want to be convinced and are fair, that the attempt to postpone the relief question until next Monday night creates an emergency such as they will not want to tolerate or incur.

I call the attention of the members of the Senate, particularly the Republican members of the Senate, to the fact that we appropriated $4,063,000, plus approximately $850,000, or a total of approximately $4,900,000 for relief in Pennsylvania as far as it will go. In the Committee on Appropriations, today, we were told that Dr. de Schweinitz and the Relief Board had suggested and said that that money would expire tomorrow. That means that in 23 days there has been spent the sum of $4,900,000. With just a little arithmetic the members of this committee will know that 23 into $4,900,000 will mean $213,000 a day. From now until the 29th of June it will require $1,491,000 to meet the relief rolls, if there are no depreciations in the number of people that have to be taken care of.

Now, I contend that a Senate body has no right to meet a situation of this kind half way, and pass an arbitrary resolution for $1,000,000 when there was presented to this Senate a resolution for $3,000,000 for the purpose of using that fund as far as it will go—not for the balance of June, not for the first week in July, but as far as it will go. We have had examples here in the Senate; the Senate appropriated a specific amount for the previous month, and Dr. de Schweinitz informed us he had spent $350,000 less than was appropriated. Surely he is not going to put the money in his pocket; and surely the argument that was given here before—"Do not give them more money, because the more you give them the more they will spend" has been refuted by the actual facts. No one can tell me, irrespective of my personal desires, or the desire of anyone in this Senate, that it is right for us to go home and leave this situation in that condition.

There is not a man on this floor that will deny those figures. Each day at $213,000 a day, and seven times $213,000 is $1,493,000. If those are the facts, then there can be no criticism upon whether you call it the Democratic side of the House or the Republican side of the House, which is supposed to vote against the amendments which you have made. I have never said that I am sure $70,000,000 is necessary, or $50,000,000, but I have insisted that it is our duty to see those who believe what is necessary, to tell us how much is needed, and to appropriate money for it. I call your attention to the fact that the treasury of the State has not had money enough to pay hospital bills and institution bills, appropriations specfically made at the 1935 session, and that it was necessary to transfer a million dollars last week. The government exceeded its rights to transfer a million dollars to keep the institutions open. Today in order to meet the three-million dollar emergency appropriation suggested by the resolution, it is necessary to transfer one million from the Liquor Tax and two million dollars from the Liquid Fuel Tax. No one wants to vote for a transfer

of these funds if he knows the facts, and that is, that there will be no more money to transfer, because the State is not in a liquid condition to do it, and secondly, that the transfers already made at the previous Session have not yet been paid.

There is an issue here. There is a question. If those members what the Senator from Montgomery said last night, and what was in the papers, and I make this statement upon a literal statement referred to in the newspapers, that there is no money for relief in Pennsylvania—and I say again, if those members in the Senate who referred to that statement believe in it sincerely and have the courage of their convictions, then they should not vote a million dollars for relief, they should not vote one penny, and if they had in the back part of their minds the thought, they will find out in a very short time what the true situation is, and then will take care of it, then they should be sensible and fair enough to provide for a sufficient length of time that is commensurate with the relief situation. That is why I voted against that million dollar resolution, and that is why I propose to vote against any resolution that is based upon conjecture and based upon jockeying for political position. I do not care what Mr. Jones said, and I do not care what somebody else said, but anybdy who undertakes to criticize must not only destroy, but he must substitute and build up. If the Republican members of this Senate say that fifty-five million dollars is too much, then they have had time enough to make up their minds as to how much is necessary, and they have bills enough and good judgment enough to propose such tax legislation and send to the floor of this Senate such of the tax bills as they have and are in favor of, as will begin to raise funds, because you must have in mind that almost all tax legislation sent over here are taxes which will not bring in funds until the beginning of 1937, and I may say to the Senator from Philadelphia, Dr. Woodward, that there is no gallery now, and I am not talking any more than I was last night, and I did not send my remarks last night to the newspapers before I made them, but I made them in answer, and I am making my statements today on the same basis. I protest against this kind of action, and I think my friends on this side of the House will agree honestly and sincerely among themselves if they want to attack the problem they must attack it fairly.

Mr. HARRIS. Mr. President, some few weeks ago Mr. De Schweinitz appeared before the Committee on Appropriations. His manner and the information he furnished the committee on Appropriations convinced all the members of the committee, I think, that he was a sincere and earnest gentleman and had a full knowledge of the amount of money required for relief. I heard the thought expressed by many of the Republicans that they had absolute confidence in Mr. de Schweinitz. I think, perhaps, in a sense, it is a blessing in disguise that the Senator from Philadelphia, Mr. Shapiro, raised the technical questions he did—he will keep us here tomorrow. I think we have had time here now to decide whether a million dollars will be required or a million four hundred ninety-three thousand will be required.

Mr. President, if I am in order, I move that Mr. de-Schweinitz be requested to furnish us by tomorrow morning, before we vote finally on this resolution, his estimate of the amount of money that he believes will be required to provide for relief until the last day of June.

If we still have confidence in Mr. de Schweinitz, then we will accept his figures; if we have not, then we will remain steadfast on the amount of one million dollars. Personally, I am willing to take Mr. de Schweinitz's judgment on this matter; and if a million dollars is not enough, and he says we need a million four hundred ninety-three thousand, I am perfectly willing to vote for that amount for relief until the end of this month.

MOTION REQUESTING INFORMATION FROM MR. DE SCHWEINITZ

I now move, Mr. President, that this information be requested from Mr. de Schweinitz.

Mr. HARVEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny permit himself to be interrogated?

Mr. HARRIS. Mr. President, I will be very pleased to.

Mr. CAVALCANTE. Mr. President, has not Dr. de Schweinitz already conveyed that information to this Senate?

Mr. HARRIS. Mr. President, Mr. de Schweinitz has asked for three million dollars, which will be more than what will be necessary up until the end of the month.

Mr. CAVALCANTE. Mr. President, has not Dr. de Schweinitz already given to this Senate his figures as to what is necessary for the month of June?

Mr. HARRIS. Mr. President, I only know that Mr. de Schweinitz asked for three million dollars, which would be more than enough for this month.

Mr. CAVALCANTE. Mr. President, I still insist to know whether or not Dr. de Schweinitz has given to the committee on Appropriations of this Senate the exact figures of how much relief, in his opinion—relief money, will be needed for the month of June. And was not that included in the original resolution sent over to the Senate some weeks ago?

Mr. HARRIS. Mr. President, the answer to that question is in the resolution; and, if the resolution is read, it will explain it.

Mr. SHAPIRO. Mr. President, I desire to interrogate my friend, the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny permit himself to be interrogated?

Mr. HARRIS. Mr. President, I will be very pleased to.

Mr. SHAPIRO. Mr. President, I know that the Senator is trying to be fair, and I would like to recall to his mind the question I am about to put to him—whether he does not know as a fact that in the early part of May—rather, in the early part of June, Dr. de Schweinitz, through the House, sent the resolution which was based on figures furnished it by Dr. de Schweinitz, asking that this Senate appropriate six million nine hundred thousand dollars, approximately, for relief for June, and that the committee on Appropriations arbitrarily reduced that to four million nine hundred thousand dollars on the belief that that would actually see us through the month of June.

Then, I ask the Senator the second question: whether it is not true now that we have evidence from Dr. de-Schweinitz that six million nine hundred thousand is primarily what was required, and that the amount allowed is not sufficient. Is the gentleman satisfied that the amount

appropriated is not sufficient to carry us through the month of June?

Mr. HARRIS. Mr. President, The cut was based on the fact that Mr. de Schweinitz over-estimated the amount required for the first fifteen days in June, and that he did not require all he had asked; and I think the figures will show that he returned eight hundred and some odd thousand dollars of the money asked.

Mr. SHAPIRO. Mr. President, that is the lapsed money, but is not the gentleman satisfied now that the $4,900,000 is not sufficient for the month of June?

Mr. HARRIS. Mr. President, that is evident by the figures.

Mr. SHAPIRO. Mr. President, I am going to ask the gentleman the third question—I don't know whether he knows it,—but does the gentleman know whether it is not true that at the meeting of the State Emergency Relief Board Mr. Baldwin and Mr. Waters voted for an emergency request of $6,000,000 until—instead of three, which Dr. de Schweinitz estimated was sufficient to enable the Senate to complete their investigation?

Mr. HARRIS. Mr. President, I have no knowledge as to how they voted on that.

Mr. SHAPIRO. Mr. President, I want to call to the attention of the members of the Senate that at the meeting of the Relief Board it was concluded, by the vote of Mr. Waters and Mr. Baldwin, that $6,000,000 be asked of this Senate; and, by Dr. de Schweinitz, that $3,000,000 be asked without limitation; and a resolution was framed to that extent.

I see no reason—while I will vote for the resolution, I suggested to the gentleman who made the motion that no good could come of it, because we have either got to accept his figures or wait some more time until we got a repetition, or reiteration, of his information which we received at the beginning of the month.

Mr. HARRIS. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, yes, sir.

Mr. HARRIS. Mr. President, I desire to ask the gentleman if the amendment is changed which now provides for $1,000,000. If there is an amendment drawn providing for $1,493,000, will that besufficient money to take care of the relief until the end of June?

Mr. SHAPIRO. Mr. President, I would say—I can only answer that by saying, according to the amount already spent for the previous twenty-three days that would be sufficient, or maybe a little bit more than necessary. It would depend on two factors; One, how much more unemployed labor will be taken over; and, two, how much WPA will take over. With those two suggestions,—over which neither you nor I have any control, nor about which have we any information—I would say that $1,493,000 would see us through—not until the end of June but until the end of seven days, which, as I figure it, will be the 29th of June—until next Monday night—from the 22nd seven days.

Mr. EALY. Mr. President, I intend to vote against this resolution, because no information has been furnished me that we need more money than we have already appropriated for the month of June. The last report of the State Emergency Relief Board gave us the weekly amount of expenditures for relief grants from March up until June 13th, and, taking the last four weeks, ending June 13th, I find that the amount expended for relief grants is $4,972,790.

When we made the last transfer I thought we had made it plain to Mr. de Schweinitz that we wanted him to practice economy, and to cut down as much as possible the expenditures for this relief. He has not done so. There was a time when I thought there was only a moderate amount of chiseling among those who are on the relief rolls. I now think there is a very, very great great amount of chiseling; and I think that the practices of the State Emergency Relief Board encourage it rather than attempt to cut it down.

I know that the Auditor General's Department has been making some investigations into this matter. The Joint Investigating-Relief Committee created by a resolution of the House and Senate at the last regular session of the General Assembly called before it a member of the Auditor General's Department who was concerned with some of these investigations, and it appeared there, in one instance, that nine hundred and twenty-seven cases were investigated in a certain district in one of the counties, and of those nine hundred and twenty-seven cases one hundred and sixty-two were found to be wholly ineligible, mainly on account of the earnings which they were receiving from work in the mines; twenty-two other cases were receiving too much under the rules of the State Emergency Relief Board—under the budgetary deficiency system; so that, on those cases which were investigated in that one district of that one county there was being paid over $1200 a week too much.

These investigations, I am informed, are continuing; and it shows that a considerable number of those who are on the relief rolls have no business to be there.

Now, there is another feature which the State Emergency Relief Board does not seem to be considering at all. I have a report here showing the commodity distribution for the nineteen months ending March 31, 1936, and it shows that in addition to the regular grants by the State Emergency Relief Board there were 56,000,000 pounds of commodities distributed throughout the State. These include 150,000 bushels of potatoes, 28,300,000 pounds of canned beef, 3,300,000 pounds of rice, nearly 1,000,000 pounds of butter, 600,000 pounds of cheese, 700,000 pounds of sugar, nearly 4,000,000 pounds of evaporated milk, nearly 1,500,000 pounds of canned mutton, nearly 1,500,000 pounds of canned veal, and other commodities. In the City of Philadelphia, or in the district of Philadelphia, for the month of March there were 41,000 bushels of apples distributed.

Now we might as well come to the crux of this situation. The former Secretary of the Department of Welfare said, "We now recognize that in order to take care of the individual in trouble we must have a larger vision than that of the borough or township official, whose primary concern has been to spend as little as possible." In my opinion, this viewpoint, together with the fact that lavish funds have been furnished in the past, is what makes this relief load so high, and we have to get this relief distribution out of the hands of these people down here who have a social welfare complex, and have no regard for the taxpayer; and until we do that we are going to pay an enormous amount of relief, and load the people with taxes which they cannot stand.

And this has a very bad moral effect all over the state. These men who are on this WPA—a considerable number of them, as Mr. Jones says, have no business to be there; they ought to be out getting their own employment. I am told that in a certain town a lot of the WPA workers simply refuse to pay their debts. A doctor told me that he was informed by the manager of a State Liquor Store that on a certain WPA payday there was over $500 worth of liquor sold, mostly to WPA employes; and on that day he was able to collect only $2.00 of the bills which were owed him by these WPA men, and another doctor could only collect $1.50. This doctor who was telling me this situation said he had had 35 confinement cases with the WPA families, and of the amount due him for that large amount of work which he had done he was only able to collect $5.00.

These people are going to live off the taxpayers as long as we permit it, and we have got to cut down on this relief; and we have got to change this system of distribution, and we should do it at this Special Session of this Legislature.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Somerset, Mr. Ealy.

The PRESIDENT. Will the Senator from Somerset permit himself to be interrogated?

Mr. EALY. Mr. President, I will.

Mr. SHAPIRO. Mr. President, the Senator from Somerset, Mr. Ealy, said there were 873 chiselers on relief—is that correct?

Mr. EALY. Mr. President, the figures of the Senator from Philadelphia, Mr. Shapiro, are wrong, as usual.

Mr. SHAPIRO. Mr. President, I will ask the Senator from Somerset, Mr. Ealy, to give them to me; and we will see.

Mr. EALY. Mr. President, I stated that out of 927 cases investigated, in the area of a certain county—perhaps one-fifth of the county—that 162 of those cases were found to be wholly ineligible, and were taken off the relief rolls whenever the reports were made to the local administrator; and 22 other cases were found to be getting too much relief under the rules of the Board.

Mr. SHAPIRO. Mr. President, that happened to be in Somerset County?

Mr. EALY. Mr. President, that is true of that one area, but the same thing is true of every other county.

Mr. SHAPIRO. Mr. President, the Senator from Somerset, Mr. Ealy, said at one time, he thought the relief chiseling was very small. Now he says he finds 168 cases were chiselers. I would ask him also what month that investigation was made.

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, the rules of the Senate provide that no Senator shall speak more than twice on the same subject. I think the Senator from Philadelphia, Mr. Shapiro, has spoken six or eight times on this motion.

Mr. SHAPIRO. Mr. President, I am asking questions, I know of no rule to stop interrogating another, except his right to refuse to answer.

The PRESIDENT. It is impossible for the Desk to get information as to what is going on unless the rules of parliamentary practice are enforced. The Senators will please, when they make an inquiry, and it has been answered, wait until they are recognized before making another inquiry. It will help very much to expedite matters, and will enable the Desk to get it properly in the Journal.

Mr. SHAPIRO. Mr. President, I desire to further interrogate the Senator from Somerset, Mr. Ealy.

The PRESIDENT. Will the Senator from Somerset permit himself to be interrogated?

Mr. EALY. Mr. President, yes, I will.

Mr. SHAPIRO. Mr. President, I am interested in the figure $4,900,000 which the Senator from Somerset, Mr. Ealy, said was spent in the past four weeks. Will he please state where he got those figures, and how they are made up?

Mr. EALY. Mr. President, I have the report of the "State Emergency Relief Board, Karl de Schweinitz, Executive Director. This material is released to the Press for use Monday, June 22 to Sunday, June 28, 1936."

Mr. SHAPIRO. Mr. President, will the Senator let me see it?

Mr. EALY. Mr. President, does the Senator from Philadelphia doubt it?

Mr. SHAPIRO. Mr. President, no, I don't doubt it.

Mr. EALY. Mr. President, that was last summer, but I am told that the same thing holds true in Fayette, Mercer, Lycoming and other counties at the present time.

Mr. SHAPIRO. Mr. President, is the Senator from Somerset in possession of the figures as to number of cases on the relief rolls by months? I have figures as follows: 4385 in May, 4617 in June, 4562 in July and 5178 in August.

Now, on my "usually wrong figures", can the Senator correct them?

Mr. EALY. Mr. President, what year?

Mr. SHAPIRO. Mr. President, 1935.

Mr. EALY. Mr. President, what about it?

Mr. SHAPIRO. Mr. President, I call his attention to the fact that if there are 162 cases out of 5178, the chiseling is not so much.

Mr. EALY. Mr. President, I stated to the Senator that this was only in the one area in which these cases were investigated. I have no doubt the same thing would be true in the area of Philadelphia or any other county in which the investigation was made.

Mr. SHAPIRO. Mr. President, will the Senator also state where he got—

POINT OF ORDER

Mr. HARRIS. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his point of order.

Mr. HARRIS. Mr. President, I do not think the two gentlemen are discussing the motion that is before the body.

Mr. SHAPIRO. Mr. President, I think this is perfectly proper in connection with the motion. The motion is that we ask Dr. de Schweinitz to give us some figures. We are all discussing the necessity of those figures.

Mr. HARRIS. Mr. President, I have been asked by the Desk to reduce my motion to written form, which I have done; I think it was seconded by the Senator from Luzerne, Mr. Harvey. My motion read as follows:

In the Senate, July 23, 1936.

I move that Mr. de Schweinitz, Director of the State Emergency Relief Board, submit immediately the amount that will be required to adequately take care of relief, up to and including June 30, 1936.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELDER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, reported as committed, Senate Bill No. 48 (House Bill No. 68), entitled:

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and water conservation and the coordination of any Federal and State flood control program and making an appropriation.

Also from the Committee on Appropriations reported as committed, Senate Bill No. 83 (House Bill No. 46), entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protections along the Delaware River at Matamoras and Milford Pike County.

Also from the Committee on Appropriations reported as committed, Senate Bill No. 49 (House Bill No. 69), entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective and making an appropriation.

Also from the Committee on Appropriations reported as amended, Senate Bill No. 84 (House Bill No. 60), entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public nonsectarian libraries Pennsylvania State Library public nonsectarian libraries and public school libraries damaged or destroyed by flood and providing procedure to ascertain the amount of damage.

MOTION TO RECEIVE REPORT OF THE EXECUTIVE SECRETARY OF THE STATE EMERGENCY RELIEF BOARD

Mr. THOMPSON (Centre). Mr. President, I observe Dr. deSchweinitz in the rear of the Senate Chamber.

I move you that the Senate do now receive the report of Dr. de Schweinitz in answer to the request contained in the motion of the Senator from Allegheny, Mr. Harris.

Mr. CAVALCANTE. Mr. President, I second the motion.

The PRESIDENT. Does the Senator from Centre, Mr. Thompson, request that the Senate recess in order to hear Dr. de Schweinitz? The Chair submits that it will be against parliamentary practice otherwise.

RECESS

Mr. HARRIS. Mr. President, I move that the Senate do now take a recess for fifteen minutes, in order to hear Mr. de Schweinitz.

Mr. THOMPSON (Centre). Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

Mr. GELDER. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. FREY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 48 (House Bill No. 68), entitled:

An Act authorizing the Department of Forests and waters to make a survey and investigation with respect to flood control and water conservation and the coordination of any Federal and State flood control program and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 49 (House Bill No. 69), entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective and making an appropriation."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 50, entitled:

An Act to limit the amount of moneys allocated to and expended in counties by the State Emergency Relief Board for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with the care of the poor for the maintenance of unemployable residents; and requiring such political subdivisions to make certain reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 69 (House Bill No. 76), entitled:

An Act to amend section eight of the act approved the nineteenth day of January one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws two hundred eighty-six) entitled "An act making appropriations out of the State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of Certain State departments by imposing a time limit within which counties cities boroughs incorporated towns townships school districts and poor districts may obtain reim-

bursements for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 83 (House Bill No. 46), entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protections along the Delaware River at Matamoras and Milford Pike County

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 84 (House Bill No. 60), entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public non-sectarian libraries Pennsylvania State Library public non-sectarian libraries and public school libraries damaged or destroyed by flood and providing procedure to ascertain the amount of damage

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 87, entitled:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class, school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

UNANIMOUS CONSENT TO SUSPEND RULE 39 REQUESTED

Mr. OWLETT. Mr. President, in view of the information received from Dr. de Schweinitz, that $1,000,000, supposed to be transferred by the legislation now before this Senate, is sufficient until June 30th, I now ask unanimous consent that Rule 39, which requires concurrent resolutions favorably reported from committee to lie over for one day, be suspended, and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. SHAPIRO. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

MOTION TO SUSPEND RULE 39

Mr. OWLETT. Mr. President, I move you that Rule 39, which requires concurrent resolutions favorably reported from committee to lie over for one day, be suspended, and that the Senate do now proceed to the immediate consideration of the resolution just read.

Mr. THOMPSON (Centre). Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I want to say that I made a similar motion, asking for immediate consideration, and it was voted down by my friends from the Republican side. I propose to vote for this motion to suspend the rule and allow this resolution to be considered immediately, but I am going to vote against the resolution.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

Mr. OWLETT. Mr. President, I move the adoption of the resolution.

Mr. HARVEY. Mr. President, I second the motion.

On the question,

Wil lthe Senate agree to the motion?

Mr. THOMPSON (Centre). Mr. President, while I seconded the motion for the immediate consideration of this resolution, I did so because of the fact that we had the information before us which we were awaiting, from Dr. de Schweinitz, and for the lack of which we were deferring consideration of the resolution until tomorrow morning. At the same time, Mr. President, I want to say that I will not vote for the resolution.

I think it is childish to the extreme to expect a man to conduct a business largely in excess of a million dollars a week and, as I said here a little while ago, just do it on a weekly meal ticket basis. The gentleman whose information we have respected by acting immediately after he has given us the information has recommended that we appropriate $3,000,000 for temporary purposes. We should, in accordance with his request, appropriate a sufficient sum so that all this monkeying and delaying and postponing without any rhyme or reason, or without any purpose, that has been going on here be ended once and for all. I say to you again, let us get down to business and settle this thing. This matter is just dragging out interminably in this Senate.

As to just what is going to be the disposition of this relief question, I do not see why we do not have courage enough to provide for relief or shut it off. If the Republican side of this Senate does not want to vote for relief, let them shut it off; but let us not take one week, or two or three weeks, and then the Committee on Finance, the chairman of which I notice is not here to hear this discussion—let them get out their tax bills; or the Committee on Appropriations, if they want to appropriate money for relief, let them put the appropriation bills on the floor.

You know and I know, Mr. President, that from the time we adjourn this Senate to the time we reconvene next Monday night practically nothing will be done as far as the consideration of these measures is concerned. There may be meetings here next Monday night, but you and I know from past experience that there will be practically nothing done until next Monday night at 9 o'clock as to the reporting out of these bills from the Committee on Finance and the Committee on Appropriations.

Now I say to the members of this Senate that in its present form, for $1,000,000, I will not vote for this resolution. If we want to appropriate, if we want to transfer, enough funds to tide us over for a reasonable period, to give these committees a chance to act further—in spite of their two weeks' delay, I say "Well and good"; but when we are just throwing this thing into a position that nobody knows what will result, I say there is no good purpose in it; and, Mr. President, I say to you that we in this Senate should vote down this resolution in its present form.

On the question,

Will the Senate agree to the resolution?

The yeas and nays were required by Mr. GELDER and Mr. HARRIS.

Mr. SHAPIRO. Mr. President, I ask for a verification of the roll.

The roll was verified, and was as follows:

The yeas and nays were required by Mr. GELDER and Mr. HARRIS and were as follows, viz:

YEAS—22

Aron,	Harris,	Reed,	Thompson,
Bean,	Harvey,	(Dauphin)	(Westmoreland)
Cavalcante,	Howell,	Rupp,	Trainer,
Chapman,	Mallery,	Salus,	Woodward,
Coyne,	Owlett,	Scott,	Homsher,
Gelder,	Pierson,	Staudenmeier,	Pres. Pro. Tem.
Graff,			

NAYS—17

Batchelor,	Kahle,	Pytko,	Ruth,
Buckman,	Lanius.	Rankin,	Shapiro,
Ealy,	McGreesh,	Rice,	Thompson,
Frey,	McGinnis,	Roberts,	(Centre)
Huffman,	Miller,		

So the question was determined in the affirmative.

POINT OF ORDER

Mr. THOMPSON (Centre). Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Centre, Mr. Thompson, will state his point of order.

Mr. THOMPON. Mr. President, in view of the fact that this is a resolution committing the Senate to appropriate funds, I submit that it has not been passed by a constitutional majority—26, and that in reality it has been defeated.

The PRESIDENT. The point of order is well taken.

MOTION TO ADJOURN

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10 o'clock.

Mr. WOODWARD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. THOMPSON (Centre). Mr. President, I think this is a very poor time to adjourn the session of the Senate for any length of time that is absolutely unnecessary. We have got a problem right on our hands now—we have got this relief baby in our lap—and we have got to settle it. We might just as well come back here after supper and settle it as to adjourn to tomorrow morning. I will oppose any motion to adjourn this Senate to later than half-past eight this evening.

Mr. HARRIS. Mr. President, I agree with the Senator from Centre. I have the greatest sympathy in the world for these gentlemen in the rear who would like to go to Philadelphia tonight; but, friendly as I am to them, I think we ought to stay here and transact the business for which this session was called.

MOTION TO ADJOURN WITHDRAWN

Mr. BUCKMAN. Mr. President, I withdraw my motion to adjourn.

Mr. WOODWARD. Mr. President, I withdraw my seconding of the motion.

MOTION TO RECESS

Mr. SHAPIRO. Mr. President, believing that a full stomach will probably give us a little more time, and put us in better humor, I move that the Senate do now recess until 9 o'clock this evening.

Mr. HUFFMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. BUCKMAN and Mr. HUFFMAN and were as follows, viz:

YEAS—6

Lanius.	Pytko,	Roberts,	Woodward.
Law,	Rice,		

NAYS—30

Aron,	Gelder,	McGinnis,	Ruth,
Batchelor,	Graff,	Miller,	Sordoni,
Bean,	Harris,	Owlett,	Staudenmeier,
Buckman,	Harvey,	Pierson,	Thompson,
Cavalcante,	Howell,	Rankin,	(Westmoreland)
Chapman,	Huffman,	Reed,	Trainer,
Coyne,	Mallery,	(Dauphin)	Homsher,
Ealy,	McCreesh,	Rupp,	Pres. Pro., Tem.
Frey,			

So the question was determined in the negative.

Mr. THOMPSON (Centre). Mr. President, since we have decided to stay in session, there is no question but what we ought to do something about settling this problem about getting money for relief. We certainly have the wherewithal right here in our committees to do it.

Mr. President, in order to provide money for this relief without any more of this monkey business of transferring or anything of that sort, I offer the following motion:

I move that the Committee on Finance of this Senate be discharged from further consideration of Senate Bill No. 20 House Bill No. 21), so that the same may be returned to the floor of this Senate for constitutional consideration.

Mr. President, that is the Chain Store Tax, and that tax will raise enough money to settle this problem that we have been wrestling with unconstitutionally this afternoon.

Mr. McCREESH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. OWLETT. Mr. President, I would just like to call the attention of the Senate to the fact that we have already passed a tax bill of $7,500,000 known as the Liquor Store Tax Bill; and if the Senator from Centre is so anxious to get $3,000,000 I suggest that he arrange to issue tax anticipation notes, which he will be able to do on any of these bills in order to raise money.

I also wish to call attention to the fact that the Committee on Finance unanimously agreed to ask the Democratic and Republican members to defer action on this and other bills, at a meeting held yesterday; and I think it is most inappropriate for a member of this Senate who has not been before the Committee on Finance, who has made no attempt before the committee to get this bill or any other bill out, to now come here and ask, in the absence of the chairman of the committee, for the discharge of the committee.

Mr. THOMPSON (Centre). Mr. President, in reply to the Senator from Tioga, let me state that the Chairman

of the Committee on Finance is not present here this afternoon and is not aware of the emergency that has been created by the action of this Senate; and I think that if the Chairman of the Committee on Finance does not choose to be present, he cannot complain of what is done in his absence.

Mr. BUCKMAN. Mr. President, I desire to interrogate the Senator from Centre, Mr. Thompson.

The PRESIDENT. Will the Senator from Centre permit himself to be interrogated?

Mr. THOMPSON (Centre). Mr. President, I will.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Centre how quickly we could hope to get any money from this Chain Store Tax if it were enacted into law, and whether that would help in the present emergency.

Mr. THOMPSON (Centre). Mr. President, it will help in the present emergency in this respect: That if we pass the Chain Store Tax we will then not have to make these transfers of funds. Then we can go ahead and appropriate money for which taxes are being levied, we will not have this uncertainty, we will be starting to work out a legislative program, we are not on the spot continually from day to day—as we are under other haphazard method of doing business; and the funds can be made available as soon as the machinery, the method, is provided for them. And as Dr. de Schweinitz says, the people who are doing business in our State with the Relief Board, when they know the money is coming through legislative action, will take care of the necessities of the Relief Board.

QUESTION OF LEGISLATIVE INQUIRY

Mr. EALY. Mr. President, I rise to a question of legislative inquiry.

The PRESIDENT. The Senator from Somerset, Mr. Ealy, will state his question of legislative inquiry.

Mr. EALY. Mr. President, I was not in the Chamber yesterday when the Senator from Delaware, Mr. McClure, referred to this matter, but I was told that he had stated he had appointed a sub-committee of three Republicans and three Democrats, of the Committee on Finance, to discuss all the revenue-raising bills before the committee.

Now, if that is correct, I would like to know it; and it seems to me this matter should be deferred until that committee has had time to act.

The PRESIDENT. The Secretary will read Rule 42, which has been adopted since the rules were printed.

The Secretary of the Senate read Rule 42, as follows:

"No committee shall be discharged from consideration of any measure within ten calendar days of its reference without unanimous consent of the Senate, or after such ten-day period except by majority vote of all members elected to the Senate."

Mr. HUFFMAN. Mr. President, I did not get the rule that was being read.

The PRESIDENT. The rule will be reread.

The Secretary of the Senate reread Rule 42, as above.

Mr. HUFFMAN. Mr. President, being a member of the Committee on Finance, and knowing what took place this week, at which time I think more progress was made than at any other time during the session, or perhaps during the entire period up until this week; and in view of the arrangement made—or the talk had before the committee—that all these bills be considered—and we had a two-hour session this afternoon—I think it is untimely and improper to present a resolution at this time to discharge the Committee on Finance from the consideration of any bill. It does not follow that because the majority here have wasted a great deal of time—which I think they have—that at this period, when we have made some progress—and considerable progress concerning the raising of money, and agreeing upon the bills that shall be sent out—that because we are in an uproar today, advantage should be taken of it to condemn or discharge this committee.

I do not feel that I want to vote for that kind of motion at this time, though I shall vote for the Chain Store Tax when it comes before us on the floor, and I shall vote in the committee to send it out; and I hope that this resolution will not prevail.

Mr. THOMPSON (Centre). Mr. President, not long ago we moved to stay in session. I did not hear the Senator from Monroe or any other Senator make any plan, offer any plan or suggestion, to solve the perplexing problem that is before us. I recall very definitely, on the question of the discharge of this same committee on the same sort of a bill last year, that the Senator from Cumberland spoke about this question of keeping bills in committee as "the rat in the statute." Now, certainly, if we have a job here to do this week, to provide money, no matter what the Committee on Finance has done, if we are faced with an emergency in our legislation here, the rat in the statute certainly should not keep us from fulfilling our legislative duties.

The PRESIDENT. On the motion to discharge the Committee from further consideration of the bill, those Senators voting "aye" will be voting for the discharge of the Committee; those voting "no" will be voting not to discharge the Committee.

The yeas and nays were required by Mr. THOMPSON (Centre) and Mr. CAVALCANTE and were as follows, viz:

YEAS—9

Cavalcante,	McCreesh,	Pytko,	Thompson,
Harris,	McGinnis,	Ruth,	(Centre)
Kahle,	Miller,		

NAYS—26

Aron,	Graff,	Pierson,	Staudenmeier,
Batchelor,	Harvey,	Rankin,	Thompson,
Bean,	Howell,	Reed,	(Westmoreland)
Buckman,	Huffman,	(Dauphin)	Trainer,
Chapman,	Law,	Rupp,	Woodward,
Coyne,	Mallery,	Salus,	Homsher,
Ealy,	Owlett,	Scott,	Pres. Pro. Tem.
Gelder,			

Present and not voting: Mr. Frey, Mr. Lanius, Mr. Rice, Mr. Roberts, Mr. Shapiro.

So the question was determined in the negative.

ADJOURNMENT

Mr. WOODWARD. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10 o'clock, Eastern Standard Time.

Mr. CHAPMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and Mr. THOMPSON (Centre).

Mr. CAVALCANTE. Mr. President, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—23

Aron,	Graff,	Pierson,	Staudenmeier,
Batchelor,	Howell,	Rice,	Thompson,
Bean,	Huffman,	Roberts,	(Westmoreland
Buckman,	Mallery,	Rupp,	Woodward,
Chapman,	Miller,	Salus,	Homsher,
Coyne,	Owlett,	Scott,	Pres. Pro. Tem.
Ealy,			

NAYS—16

Cavalcante,	Kahle,	Rankin,	Shapiro,
Frey,	Lanius,	Reed,	Thompson,
Gelder,	McCreesh,	(Dauphin)	(Centre)
Harris,	McGinnis,	Ruth,	Trainer,
Harvey,	Pytko,		

So the question was determined in the affirmative.

The Senate adjourned at 7:18 P. M., until Wednesday, June 24, 1936, at 10 o'clock A. M.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 23, 1936.

The House met at 12:00 o'clock noon.

The SPEAKER. (Roy E. Furman) in the Chair.

PRAYER

Reverend Marshall L. Shepard, a member of the House, offered the following prayer:

O God, our Heavenly Father, we thank Thee that Thou art our good Father and we are Thy children. In all of our ways may we seek to conduct ourselves as worthy children of a just and holy God.

Bless us, we pray; may the words of our mouths and the meditations of our hearts be acceptable in Thy sight, O Lord, our Strength and our Redeemer, Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. DENNING the further reading was dispensed with and the Journal approved.

RESOLUTIONS INTRODUCED AND REFERRED

By Miss BRANCATO

(Concurrent) RESOLUTION No. 31.

In the House of Representatives,
June 22, 1936.

Whereas, The cost of transportation of pupils to the school districts in Philadelphia County is a matter of grave concern to its citizens, and it is believed that it is far greater than the circumstances require, therefore be it

Resolved (if the Senate concur), That the Public Service Commission of Pennsylvania is hereby requested to make an investigation, through its existing facilities with the view of ascertaining whether, on the basis of valuation and income or on any other basis, the street railway companies operating in Philadelphia County may be required to issue tickets for school pupils only, at a rate not to exceed twenty-five cents ($.25) per week.

Referred to the Committee on Rules.

By Miss BRANCATO. RESOLUTION No. 32.

In the House of Representatives.
June 22, 1936.

Whereas, There now exists in the City of Philadelphia an institution referred to and known as a "Shelter for Men," and

Whereas, The excellent work which this institution has done during the years of the depression has won it national recognition and commendation, and

Whereas, This institution has met a great need in a great city in a great way, and

Whereas, The Shelter for Men has been conducted in such a fine, wholesome and beneficial manner, and

Whereas, It is to be regretted that the great City of Philadelphia has not extended to women, an equally fine institution—a shelter for women, therefore be it

Resolved, That the House of Representatives of the General Assembly of Pennsylvania urges the City of Philadelphia to establish an institution in Philadelphia to provide for those women who need a shelter during the economic storms of this age.

Referred to the Committee on Rules.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk.

TAX SALES

A Communication from the County Commissioners of Clarion County protesting passage of House Bill No. 122.

Referred to the Committee on Municipal Corporations.

LEAVES OF ABSENCE

Mr. WOOD asked and obtained leave of absence for himself for the remainder of the week.

Mr. SWEENEY asked and obtained leave of absence for himself for the remainder of the week.

Mr. HOFFNER asked and obtained leave of absence for himself for the remainder of the week.

Mr. PETERS asked and obtained leave of absence for himself for the remainder of the week.

Mr. GILLETTE asked and obtained leave of absence for himself for the remainder of the week.

Mr. TURNER asked and obtained leave of absence for himself for the remainder of the week.

Mr. JAMES L. SNYDER asked and obtained leave of absence for himself for the remainder of the week.

Mr. FRANCIS T. BAKER asked and obtained leave of absence for himself for the remainder of the week.

Mr. CONDON asked and obtained leave of absence for himself for the remainder of the week.

Mr. WALL asked and obtained leave of absence for himself for the remainder of the week.

Mr. DECKER asked and obtained leave of absence for himself for the remainder of the week.

Mr. SCHWAB asked and obtained leave of absence for himself for the remainder of the week.

Mr. LYNCH asked and obtained leave of absence for himself for the remainder of the week.

Mr. RINN asked and obtained leave of absence for himself for the remainder of the week.

Mr. HORST asked and obtained leave of absence for himself for the remainder of the week.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 91, as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of bulding and constructing new dikes levees and river bank protections along the Delaware River at Morrisville Borough Bucks County

Section 1 Be it e nacted by th: Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred ten thousand dollars ($110,000) or so much thereof as may be required is hereby specifically appropriated to the Department of Forests and Waters for the purpose of building and constructing a new dike levee or river bank protection along the Delaware River at Morrisville Borough between the bridges at Bridge street and Trenton Avenue (Calhoun Street) for a distance of about three thousand (3,000) feet for protection against flood and freshets to the abutting thicklv populated lowland area.

The sum appropriated by this act shall be available for use by the Department of Forests and Waters until the dike levee or river bank protection provided for herein shall be built and constructed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 118, as follows:

An Act abating accrued penalties and interest on certain delinquent taxes levied by counties cities except cities of the first class boroughs towns townships school districts except school districts of the first class and poor districts except poor districts located in cities of the first class where such taxes have heretofore been paid in full at face

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where all the taxes levied against any parcel of real estate by a county city except cities of the first class borough town township school district except school districts of the first class or poor district except poor districts located in cities of the first class for the year of one thousand nine hundred and thirty-four and previous years have heretofore been paid in full at face but the penalties and interest accrued on such taxes have not been paid such penalties and interest are hereby abated and the officer or person authorized by law to collect the same is hereby exonerated from collecting and the taxpayer from paying such penalties and interest

Section 2 All acts and parts of acts general local or special inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 123, entitled:

An Act to provide for the public sale by cities of the first class of negotiable tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes of funds realized or estimated to be collectible from the sale thereof.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city of the first class may when authorized by ordinance duly adopted by the council of such city sell from time to time at public sale delinquent registered tax anticipation certificates representing all or such parts of the registered delinquent taxes due to such city as may be determined in such ordinance The said certificates shall be negotiable in form and in such denominations as shall be prescribed by said ordinance and may be for an undivided interest in the delinquent registered taxes due such city or for designated parts or units thereof Such parts or units shall be listed in separate schedules which same shall include a statement of the locations of the properties and the years and amounts of delinquent registered taxes due upon each of said properties and the moneys realized from the parts or units of the registered delinquent taxes shall be segregated for the retirement of the certificate or certificates issued against said parts or units The said certificates shall be executed and signed by the mayor of said city and shall bear interest at a rate not exceeding five per cent per annum until they shall be paid to the holder or holders thereof as hereinafter provided Any such city issuing said certificates shall proceed to collect the said delinquent registered taxes as in other cases The proceeds of the collection of the delinquent registered taxes against which such certificates may be drawn shall be set apart in the city treasury as a special fund for the retirement of such certificates and may be invested in bonds of the said city the Government of the United States or the State of Pennsylvania as directed by ordinance and neither the amounts of delinquent taxes so collected nor the interest nor principal of such investments shall be used for any other purpose until a sufficient amount thereof has been collected to retire all of the certificates sold which are based on said delinquent registered taxes or such designated part or unit thereof When and as the receipts of delinquent taxes contained in the schedule against which such certificates shall have been issued shall together with the accretions thereon aggregate the total amount of such certificates together with any unpaid interest thereon said certificates shall be paid in full and surrendered to the city At the option of any such city appropriations from current or other funds except for debt service may be utilized for the purpose of aiding in or hastening the retirement of such certificates or any of them

On the question,

Will the House agree to the section?

Mr. BURKE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, Page 1, Line 10, by striking out the word "negotiable".

Amend Section 1, Page 1, Line 10, by inserting after the word "in" and before the word "form" the word "such"

Amend Section 1, Page 2, Line 14, by striking out the word "in" and inserting in lieu thereof the word "provided"

Amend Section 1, Page 2, Line 15, by striking out the words "other cases" and inserting in lieu thereof the words "by law"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third and fourth sections were separately read and agreed to as follows:

Section 2 Upon the authorization by ordinance of the sale of delinquent registered tax anticipation certificates as hereinabove provided the mayor the city solicitor and the city controller or any two of them may make and transmit to the city council an estimate of the amount which may reasonably be expected to be realized from the sale thereof during the current calendar year and the council of such city shall thereupon have authority to appropriate for the current or other purposes of said city in addition to other appropriations the amount so estimated as reasonably expected to be realizable therefrom during such year Should the actual receipts from such sale or sales be greater than the sum or sums so estimated the excess sums so realized may also be made the subject of additional appropriation Provided however That the power to make such additional appropriations as herein conferred shall extend only to the excess of such estimate or actual receipts above the amount of estimated receipts from delinquent taxes which shall have theretofore been made a basis for the current appropriations in the financial program of such city for such year

Section 3 The council in passing such authorization ordinance shall have the power to regulate and prescribe the method of public sale of such delinquent registered tax anticipation certificates the amount thereof which shall be offered for sale the minimum or upset price or prices which are to be accepted therefor the times and methods of public advertisement of such sales the registered delinquent taxes on the specific property or properties which shall form the basis for the issuing of the particular certificates so authorized to be sold the form of such certificates and the authorization of re-sale of any portion of any issue which may not be fully sold at the original sale thereof and such other incidental matters details and requirements as may be deemed by the said council proper adequate and desirable for that purpose

Section 4 All acts or parts of acts inconsistent herewith to the extent of such inconsistency be and the same are hereby repealed

The title was read as follows:

An Act to provide for the public sale by cities of the first class of negotiable tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes of funds realized or estimated to be collecible from the sale thereof

On the question,

Will the House agree to the title?

Mr. BURKE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 2, by striking out the word "negotiable."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 98, as follows:

An Act to create a State Planning Board prescribing its powers and duties imposing certain duties upon political subdivisions and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited a sthe "State Planning Board Law"

Section 2 There is hereby created a State Planning Board which shall be an independent administrative board to consist of nine members appointed by the Governor by and with the advice and consent of the Senate Four members of the State Planning Board shall be appointed from the heads or chief executive officers of State departments The remaining five members shall be appointed from among the citizens of the State and they shall hold no other State office to which any salary is attached The term of office of members of the State Planning Board shall be five years and until their successors are appointed and qualified Provided however That members who are also heads or chief executive officers of State departments shall not serve as members of the State Planning Board beyond their term of office in such other State service Of members of the State Planning Board first appointed three shall be appointed for a term of one year three for a term of three years and three for a term of five years Thereafter all appointments shall be made for a term of five years In case of a vacancy the Governor shall make appointment for the unexpired term The Governor shall designate the chairman of the board Five members of the board shall constitute a quorum All members shall serve without compensation except as hereinafter provided but they shall be allowed such reasonable expenses as are authorized by the board and incurred in the immediate discharge of their duties to be paid out of such funds as may be available and in the same manner as the expenses of other State officials are paid The board may pay to its citizen members honoraria not to exceed ten dollars ($10.00) for each official board meeting attended provided that the total amount paid to any board member in any biennium shall not exceed five hundred dollars ($500.00) The State Planning Board shall maintain offices which shall be provided by the Department of Property and Supplies

The State Planning Board shall keep permanent and complete records of its proceedings meetings hearings orders and decisions It is authorized and empowered to employ such technical and clerical assistants as may be required and fix their compensation and incur other necessary expenses within the limits of the appropriations provided The head of any department or agency of the State government or any political subdivision of the Commonwealth is hereby authorized to assign technical employes to assist the board

Section 3 The board with the approval of the Governor shall appoint and fix the compensation of a planning secretary who shall act as executive director of the board and who shall conduct the work of the board under its supervision The planning secretary shall hold no other position in the service of the Commonwealth or any subdivision thereof and shall be technically qualified for the duties of his office

Section 4 (a) It shall be the duty of the State Planning Board to prepare and from time to time to perfect a State master plan for the physical development of the State Such State master plan with the accompanying maps plats charts and descriptive matter shall show the board's recommendations for the development of the State and may include among other things parkways bridges waterways water front development flood prevention work parks reservations forests wild life refuges aviation fields drainage and sanitary systems works for the prevention of stream pollution railroad and motor vehicle routes power transmission facilities public buildings and other public ways grounds spaces utilities structures institutional and other buildings and works which by reason of their function size extent location legal status or other reason are of State-wide as distinguished from merely local concern or the location construction or authrization of which falls according to law within the province of State agencies or officials or which for any reason are appropriate subjects of a State as distinguished from a merely local program or plan the general location and extent of existing and prepared forests agricultural areas and other devel-

opment areas for purposes of conservation food and water supply sanitary and drainage facilities or the protection and perfection of urban and rural development also a land utilization program including the general classification and allocation of the land within the State amongst mineral agricultural soil conservation water conservation forestry recreational industrial urbanization housing and other uses and purposes The board shall in addition

(b) Advise with the various State departments and bureaus and with local authorities and individuals with a view to the coordinating of all physical development plans including plans for highway airway and air terminals parkways parks water supply development flood control and land use recreation areas and forest reservations and such other things as are related to an ordered and comprehensive development of the State

(c) Prepare amend and keep up to date a long term development program of all major State improvement projects The public works program so prepared shall be a comprehensive construction and financial program covering a ten year period and shall be prepared in consultation with the several State departments for the purpose of assisting by long term budgeting of capital expenditures in stabilizing industry and employment by promoting the planning and timing of public works within the State and by the elimination of unplanned untimely unnecessary and extravagant projects All State departments divisions and officials shall submit their respective ten year programs and proposals for improvements to the board and it shall be the duty of the board to coordinate such programs and proposals with each other and with the State master plan The board shall encourage the preparation of detailed plans for construction projects by the departments boards commissions and other agencies of the State All plans for all projects as enumerated above and originating under whatsoever authority or department shall be presented to the State Planning Board for consideration by them when first taken under consideration by such authority or department and in a preliminary form The public works program shall be revised annually for the purpose of extending it one year in the future and a report thereon shall be submitted by the board to the Governor once a year or more often if requested by the Governor It shall also be the duty of the board to promote and encourage the development of similar public works programs in the various political subdivisions of the State and to coordinate local public works programs where joint action is required

(d) Collect and publish information relating to the proper development of the State and the conservation of its natural resources designed to promote the general welfare and make such recommendations thereon to the Governor as it may deem proper and advisable

Section 5 The board may adopt the State master plan as a whole or as the work of making the plan progresses may from time to time adopt a part or parts thereof and any such part or parts so adopted shall cover one or more of the functional elements which may be included in the plan The board may from time to time amend extend or add to the plan or carry any part of the plan into greater detail The adoption of the plan or any part amendment extension or addition thereof shall be by resolution of the board adopted by the affirmative votes of not less than eight members of the board The resolution shall refer expressly to the maps charts and descriptive matter intended by the board to form the whole or part of the plan and the action taken shall be recorded on the maps charts and descriptive matter by the indentifying signature of the chairman of the board

Section 6 The board may submit its master State plan or any portion thereof to the Governor with recommendation for official approval Before approving any plan or plans for such official action the board may hold public hearings thereon Such plan or plans when approved by the Governor shall be known as the official State plan

Section 7 From and after the adoption by the State Planning Board of the State master plan or of any part thereof and the certification by the board to the Governor of a copy of the plan or such parts thereof then and thenceforth no State highway park forest reservation or other State way or ground and no State building or structure or property shall be constructed or acquired with State funds or located constructed or authorized by any State board official or department unless the proposed location and extent thereof shall have been submitted to the State Planning Board and the report and advice of the board thereon shall have been received but this requirement shall be deemed to be waived if the board fails to furnish in writing its report and advice upon the proposal within forty-five days after the submission thereof to it In case any such way ground building structure or property be given a location or extent which does not accord with the report and advice of the State Planning Board the State department or official having charge of the location authorization construction or acquisition of the same shall file in its or his office a statement of its or his reason for the departure from such report and advice and such statement shall be open to public inspection

This section shall not apply to ways grounds buildings structures or properties which are under construction or acquisition which shall have been fully authorized or whose location and extent shall have been determined previous to the taking effect of this act

Section 8 Upon request by the Governor the General Assembly or any State department or agency and if the money therefor is made available over and above the board's appropriation the board is authorized to make special studies and recommendations with respect thereto of any subject or problem coming within the general purview of the board as defined by this act

Section 9 The State Planning Board shall cooperate with county municipal and regional planning boards if and when created for the purposes of aiding and encouraging an orderly and coordinated development of the State and encourage and assist in their creation and shall also cooperate with planning boards and similar bodies of other States and of the Federal Government in formulating comprehensive regional plans and in the solution of regional problems

Section 10 The State Planning Board may request from the various State departments and other agencies of the Commonwealth and its political subdivisions such available information as it may require in its work and all these agencies shall within a reasonable time furnish such requested information to the board

Section 11 The board or any member thereof when authorized to do so by a majority of the board may hold public hearings administer oaths take affidavits and may by subpoena compel the attendance of witnesses and the production of books records papers and evidence relating to the authority for investigation and study invested in the board Upon application by the board the court of common pleas of any county shall by proper proceedings enforce the attendance before it and the production of testimony of witnesses and the production and examination of books papers and records by issuing its subpoena

Section 12 The State Planning Board shall submit a report of its recommendations for State improvements and developments in January of each year to the Governor

Section 13 The State Planning Board is hereby authorized and empowered to use and expend any funds coming into its hands for the purposes of this act and it is authorized and empowered to accept and use any funds provided by the United States Government or any agency thereof or of gifts made for such purposes

Section 14 The sum of twenty-five thousand dollars ($25,000) is hereby specifically appropriated to the Pennsylvania State Planning Board for the biennium ending May thirty-first one thousand nine hundred and thirty-seven for the purpose of carrying into effect the provisions of this act

Section 15 The provisions of this act are severable and if any of the provisions thereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 16 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,
Will the House agree to the bill on third reading?
It was agreed to,
On the question,
Shall the bill pass finally?

Mr. STEWART. Mr. Speaker and members of the House, this is a State planning bill. A number of the states have similar bills, but, mark you, all of them have been established in the last three years while we have been doing things by expiramentation. These bills are just in their infancy. Their function and their power have not been tested, and where they have had such a board in the different states there have been many objections. For instance, the State of New Jersey and the State of Missouri have passed negative bills, stating that the board must not interfere with the highway department of the State.

This bill calls for nine members to constitute the board, the nine members to be appointed by the Governor, four of them from the departments of the State and the other five from the citizens of the State. Those five members are the only ones that will be paid, and they are not to be paid more than five hundred dollars per year which would make twenty-five hundred dollars. So, you see, there is $22,500 according to this bill, which now asks for an appropriation of $25,000 to be spent for rooms that are to be furnished, and also for secretaries and for a secretary who is to be the advisor of the board. His salary is not fixed in this bill but will be fixed by the Governor and the members of the board.

Now, members of the House, I think this is an unnecessary bill. First, I object to it because I cannot see where it comes within the scope of the Governor's call. Second, the money that would be spent under this bill I think would be a mistake to spend at this time. We heard last night quite a talk about how the people on relief needed money, and you know that we need money for the school districts, the distressed school districts of the State, the hospitals, old age pensions and for other things which are much more worthy than this bill.

This bill calls for a State master plan, and in order to carry out the state master plan it is necessary to begin with the units at the bottom, hence it would go into the municipalities and work up through them, and I object to taking from the people of the municipalities the power that belongs to them. I am for home rule, I am for encouraging the people in my county and I know many of you are also, because when we take those things away from our people we injure the community in which we live. So, I say to you that I think this is an unnecessary bill at this time and that it should not be passed.

Mr. HARMUTH. Mr. Speaker and members of the House, I am the sponsor of this bill and I think at this time it is very necessary to have a planning board in the State of Pennsylvania. This board will be set up and will have a lot to do in regard to controlling the flood waters of this State, particularly in the Pittsburgh district where we have planned a lot of work to be done in that respect. As far as spending dollars are concerned to set up this board, I feel that we will be more than repaid eventually, and it is going to be an advantage for everybody in the Commonwealth.

We also have the question of our streams which are polluted, I will say, to the extent of almost ninety percent in this State. This bill has jurisdiction over them, and it will also plan for bridge approaches and dikes along the rivers, which I believe is also very important at this time, and I want to ask each and every member to go along with me on this bill. In the 1933 session a like bill passed both houses and the Governor at that time did not sign it. In the last session I sponsored a similar bill, and I want to urge you people to vote for this bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—108

Alexander,	Eroe,	Long,	Ruffennach,
Allen,	Falkenstein,	Lovett,	Sarraf,
Andrews,	Ferko,	Lynch,	Scanlon,
Arnold,	Finnerty,	Male,	Schropp,
Aukerman,	Fitch,	McDermott,	Schwab,
Baine,	Flanagan,	McElroy,	Shaw,
Baker, J. J.,	Flinchbaugh,	McHenry,	Shepard,
Barber,	Gerard,	Mentzer,	Shugarts,
Bradley,	Haberlen,	Moomaw,	Siegel,
Brown, H. S.,	Hagerty,	Mooney,	Simon,
Brown, J. E.,	Haluska,	Moran,	Sinwell,
Brownfield,	Hamilton, F. P.,	Moul,	Smith, J. A.,
Brumbaugh,	Harkins,	Munley,	Smith, W. G.,
Burke,	Harmuth,	Murrin,	Stank,
Caputo,	Hartman,	Nagel,	Stevens,
Carson,	Hetrick,	O'Keefe,	Stone,
Chervenak,	Hindman,	Ominsky,	Sumney,
Coakley,	Hirsch,	O'Neill,	Tronzo,
Cochran,	Holland,	Patterson, C.,	Tumelty,
Cohen,	Holstrom,	Patterson, J. W.,	VanSickle,
Coleman,	Hoopes,	Pearson,	Weiss,
Coolahan,	Kelso,	Pfaff,	Welliver,
Decker,	Kilroy,	Piole,	Welsh,
Dent,	Kinney,	Powers,	Westrick,
Diehl,	Klingler,	Reising,	Yourishin,
Downey, G. E.,	Kobelak,	Rinn,	Zappala,
Downey, J. J.,	LaRue,	Robinson,	Furman,
Eberharter,			

NAYS—76

Altenburg,	Gates,	Panton,	Stockham,
Anthony,	Greenstein,	Peters,	Stott,
Atkins,	Habbyshaw,	Phillips,	Surface,
Baker, F. T.,	Hamilton, R. S.,	Reynolds,	Sweeney,
Baldi,	Hermansen,	Roan,	Tahl,
Barnhardt,	Hoffner,	Root,	Terry,
Beadman,	Horst,	Royer,	Trout,
Bernhard,	Jackson,	Schaeffer,	Turner,
Blumberg,	Jones,	Schrock,	VanAllsburg,
Boose,	Kelder,	Serrill,	Wall,
Boyd, R.,	Longaker,	Shortz,	Wasserman,
Boyer,	Mason,	Shreiner,	Weidemann,
Brennan,	McCreary,	Simpson,	White,
Cannon,	McDevitt,	Sloan,	Wickersham,
Condon,	McKinney,	Snyder, F. E.,	Winner,
Cooper,	Merrell,	Snyder, J. L.,	Witkin,
Davies,	Moore,	Sowers,	Wood,
Denning,	Muir,	Sproul,	Woodside,
Duffort,	Nothnagle,	Stewart,	Yeakel,
Forrest,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 134, as follows:

An Act requiring unemployment relief orders to be presented for payment within a certain period otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for unemployment relief purposes.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Emergency Relief Board shall as of the first day of January one thousand nine hundred and thirty-seven and periodically thereafter take credit on its books and calculate as cash to the credit of the current appropriation to the board for unemployment relief purposes all amounts held in the form of cash for the payment of unemployment relief orders issued by said board which have not been presented for payment within one year from the date of issue The State Emergency Relief Board shall cancel all such orders at the time credit is taken on its books and notify the State Treasurer accordingly in order that the full amount thereof shall be credited to the current appropriation to the board for unemployment relief purposes.

All claims against the Commonwealth represented by relief orders issued by the State Emergency Relief Board which are not presented for payment prior to the time of cancellation shall be considered paid and all sums of money held or appropriated for the payment of such relief orders not presented within said period are hereby escheated to the Commonwealth and shall be credited to the current appropriation to the board as hereinbefore provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183

Alexander,	Falkenstein,	McElroy,	Shugarts
Allen,	Ferko,	McHenry,	Siegel,
Altenburg,	Finnerty,	McKinney,	Simon,
Andrews,	Fitch,	Melchiorre,	Simpson,
Anthony,	Flanagan,	Mentzer,	Sinwell,
Arnold,	Flinchbaugh,	Merrell,	Sloan,
Atkins,	Forrest,	Moomaw,	Smith, J. A.,
Auberman,	Gates	Mooney,	Smith, W. G.,
Baine,	Gerard,	Moran,	Snyder, F. E.,
Baker, F. T.,	Gillette,	Moul,	Snyder, J. L.,
Baker, J. J.,	Greenstein,	Muir,	Sowers,
Baldi,	Habbyshaw,	Munley,	Sproul,
Barnhardt,	Haberlen,	Murrin,	Stank,
Beadman,	Hagerty,	Nagel,	Stevens,
Bernhard,	Haluska,	Nothnagle,	Stewart,
Blumberg,	Hamilton, F. P.,	O'Keefe,	Stockham,
Boose,	Hamilton, R. S.,	Ominsky,	Stone,
Boyd, R.,	Harkins,	O'Neill,	Sumney,
Boyer,	Harmuth,	Panton,	Surface,
Brancato,	Hartman,	Patterson, C.,	Sweeney
Brennan,	Hermansen,	Patterson, J. W.,	Tahl,
Brown, H. S.,	Hetrick,	Pearson,	Terry,
Brown, J. E.,	Hindman,	Peters,	Tronzo,
Brownfield,	Hirsch,	Pfaff,	Trout,
Brumbaugh,	Hoffner,	Phillips,	Tumelty,
Burke,	Holstrom,	Piole,	Turner
Cannon,	Horst,	Reising,	VanAllsburg,
Caputo,	Jackson,	Reynolds,	VanSickle,
Carson,	Jones,	Rinn,	Wall,
Coakley,	Kelder,	Roan,	Wasserman,
Cochran,	Kelso,	Robinson,	Weidemann,
Cohen,	Kenney,	Root,	Weiss,
Coleman,	Kilroy,	Royer,	Welliver,
Condon,	Kinney,	Ruffennach,	Welsh,
Coolahan,	Klinger,	Sarraf,	Westrick,
Cooper,	Kobelak,	Scanlon,	White,
Davies,	LaRue,	Schaeffer,	Wickersham,
Decker,	Linderman,	Schrock,	Winner,
Denning,	Long,	Schrope,	Witkin,
Dent,	Longaker,	Schwab,	Wood,
Diehl,	Lovett,	Serrill,	Woodside,
Downey, G. E.,	Lynch,	Shaw,	Yeakel,
Downey, J. J.,	Male,	Shepard,	Yourishin,
Duffort,	Mason,	Shortz,	Zappala,
Eberharter,	McDermott,	Shreiner,	Furman,
Eroe,	McDevitt,		

NAYS—1

Hoopes

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 108, entitled:

An Act making an appropriation to the State Emergency Relief Board for the adjustment and payment of certain claims

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JONES. Mr. Speaker, I would like to ask one of the sponsors of this bill to explain its object.

The SPEAKER. Will one of the sponsors of this bill explain its purposes?

Mr. VAN SICKLE. Mr. Speaker and members of the House, this bill has been prepared and presented to the members of the Assembly to correct a condition that existed during the year 1932 in the county of Northampton. During that period of time people receiving relief from county organizations were compelled to perform work on the highways in the county of Northampton and in return for that work which they performed, they received regular slips from the Highway Department setting forth the number of hours that they had worked, the rate of pay, and containing this notation: "This is a record of wages earned by ..... (the name of the party) during the pay period ending ..... (giving the date) with the Pennsylvania Department of Highways and should be retained until your check has been received."

In addition to that there was an opinion by the Attorney General under date of March 19, 1932, from C. K. Reinsmith, the superintendent of District 505, to the Family Welfare Association, 450 S. New Street, Bethlehem, Pa. Attention of Miss Fish.

"Dear Madam:

Kindly be advised that an opinion from the Department of Justice makes the Department of Highways responsible under the Workmen's Compensation Act for any injuries resulting to laborers furnished by the Welfare Department and used on highway work in the counties involved."

This shows knowledge on the part of the state of Pennsylvania that they were actually receiving this work. However, no checks were received by the men who performed the work. As a matter of fact the state of Pennsylvania received this work without paying one cent of compensation. This present bill was introduced in order that those men who actually performed this work could be compensated by the state of Pennsylvania for the work which the state of Pennsylvania has received.

You will notice that in the last paragraph of the bill it says, "Payment from said appropriation shall be made after the filing of proof of claim and an inspection of the records of the State Highway Department in such manner as the Executive Director of the State Emergency Relief Board may require." In other words, the necessary safeguards have been thrown around it, so that no one will receive money who is not entitled to the same. It is simply asking the members of this House to place their approval upon a bill whereby the state of Pennsylvania will pay its just debts.

On the question recurring,

Shall the bill pass finaly?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—133

Alexander,	Diehl,	Kinney,	Reising,
Allen,	Dilley,	Klingler,	Rinn,
Andrews,	Downey, G. E.,	Kobelak,	Robinson,
Anthony,	Downey, J. J.,	LaRue,	Ruffennach,
Arnold,	Duffort,	Linderman	Sarraf,
Aukerman,	Eberharter,	Long,	Scanlon,
Baine,	Eroe,	Longaker,	Schaeffer,
Baker, J. J.,	Falkenstein,	Lovett,	Schrock,
Barber,	Ferko,	Male,	Schrope,
Bernhard,	Finnerty,	Mason,	Schwab,
Blumberg,	Fitch,	McCreary,	Shaw,
Boose,	Flanagan,	McDermott,	Shepard,
Boyd, R.,	Flinchbaugh,	McElroy,	Shugarts,
Bradley,	Forrest,	McHenry,	Siegel,
Brown, H. S.,	Gerard,	Melchiorre,	Simon,
Brown, J. E.,	Haberlen,	Mentzer,	Sinwell,
Brownfield,	Hagerty,	Moomaw,	Smith, J. A.,
Brumbaugh,	Haluska,	Mooney,	Smith, W. G.,
Burke,	Hamilton, F. P.,	Moran,	Stank,
Cannon,	Hamilton, R. S.,	Moul,	Stevens,
Caputo,	Harkins,	Munley,	Stockham,
Carr,	Harmuth,	Murrin,	Stone,
Carson,	Hartman,	Nagel,	Sumney,
Chervenak,	Hetrick,	O'Keefe,	Tronzo,
Coakley,	Hindman,	Ominsky,	Tumelty,
Cochran,	Hirsch,	O'Neill,	Van Sickle,
Cohen,	Holland,	Panton,	Weiss,
Coleman,	Holstrom,	Patterson, C.,	Welliver,
Condon,	Hoopes,	Patterson, J. W.,	Welsh,
Coolahan,	Horst,	Pearson,	Westrick,
Cooper,	Kelder,	Pfaff,	Yourishin,
Davies,	Kelso,	Piole,	Zappala,
Decker,	Kenney,	Powers,	Furman,
Dent,	Kilroy,		

NAYS—40

Atkins,	Lynch,	Root,	Terry,
Barnhardt,	McDevitt,	Royer,	Trout,
Beadman,	McKinney,	Shreiner,	Turner,
Denning,	Merrell,	Snyder, F. E.,	Wall,
Gates,	Moore,	Snyder, J. L.,	White,
Gillette,	Muir,	Sowers,	Wickersham,
Habbyshaw,	Nothnagle,	Sproul,	Witkin,
Hermansen,	Phillips,	Stewart,	Wood,
Jackson,	Reynolds,	Surface,	Woodside,
Jones,	Roan,	Sweeney,	Yeakel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 135, entitled:

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by or for said board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—193

Alexander,	Falkenstein,	McDermott,	Shepard,
Allen,	Ferko,	McDevitt,	Shortz,
Altenburg,	Finnerty,	McElroy,	Shreiner,
Andrews,	Fitch,	McHenry,	Shugarts,
Anthony,	Flanagan,	McKinney,	Siegel,
Arnold,	Flinchbaugh,	Melchiorre,	Simon,
Atkins,	Forrest,	Mentzer,	Simpson,
Aukerman,	Gates,	Merrell,	Sinwell,
Baine,	Gerard,	Moomaw,	Sloan,
Baker, F. T.,	Gillette,	Mooney,	Smith, J. A.,
Baker, J. J.,	Greenstein,	Moore,	Smith, W. G.,
Baldi,	Habbyshaw,	Moran,	Snyder, F. E.,
Barnhardt,	Haberlen,	Moul,	Snyder, J. L.,
Beadman,	Hagerty,	Muir,	Sowers,
Bernhard,	Haluska,	Munley,	Sproul,
Blumberg,	Hamilton, F. P.,	Murrin,	Stank,
Boose,	Hamilton, R. S.,	Nagel,	Stevens,
Boyd, R.,	Harkins,	Nothnagle,	Stewart,
Boyer,	Harmuth,	O'Keefe,	Stockham,
Bradley,	Hartman,	Ominsky,	Stone,
Brancato,	Hermansen,	O'Neill,	Sumney,
Brennan,	Hetrick,	Panton,	Surface,
Brown, H. S.,	Hindman,	Parks,	Sweeney,
Brown, J. E.,	Hirsch,	Patterson, C.,	Tahl,
Brownfield,	Hoffner,	Patterson, J. W.,	Terry,
Brumbaugh,	Holland,	Pearson,	Tronzo,
Burke,	Holstrom,	Peters,	Trout,
Cannon,	Hoopes,	Pfaff,	Tumelty,
Caputo	Horst,	Phillips,	Turner,
Carson,	Jackson,	Piole,	VanAllsburg,
Chervenak,	Jones,	Powers,	VanSickle,
Coakley,	Kane,	Reising,	Wall,
Cochran,	Kelder,	Reynolds,	Wasserman,
Cohen,	Kelso,	Rinn,	Weidemann,
Coleman,	Kenney,	Roan,	Weiss,
Condon,	Kilroy,	Robinson,	Welliver,
Coolahan,	Kinney,	Rooney,	Welsh,
Cooper,	Klinger,	Root,	Westrick,
Davies,	Kobelak,	Royer,	White,
Decker,	LaRue,	Ruffennach,	Wickersham,
Denning	Linderman,	Sarraf,	Winner,
Dent,	Long,	Scanlon,	Witkin,
Diehl,	Longaker,	Schaeffer,	Wood,
Dilley,	Lovett,	Schrock,	Woodside,
Downey, G. E.,	Lynch,	Schrope,	Yeakel,
Downey, J. J.,	Male,	Schwab,	Yourishin,
Duffort,	Mason,	Serrill	Zappala,
Eberharter,	McCreary,	Shaw,	Furman,
Eroe,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 111, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—193

Alexander,	Eroe,	McDermott,	Shepard,
Allen,	Falkenstein,	McDevitt,	Shortz,
Altenburg,	Ferko,	McElroy,	Shreiner,
Andrews,	Finnerty,	McHenry,	Shugarts,
Anthony,	Fitch,	McKinney,	Siegel,
Arnold,	Flanagan,	Melchiorre,	Simon,
Atkins,	Flinchbaugh,	Mentzer,	Simpson,
Aukerman,	Forrest,	Merrell,	Sinwell,
Baine,	Gates,	Moomaw,	Sloan,
Baker, F. T.,	Gerard,	Mooney,	Smith, J. A.,
Baker, J J.,	Gillette,	Moore,	Smith, W. G.,
Baldi,	Greenstein,	Moran,	Snyder, F. E.,
Barber,	Habbyshaw,	Moul,	Snyder, J. L.,
Barnhardt,	Haberlen,	Muir,	Sowers,
Beadman,	Hagerty,	Munley,	Sproul,
Bernhard,	Haluska,	Murrin,	Stank,
Blumberg,	Hamilton, F. P.,	Nagel,	Stevens,
Boose,	Hamilton, R. S.,	Nothnagle,	Stewart,
Boyd, R.,	Harkins,	O'Keefe,	Stockham,

Boyer,	Harmuth,	Ominsky,	Stone,
Bradley,	Hartman,	O'Neill,	Sumney,
Brancato,	Hermansen,	Panton,	Surface,
Brennan,	Hetrick,	Parks,	Sweeney,
Brown, H. S.,	Hindman,	Patterson, C.,	Tahl,
Brown, J. E.,	Hirsch,	Patterson, J. W.,	Terry,
Brownfield,	Hoffner,	Pearson,	Tronzo,
Brumbaugh,	Holland,	Peters,	Trout,
Burke,	Holstrom	Pfaff,	Tumelty,
Cannon,	Hoopes,	Phillips,	Turner,
Caputo,	Horst,	Piole,	VanAllsburg,
Carson,	Jackson,	Powers,	VanSickle,
Chervenak,	Jones,	Reising,	Wall,
Coakley,	Kane,	Reynolds,	Wasserman,
Cochran,	Kelder,	Rinn,	Weidemann,
Cohen,	Kelso,	Roan,	Weiss,
Coleman,	Kenney,	Robinson,	Welliver,
Condon,	Kilroy,	Rooney,	Welsh,
Coolahan,	Kinney,	Root,	Westrick,
Cooper,	Klingler,	Royer,	White,
Davies,	Kobelak,	Ruffennach,	Wickersham,
Decker,	LaRue,	Sarraff,	Winner,
Denning,	Linderman,	Scanlon,	Witkin,
Dent,	Long,	Schaeffer,	Wood,
Diehl,	Longaker,	Schrock,	Woodside,
Dilley,	Lovett,	Schrope,	Yeakel,
Downey, G. E.,	Lynch,	Schwab,	Yourishin,
Downey, J. J.,	Male,	Serrill,	Zappala,
Duffort,	Mason,	Shaw,	Furman,
Eberharter,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 143, as follows:

An Act to provide revenue by prohibiting the employment of miners in the bituminous coal mines unless certificated after examination by a miners examining board and the payment of certain fees providing for the appointment of such boards and defining their powers and duties and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of January one thousand nine hundred and thirty-seven no person shall be employed or engaged as a coal miner in any bituminous coal mine in this Commonwealth without first having obtained a certificate of competency and qualification so to do from the miners examining board of the proper district appointed under this act Provided however That any miner holding a certificate may have one person working with him and under his direction as an apprentice for the purpose of learning the business of mining

Section 2 There shall be established in each of the miners' examination districts in the bituminous counties a board to be styled the "Miners' Examining Board" of the ..... district to consist of nine miners who shall be appointed by the judges of the courts of the various counties as hereinafter provided from among the most skilful miners actually engaged in said business in their respective districts and who must have had two years' practical experience in the same The said persons so appointed shall each serve for a term of two years from the date on which their appointment takes effect and they shall be and constitute the "Miners' Examining Board" for their respective districts and shall hold the office for the term for which they were appointed or until their successors are duly appointed and qualified and shall receive as compensation for their services ten dollars ($10.00) per day for each day actually engaged in this service and all legitimate and necessary expenses incurred in attending the meetings of said board under the provisions of this act and no part of the salary of said board or expenses thereof shall be paid out of the State Treasury

Each of said boards shall organize by electing one of their members president and one member as secretary and by dividing themselves into three sub-committees for the more convenient discharge of their duties each of said committees shall have all powers hereinafter conferred upon the board and whenever in this act the words "examining board" are used they shall be taken to include any of the committees thereof

Every member of said board shall within ten days of their appointment or being apprised of the same take and subscribe an oath or affirmation before a properly qualified officer of the county in which they reside that they will faithfully and impartially discharge the duties of their office

Any vacancies occurring in said board shall be filled in the manner hereinbefore provided for original appointment from among such only as are eligible for original appointment

The bituminous counties of the Commonwealth shall be divided into miners' examination districts for the purpose of carrying out the provisions of this act as follows First District Washington County Second District Fayette and Greene Counties Third District Westmoreland and Somerset Counties Fourth District Indiana Armstrong Jefferson Clarion Elk and McKean Counties Fifth District Allegheny Beaver and Butler Counties Sixth District Lawrence Mercer and Venango Counties Seventh District Cambria Blair Bedford Huntingdon and Fulton Counties Eighth District Clearfield Centre Clinton Lycoming Tioga and Bradford Counties

The Miners' Examining Board for the said districts shall be appointed by the judges of the court of common pleas of Washington County for the First District Greene County for the Second District Somerset County for the Third District Indiana County for the Fourth District Allegheny County for the Fifth District Mercer County for the Sixth District Cambria County for the Seventh District and Clearfield County for the Eighth District

Section 3 The several miners' examining boards shall hold examinations at such times and places prior to the first day of January one thousand nine hundred and thirty-seven as the Secretary of Mines may designate and thereafter shall designate some convenient place within their districts for the meeting of the several committees thereof of which due notice shall be given by advertisement in two or more newspapers of the proper county and so divided as to reach as nearly as practicable all the mining districts therein but in no case shall such meeting be held in a building where any intoxicating liquors are sold

Each of said committees shall open at the designated place of meeting a book of registration in which shall be registered the name and address of each and every person duly qualified under this act to be employed as a miner in a bituminous coal mine and it shall be the duty of all persons employed as miners to be properly registered and in case of a removal from the district in which a miner is registered it shall be his duty to be registered in the district to which he removed

Application for registration only may be sent by mail to the board after being properly attested before any person authorized to administer an oath or affirmation in the county in which the applicant resides The form of application shall be subject to such regulation as may be prescribed by the board but in on case shall any applicant be put to any unnecessary expense in order to secure registration

Section 4 Each applicant for examination and registration and for the certificate hereinafter provided shall pay to the miners' examining board a fee of one dollar ($1.00) and a fee of twenty-five cents (25c) shall be charged for registering any person who shall have been examined and registered by any other said board and the amount derived from this source shall be held by said boards and applied first to the expenses and salaries herein provided and such as may arise under the provisions of this act The said boards shall report annually

to the court of common pleas of the county by which appointed and to the Department of Mines all moneys received and disbursed under the provisions of this act together with the number of miners examined and registered under this act and the number who failed to pass the required examination and the balance of money in their possession which is not deemed necessary by the Department of Mines for the payment of expenses and salaries shall be ordered paid over to the State Treasury to be used for the furnishing of assistance to aged persons and mothers and for such purposes is hereby appropriated to the Department of Welfare for allocation to counties

Section 5 It shall be the duty of each of the said boards to meet once every month and not oftener and said meeting shall be public and if necessary the meeting shall be continued to cover whatever portion may be required for a period of three days in succession and examine under oath all persons who shall desire to be employed as miners in their respective districts and said board shall grant such persons as may be qualified certificates of competency or qualification which shall entitle the holders thereof to be employed as and to do the work of miners as may be expressed in said certificate and such certificate shall be good and sufficient evidence of registration and competency under this act and the holder thereof shall be entitled to be registered without an examination in any other of the bituminous districts upon the payment of the fee herein provided

All persons applying for a certificate of competency or to entitle them to be employed as miners must produce satisfactory evidence of having had not less than two years' practical experience as a miner or as a mine laborer in bituminous mines and in no case shall an applicant be deemed competent unless he appear in person before the said board and answer intelligently and correctly at least twelve questions in the English language pertaining to the requirements of a practical miner. The said board shall keep an accurate record of the proceedings of all its meetings and in said record shall show a correct detailed account of the examination of each applicant with the questions asked and their answers and at each of its meetings the board shall keep said record open for public inspection Any miner's certificate granted under the provisions of this act shall not be transferable to any person or persons whatsoever and any transfer of the same shall be deemed a violation of this act Certificates shall be issued only at meetings of said board and said certificates shall not be legal unless then and there signed in person by at least three members of said board

Section 6 No person shall after the first day fo January one thousand nine hundred and thirty-seven engage as a miner in any bituminous coal mine in this Commonwealth without first having obtained a certificate of competency and qualification as provided for in this act nor shall any person firm or corporation or his or its agent employ as a miner any person who does not hold such certificate Any person firm or corporation who shall violate or fail to comply with the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not less than one hundred dollars ($100.00) and not to exceed five hundred dollars ($500.00) or shall undergo imprisonment for a term not less than thirty (30) days and not to exceed six (6) months or either or both at the discretion of the court

Section 7 It shall be the duty of the several miners' examining boards to investigate all complaints or charges of noncompliance or violation of the provisions of this act and to prosecute all persons so offending and upon their failure so to do then it shall become the duty of the district attorney of the county wherein the complaints or Charges are made to investigate the same and prosecute all persons so offending and it shall at all times be the duty of the district attorney to prosecute such members of the miners' examining board as have failed to perform their duty under the provisions of this act but nothing herein contained shall prevent any citizen a resident of this Commonwealth from prosecuting any person or persons violating this act with power to employe private counsel to assist in the prosecution of the same Upon conviction of any member of the miner's examining board for any violation of this act in addition to the penalties herein provided his office shall be declared vacant and he shall be deemed ineligible to act as a member of the said board

Section 8 For the purposes of this act the members of the said miners' examining board shall have power to administer oaths

Section 9 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—193

Alexander,	Eroe,	McCreary,	Shepard,
Allen,	Falkenstein,	McDermott,	Shortz,
Altenburg,	Ferko,	McDevitt,	Shreiner,
Andrews,	Finnerty,	McElroy,	Shugarts,
Anthony,	Fitch,	McHenry,	Siegel,
Arnold,	Flanagan,	McKinney,	Simon,
Atkins,	Flinchbaugh,	Melchiorre,	Simpson,
Aukerman,	Forrest,	Mentzer,	Sinwell,
Baine,	Gates,	Merrell,	Sloan,
Baker, F. T.,	Gerard,	Moomaw,	Smith, J. A.,
Baker, J. J.,	Gillette,	Mooney,	Smith, W. G.,
Baldi,	Greenstein,	Moore,	Snyder, F. E.,
Barber,	Habbyshaw,	Moran,	Snyder, J. L.,
Barnhardt,	Haberlen,	Moul,	Sowers,
Beadman,	Hagerty,	Muir,	Sproul,
Bernhard,	Haluska,	Munley,	Stank,
Blumberg,	Hamilton, F. P.	Murrin,	Stevens,
Boose,	Hamilton, R. S.,	Nagel,	Stewart,
Boyd, R.,	Harkins,	Nothnagle,	Stockham,
Boyer,	Harmuth,	O'Keefe,	Stone,
Bradley,	Hartman,	Ominsky,	Sumney,
Brancato,	Hermansen,	O'Neill,	Surface,
Brennan,	Hetrick,	Panton,	Sweeney,
Brown, H. S.,	Hindman,	Parks,	Tahl,
Brown, J. E.,	Hirsch,	Patterson C.,	Terry,
Brownfield,	Hoffner,	Patterson, J. W.,	Tronzo,
Brumbaugh,	Holland,	Pearson,	Trout,
Burke,	Holstrom,	Peters,	Tumelty,
Cannon,	Hoopes,	Pfaff,	Turner,
Caputo,	Horst,	Phillips,	VanAllsburg,
Carson,	Jackson,	Piole,	Van Sickle,
Chervenak,	Jones,	Powers,	Wall,
Coakley,	Kane,	Reising,	Wasserman
Cochran,	Kelder,	Reynolds,	Weidemann
Cohen,	Kelso,	Roan,	Weiss,
Coleman,	Kenney,	Robinson,	Welliver,
Condon,	Kilroy,	Rooney,	Welsh,
Coolahan,	Kinney,	Root,	Westrick,
Cooper	Klingler,	Royer,	White,
Davies,	Kobelak,	Ruffennach,	Wickersham
Decker,	LaRue,	Sarraf,	Winner,
Denning,	Linderman,	Scanlon,	Witkin,
Dent,	Long,	Schaeffer,	Wood,
Diehl,	Longaker,	Schrock,	Woodside,
Dilley,	Lovett,	Schrope,	Yeakel,
Downey, G. E.,	Lynch,	Schwab,	Yourishin,
Downey, J. J.,	Male,	Serrill,	Zappala,
Duffort,	Mason,	Shaw,	Furman,
Eberharter,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 150 (Senate Bill No. 14), as follows:

An Act providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare and the

boards of trustees of the mothers' assistance funds of the several counties authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons providing for the recovery of moneys expended for assistance in certain cases prohibiting political activity by employes of the board providing substitute provisions in case Federal grants for old age assistance shall fail for any reason providing penalties and repealing inconsistent acts

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Short Title This act shall be known and may be cited as the "Old Age Assistance Law"

Section 2 Definitions The following words and phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Assistance" means financial assistance to aged indigent resident citizens qualified to receive assistance under this act or payments toward the funeral expenses of such persons as provided in this act

"Beneficiary" means a person who is receiving financial assistance in accordance with the provisions of this act

"Board" means the Board of Trustees of the Mothers' Assistance Fund in a particular county established by law and herein invested with powers to administer this act in such county

"Department" means the Department of Welfare of the Commonwealth of Pennsylvania

"Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several states to make more adequate provisions for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes"

"Social Security Board" means the Social Security board established by the Social Security Act

Section 3 Administration of Act This act shall be administered by the department and the boards in the several counties of this Commonwealth

Section 4 Cooperation with Federal Board The department is empowered and directed to cooprate with the Social Security Board in carrying out the provisions and purposes and the administration of title one of the Social Security Act and is further empowered to supervise the disbursement of all funds provided by the Federal Government for use in this Commonwealth for assistance to make such reports in such form and containing such information as the Social Security Board may from time to time require and to comply with such orders and regulations as such board may from time to time make to assure the correctness and verification of such reports

Section 5 Qualifications for Assistance Assistance may be granted under this act only to an applicant who

(a) Has attained the age of seventy years or upwards or who after December thirty-first one thousand nine hundred and thirty-nine attains the age of sixty-five years or upwards

(b) Is a citizen of the United States

(c) Resides in this Commonwealth and (1) has so resided therein for five years during the nine years immediately preceding the date of making application for assistance (2) has so resided continuously for one year immediately preceding the date of making application for assistance and (3) has a legal settlement in this Commonwealth Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the Commonwealth if a domicile has not been required outside the Commonwealth

(d) Is not at the date of making application an inmate of a public reform or correctional institution or public mental hospital

(e) Has not within two years preceding the date of application for assistance been a professional tramp or beggar

(f) Is indigent and has no relative responsible under the law of this Commonwealth and financially able to support him or her

(g) Shall not have voluntarily relinquished or given up any gainful employment without just cause within six months preceding the date of making application for assistance

(h) Shall not have conveyed or transferred his or her real or personal property of the value of five hundred dollars ($500.00) or upwards without fair consideration within two years preceding the date of making application for assistance

Section 6 Application for Assistance All applications for assistance shall be made to the board of the county in which the appelicant resides in such form as the department shall prescribe Forms of such applications shall be furnished by the department to the respective boards

An application for assistance shall not be approved until the board is satisfied after proper investigation that the applicant is qualified for assistance under the provisions of this act

Any beneficiary under existing law repealed by this act shall without further qualification become eligible to receive assistance under the provisions of this act In case this act operates to qualify applicants previously rejected for lack of funds or for lack of qualifications such applicants shall be entitled to priority

All applicants for assistance shall be sworn to or affirmed by the applicant setting forth that all facts are true in every particular Any member or employe of a board shall have authority to administer such oath or affirmation and shall not charge or receive any fee for so doing

Section 7 Investigators' Reports Before any assistance is granted to any person under the provisions of this act a complete report shall be made by an investigator of the board of all matters stated in the application giving (a) the name of the applicant (b) the number and kinds of relatives legally liable for support of the applicant (c) the financial condition of such relatives and (d) all other matters which shall be from time to time required by the department and the Social Security Board All such reports shall be made upon forms supplied for the purpose by the department All such reports shall be made in triplicate One copy shall be retained in the office of the board and if the application is approved one shall be forwarded to the department and one copy shall be forwarded to the Auditor General Each report shall be sworn to by the investigator which oath may be administered by any member or other employe of the board Before any assistance is granted the application and the report of the investigator shall be approved by a majority of all the members of the board

Section 8 Amount of Assistance Payments from State and Federal Funds The maximum assistance allowed by any board under the provisions of this act shall not exceed thirty dollars ($30.00) per month for any beneficiary Such payments shall be made from state appropriations for old age assistance and grants from the Federal Government to the Commonwealth for assistance to aged needy individuals but in the event that Federal grants are not available payments may be made entirely from State appropriations

All payments of assistance shall be made direct to the beneficiary by warrant after requisition by the department as provided by law in other cases In the event of the death of any beneficiary the department may authorize the payment of any assistance due to such beneficiary to the wife children father mother sister or brother (preference being given in the order named) of the deceased beneficiary as the board directs without requiring letters testamentary or of administration to be issued upon the estate of the deceasd beneficiary

Section 9 Other Relief No beneficiary shall at the same time receive any other relief assistance benefit compensation or pension from the United States or from the Commonwealth or from any political subdivision thereof except for medical or surgical assistance Provided however

That where such other relief assistance benefit compensation or pension is less than thirty dollars ($30.00) per month the board may grant assistance in an amount so that the total received by a beneficiary from all such sources shall not exceed thirty dollars ($30.00) per month

Section 10 Trustees for Certain Beneficiaries The department may appoint a trustee to take charge of the expenditure of the assistance granted any beneficiary when in its opinion such trustee is necessary In such cases payment shall be made direct to such trustee A trustee shall serve without compensation and shall be subject to such rules regulations and accounting as the department shall prescribe

Section 11 Beneficiary Becoming Disqualified If the condition or circumstances of a beneficiary change in such a way that he or she does not possess all the qualifications required to receive assistance hereunder the assistance to such beneficiary shall be revoked immediately by the board

Section 12 Refusal of Beneficiary to Furnish Information If any beneficiary shall refuse or neglect to comply with any reasonable request of the board or of the department for information concerning the continued need of or qualifications for assistance or shall on request fail neglect or refuse to authorize any other person firm or corporation to furnish such information about the beneficiary or his affairs the board shall suspend all payments to such beneficiary until he or she shall have complied with such requirements

Section 13 Appeals by Applicants and Beneficiaries Any person may within six months after notice by the board that his or her application for assistance has been refused or that the assistance of a beneficiary has been to the department The Secretary of Welfare or the employe or employes of the department designated by him shall as agents of the department on a day and at a time fixed of which at least ten days' written notice shall be given to all parties interested hear such testimony as may be offered for and against the allowance of assistance or the continuance of assistance and determine whether or not the said person is entitled to assistance or to the continuance of assistance if a beneficiary The department shall report its findings to the board from whose action the appeal has been taken which board shall carry into effect the order of the department The action of the department on any appeal shall be final

Section 14 Funeral Expenses On the death of any beneficiary such reasonable funeral expenses not exceeding one hundred dollars ($100.00) for burial shall be paid to such persons as the board directs if the estate of the deceased is insufficient to defray the same

Section 15 Liability of Beneficiary and Estates The real and personal property of any beneficiary shall be liable for the repayment of assistance received under this act or the act repealed by this act whether such property was owned at the time such assistance was granted or acquired thereafter Claims for assistance furnished shall have the same force and effect against the real and personal property of a deceased beneficiary as other debts of a decedent and shall be recoverable in the same manner One-half of the net amount recovered from any beneficiary or from his or her estate by the Commonwealth or any political subdivision shall be promptly paid to the United States and the remainder shall be paid into the State Treasury and shall be credited to the current appropriation for old age assistance

Section 16 Allocation of State and Federal Funds Allocations of amounts available from State and Federal moneys for old age assistance and assistance to aged needy individuals and for administration purposes shall be made among the several counties by the department under such equitable system based upon need and past experience as the department shall from time to time set up Any money so allocated and unused in any fiscal year in any county shall be added to the amount of money subject to allocation for the following fiscal year under the current or any future appropriation

Section 17 Cost of Administration Political Activity Prohibited The boards in the several counties shall appoint such investigators and clerical assistants as may be necessary to enable them to distribute assistance in their respective counties but as far as possible the investigators engaged in the administration of Mothers' Assistance Law shall also perform the work necessary for the administration of this act At no time shall the additional expense of administering this act in any county exceed in amount six per centum of the allocation to such county of moneys for assistance

The county commissioners of the several counties shall upon requisition of the boards pay such expenses of investigation and clerk hire in their respective counties and other administrative expenses subject always to the limitations upon such expenses imposed by this section But the liability of the county to pay such expenses shall be reduced by the amount of any moneys allocated to the county by the department for the payment of administrative expenses

No investigator clerk or other employe of the Board shall be a member of or delegate or alternate delegate to any political convention nor be present at any such convention as an employee or in any official capacity nor serve as a member of or attend meetings of any committee of any political party or take any active part in political management or in political campaigns or use his or her position to influence political movements or use his or her position to influence the political action of any other person nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted or the vote or ballot box is being returned save only for the purpose of marking and depositing his ballot nor be within fifty feet of any polling place during voting hours and the counting of the ballots except for the purpose of residence or travel No member of the board and no investigator clerk or other employee of the board shall directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting or receiving any assessment subscription or contribution whether voluntary or involuntary intended for any political purpose whatever Any person who shall violate anw of the foregoing provisions shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding $500 and forfeit his position

Section 18 Receipt Deposit and Expenditure of Federal Moneys The department is hereby authorized to receive contributions from the United States Government or any agency or instrumentality thereof for assistance to aged needy individuals All contributions so received shall be paid into the State Treasury through the Department of Revenue and be credited to the biennial appropriations to the department for the payment of assistance

Section 19 Rules and Regulations Supervision by Department The department shall have power to adopt and promulgate rules and regulations for the administration of this act

Such supervisors and assistants as shall be necessary in the department to exercise general supervision over the administration of this act shall be appointed and their compensation fixed by the Secretary of Welfare subject to approval by the Governor as provided by the Administrative Code

Section 20 Penalties Any person who by means of a wilfully false statement or misrepresentation or by impersonation or other fraudulent means secures or attempts to secure or aids or abets any person in securing assistance under this act to which he or she is not entitled shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 21 Responsibility of Counties Cities and Poor Districts Saved This act shall not relieve any county city or poor district from responsibility for the maintenance either in an institution or otherwise of any person of sufficient age but who cannot otherwise qualify for assistance under this act or who cannot be provided for under current funds for carrying out the provisions of this act

Section 22 The purpose of the preceding provisions of this act is to provide assistance to certain aged residents and to bring the Old Age Assistance Law of this Commonwealth in accord with Title one of the Social Security

Act of the United States thus enabling the Commonwealth to receive Federal grants for old age assistance

In the event that Title one of the Social Security Act shall be held unconstitutional by the Supreme Court of the United States or shall be repealed and Federal grants for old age assistance shall fail for such or for any other reasons whatever then so long as Federal grants for old age assistance shall not be available to this Commonwealth the Department of Welfare and the boards of trustees of the several counties of this Commonwealth shall grant assistance only to a resident of this Commonwealth who possesses the following qualifications to wit

(a) Has attained the age of seventy years or upwards

(b) Has been a citizen of the United States for at least fifteen years before making application for assistance

(c) Resides in the Commonwealth and (1) has so resided continuously for at least fifteen years immediately preceding the date of application but continuous residence in the State shall not be deemed to have been interrupted by periods of absence therefrom if the total of such periods does not exceed three years or (2) has so resided forty years at least five of which have immediately preceded the application Provided That absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the State if a domicile be not acquired outside the State

(d) Is not at the date of making application an inmate of any prison jail workhouse insane asylum or other public reform or correctional institution

(e) For six months or more during the fifteen years preceding the date of application for relief if a husband has not deserted his wife or without just cause failed to support her and his children under the age of fifteen years or if a wife has not deserted her husband or without just cause failed to support such of her children as were under age and as she was bound to support

(f) Has not within two years preceding such application for assistance been a professional tramp or beggar

(g) Is indigent and has no child or other person responsible under the law of this State and able to support him or her

To the extent of any inconsistency the provisions of section five of this act shall be suspended so long as Federal grants for old age assistance shall not be available to this Commonwealth and the provisions of this section shall be in force

Section 23 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 24 Effective Date The provisions of this act shall become effective immediately upon final enactment and shall be retroactive to the first day of June one thousand nine hundred and thirty-six

Section 25 Repeal The act approved the eighteenth day of January one thousand nine hundred and thirty-four (Pamphlet Laws two hundred and eighty-two one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four) entitled "An act providing for and regulating subject to certain restrictions limitations and liabilities assistance to and the bural of certain aged indigent persons and the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation" is hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—193

Alexander,	Eroe,	McDermott,	Shepard,
Allen,	Falkenstein,	McDevitt,	Shortz,
Altenburg,	Ferko,	McElroy,	Shreiner,
Andrews,	Finnerty,	McHenry,	Shugarts,
Anthony,	Fitch,	McKinney,	Siegel,
Arnold,	Flanagan,	Melchiorre,	Simon,
Atkins,	Flinchbaugh,	Mentzer,	Simpson,
Aukerman	Forrest,	Merrell,	Sinwell,
Baine,	Gates,	Moomaw,	Sloan,
Baker, F. T.	Gerard,	Mooney,	Smith, J. A.,
Baker, J. J.,	Gillette,	Moore,	Smith, W. G.,
Baldi,	Greenstein,	Moran,	Snyder, F. E.,
Barber,	Habbyshaw,	Moul,	Snyder, J. L.,
Barnhardt,	Haberlen,	Muir,	Sowers,
Beadman,	Hagerty,	Munley,	Sproul,
Bernhard,	Haluska,	Murrin,	Stank,
Blumberg,	Hamilton, F. P.,	Nagel,	Stevens,
Boose,	Hamilton, R. S.,	Nothnagle,	Stewart,
Boyd, R.,	Harkins,	O'Keefe,	Stockham,
Boyer,	Harmuth,	Ominsky,	Stone,
Bradley,	Hartman,	O'Neill,	Sumney,
Brancato,	Hermansen,	Panton,	Surface,
Brennan,	Hetrick,	Parks,	Sweeney
Brown, H. S.,	Hindman,	Patterson, C.,	Tahl,
Brown, J. E.,	Hirsch,	Patterson, J. W.,	Terry,
Brownfield,	Hoffner,	Pearson,	Tronzo,
Brumbaugh,	Holland,	Peters,	Trout,
Burke,	Holstrom,	Pfaff,	Tumelty,
Cannon,	Hoopes,	Phillips,	Turner,
Caputo,	Horst,	Piole,	VanAllsburg,
Carson,	Jackson,	Powers,	VanSickle,
Chervenak,	Jones,	Reising,	Wall,
Coakley,	Kane,	Reynolds,	Wasserman,
Cochran,	Kelder,	Rinn,	Weidemann,
Cohen,	Kelso,	Roan,	Weiss,
Coleman,	Kenney,	Robinson,	Welliver,
Condon,	Kilroy,	Rooney,	Welsh,
Coolahan,	Kinney,	Root,	Westrick,
Cooper,	Klingler,	Royer,	White
Davies,	Kobelak,	Ruffennach,	Wickersham,
Decker,	LaRue,	Sarraf,	Winner,
Denning,	Linderman,	Scanlon,	Witkin,
Dent,	Long,	Schaeffer,	Wood,
Diehl,	Longaker,	Schrock,	Woodside,
Dilley,	Lovett,	Schrope,	Yeakel,
Downey, G. E.,	Lynch,	Schwab,	Yourishin
Downey, J. J.,	Male,	Serrill,	Zappala,
Duffort,	Mason,	Shaw,	Furman,
Eberharter,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

PERMISSION GRANTED COMMITTEE TO SIT DURING SESSION

Mr. DENT asked and obtained permission for the Committee on Highways to meet during the session of the House.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 45.

An Act validating certain proceedings and elections of political subdivisions had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds or other security issued or authorized to be issued in pursuance of such proceedings and elections

HOUSE BILL No. 110.

An Act providing that no person shall be denied refused or have discontinued direct or work relief for the reason

that such person has received payment of a World War adjusted service certificate and providing penalties.

Whereupon,

The Speaker, in the presence of the House, signed the same.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 22, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, June twenty-ninth at 9:00 o'clock Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene on Monday evening, June twenty-ninth at 9:00 o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT FROM COMMITTEE

Mr. DIEHL, from the Committee on Highways, reported as amended, House Bill No. 63, entitled:

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damage caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by requiring extra fees for the assignment of special registration plates.

STATEMENT BY MR. JONES

Mr. JONES asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, we will have to decide, as I understand, in the next couple of days a bill which to me has been one of the most important measures of any legislation that I have supported during the ten years I have been in the Legislature. That is the Mothers' Pension. Members of the House, when I came to the Legislature I had a picture in the back of my head. When I was fourteen years old my dad died and I was the oldest of a family of four. He left just a small amount of insurance, and by my going to the breakers at that time and adding a few dollars to what he had left, we were able to keep our little family together. Now, we are confronted with the situation where we might take care of every mother who needs mothers' pension in Pennsylvania. I have told many a mother back home, who is waiting for us to pass this law, that it looked like we were going to pass it and they would get their pensions. It is all right, men, to talk about playing politics, but now you are going to play with the misery of women and little children if we do not pass this bill. As far as I am concerned, I am not concerned whether the Governor of this Commonwealth appoints the Mothers' Assistance Board; I am not concerned whether the Common Pleas Courts of the different counties appoint the Mothers' Assistance Boards; I am not concerned if the County Commissioners appoint a Mothers' Assistance Board, nor am I concerned if all three together appoint the boards. That doesn't matter to me. I will vote for any board that is appointed by any crowd, even Edward Jones.

Now, ladies and gentlemen of this House, the other day the lady from Philadelphia made the statement that the Senate was trying to play politics with the Mothers' Assistance in the state. I want to tell the membership of this House in all of my time in Luzerne County that is one board that politics was not played on. I will show you the board that was there for many years, and only one lady on that board ever was interested in politics, and her father, when he died, donated the Sutton Home to Wilkes-Barre for old people, and it shows that she and her family had the welfare of the people at heart. In our county they are playing politics with Mothers' Assistance because sometime ago His Excellency, the Governor fired our whole board, which was non-political, and most of them had been there very many years, and never any complaints about them. He appointed a board, all of whom with the exception of one lady were absolutely politicians of the first water, and every one a Democrat. I will read the names of the board in our county who were appointed Mrs. Mary V. Joyce of Pittston; Miss Isabelle L. Finn of Sugar Notch; Mrs. C. F. Netzel of Larksville; Mrs. Elizabeth Stroh of Wyoming; Mrs. Theodosia Kolenda of Nanticoke; Mrs. Margaret Kennedy Corrigan of Hazleton; Mrs Mary Conlon Mundy of East End, Wilkes-Barre.

Now, ladies and gentlemen of the House, the reason I am making this speech to-day is because I am one member of this House who would like to see politics kept out of the Mothers' Assistance, because it is very dear to my heart. I just want to relate one case that happened back in my county. A lady by the name of Mrs. Roberts was on Mothers' Pension about eight months ago and had been on for some time. Her son-in-law who was working about two days a week and had a couple of children and didn't have enough money to pay his own rent, came to my house and asked me if I would intercede for Mrs Roberts for her Mothers' Pension, which had been taken away from her. She did not live in my district, she lived in Mr. Roan's district, but her son-in-law did live in my district, and he stated the case. I went up to see the Mothers' Assistance Board, of which Mrs. O'Toole was the Executive Secretary at that time, and one of the very finest educated and qualified women to administer that board. She said, "Mr. Jones, if you will kindly sit down I will explain the situation here: Mrs. Roberts as well as some one hundred and four other mothers, representing about four or five hundred children are dropped off of the Mothers' Assistance Fund." She said, "You know our

appropriation has been cut in Luzerne County sixty thousand dollars which made it necessary to knock off one hundred and five mothers, and as I said before, representing between four and five hundred children.

Members of the House, I think the worst thing that could ever happen to any little family or big family is when the father of the family is taken suddenly ill and dies, or in an accident and gets killed, and the family wakes up and finds out that the bread-winner and daddy has passed on. As I said before, I think that is the worst thing that can happen to any family in this whole Commonwealth except one. There is one other thing that is worse than that, and that is that the father is laid away in his grave, that they find out that he did not leave any insurance and they have no money; the mother is sorrowing for her helpmate and the children are sorrowing for daddy, and they find out that after this feeling that mother has that the children are torn away from her and put in homes. To me that is worse than the man dying.

Listen, I am not just saying this for a jest, and I don't see where it is funny. If that doesn't shut you up I wish at least you would keep quiet while I am telling my story because I mean everything from the heart.

That same little mother, Mrs. Roberts, when she told me about that case, lo and behold, when I went over the next day, she had a letter from the Kirby Health Center to go over the next day for examination and operation, and they found that she had abscesses of the stomach, which sometimes is cancer, and I want to tell you men if you were in that little family like I was and had seen Mrs. Roberts when they told that her Mother's pension, every dollar that she had in the world to support her family, was taken from her, and then get the message that she was to be operated on,—she had been losing weight, she only weighed eighty-five pounds,—men, every word I am telling you, I will take you to investigate and show you that every word is so. I want to tell you that is a thing that stirred my blood. Men, we appropriated the last session just as much as we did the session before, and I want to tell you when the Democratic administration cuts our Mother's pension up there $60,000,—it is not only Republican women but it is Democratic women that they are taking their pensions from. Men, that is playing politics with human miseries. You cannot deny that. Are we going to sit here and continue arguing? I voted for it, and the Governor played politics and gave us a political board, and yet I voted for it, and I will vote for it again if it comes in like that. But, men, are you going to sit over there and let the leaders over there tell you that you dare not vote for it because it takes away from th Governor the power of appointment. Don't you have any confidence in your Courts of Common Pleas? Don't you have any confidence in your County Commissioners? We have up in our county; we have confidence in the two Republicans and the one Democrat, and the Democrat was Johnny Riley, a good old Al Smith supporter.

Men, here is the situation, as the gentleman from York, Mr. Cohen, said, we have this forepart of the week to pass it, we are either going to pass that and give the rest of those mothers that which I promised them in Luzerne county,—they ar either going to get that pension or I am going back to tell them that the Democratic party of this House refused to go along because their leaders wouldn't let them, because they are afraid to buck their leaders,—they know it is right but still they dare not vote for it. I wish you would holler for the mother's pension the way you are hollering now. You are going to get a chance, Democratic members, not only to holler like that, but you are going to get a chance to turn the mother's pension down just because His Excellency, Governor Earle, can't appoint the boards. You don't like that, do you?

Now, I am going to show you another thing.—all right, keep hollering, we have lots of time and I don't mind it. This is an article from one of our daily papers, by which I can prove we have a Democratic board up there. The headline is a follows: Mothers' Fund Board Hires 4." The article goes on as follows: "Appointments announced by Mrs. Netzel were Miss Isabelle Finn, of Sugar Notch, a junior investigator." She is a daughter of one of the newly appointed members of the board, Mrs. Finn. That is politics. Another one was Miss Blanche Hinchcliffe, of Pittston, a stenographer. She is the daughter of one of the newly appointed members. Another appointment was Miss Helen Campbell, of Hazleton, a junior investigator. She is a daughter of a big Democratic leader down in Hazleton, who owns the Hazleton Brick Works, and is also a sister of a Democratic committeeman down there. Another appointment was Miss Joyce, of Pittston, a relative of one of the political leaders in Pittston.

Men, do not say that the Senate is trying to play politics with the mothers assistance, when it is you people who are doing so. Surely, the Courts of Common Pleas are fair, surely the County Commissioners in some counties are fair; surely, we will say that Governor Earle is fair. Do not hide behind politics when you are playing it. We want the mothers assistance so that you and I can go back and tell those mothers back there that we were bigger than the leaders over here, we put it over for them, and every one of them is going to get the mother's pension.

STATEMENT BY MR. REISING

MR. REISING asked and obtained unanimous consent to make the following statement:

Mr. Speaker, and members of the House, after hearing the wonderful remarks, from the gentleman who has recently spoken, with his great humanitarian tendencies, I am inclined to think that if he, who is a recognized Republican in the county from which he comes, and a Republican in this House, that if he would go into Beaver county and announce himself as a Republican, they crucify him because they would think it was the second coming of Christ, for this reason, that our Republicans control Beaver county. They repudiated and set aside mother's assistance because they said it was better to save money for the rich taxpayers than it was to take care of our human beings.

RESOLUTION

PRINTING OF MEMORIAL SERVICES

Mr. LaRUE asked and obtained unanimous consent to offer the following resolution which was twice read considered and adopted:

In the House of Representatives, June 23, 1936.

Resolved, That the Chief Clerk of the House of Representatives be authorized to have printed for the use of the members of the House three hundred bound copies of the memorial services held in the Hall of the House of

Representatives on Tuesday, June 16, for the Honorable Wilson G. Sarig, Honorable Alexander R. Wheeler, Honorable Edwin R. Spangler, Honorable Samuel B. Hart; and be it further

Resolved, That there be printed in the said volume the resolution passed by the House of Representatives on Monday evening, June 22, on the death of the late Honorable Grover C. Talbot, former Speaker of this House, and be it further

Resolved, That copies of these services in bound form be sent to the respective families of the deceased members.

ANNOUNCEMENT

COMMITTEE MEETING

There will be a public hearing on House Bill No. 130 in the House Caucus Room at 2:00 P. M.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 4:30 P. M. Are there objections? The Chair hears none and declares a recess until 4:30 P. M.

AFTER RECESS

The House reconvened at 4:30 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 14.

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons; providing for the recovery of moneys expended for assistance in certain cases prohibiting political activity by employes of the board providing penalties providing substitute provisions in case Federal grants for old age assistance shall fail for any reason and repealing inconsistent acts.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 14.

An Act providing for and regulating assistance to, and the burial of, certain aged, indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the Mothers' assistance funds of the several counties; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons; authorizing the appointment of trustees for certain persons, providing for the recovery of moneys expended for assistance in certain cases prohibiting political activity by employes of the board providing substitute provisions in case Federal grants for old age assistance shall fail for any reason providing penalties and repealing inconsistent acts.

Whereupon,

The Speaker, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CHERVENAK asked and obtained permission for the Committee on Constitutional Amendment to meet during the session of the House.

BILL ON SECOND READING

Mr. ROBINSON asked and obtained unanimous consent to call up House Bill No. 149, Printer's No. 147, on page 1 of today's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 149, entitled:

An Act to amend an act approved the fourth day of June one thousand nine hundred and thirty-six (Act Number three) entitled "An act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof" by adding thereto a new section to be known as section six and one-tenth providing for the compensation of delinquent tax collectors their employes and expenses for the collection of delinquent taxes in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the fourth day of June one thousand nine hundred and thirty-six (Act Number three) entitled "An act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof" is hereby amended by adding thereto a new section to read as follows

Section 6.1 In every county city borough town township school district and poor district where the penalties on certain delinquent taxes have been abated under the provisions of this act and where the compensation of the delinquent tax collectors their employes or the expenses incurred by them in the collection of such delinquent taxes have heretofore been paid from the penalties attached by law to such delinquent taxes it shall be lawful for such counties cities boroughs towns townships school districts and poor districts to which this act is applicable to provde as a part of the maintenance and operation of the collection of delinquent taxes upon which the penalties have been abated such moneys as may be necessary to compensate the delinquent tax collectors their employes and such other necessary expenses as may be incurred in the collection of such delinquent taxes such compensation and expenses to be provided for and paid in the same manner as compensation and expenses are provided for and paid in other cases by the respective municipal subdivisions

On the question,

Will the House agree to the section?

Mr. ROBINSON. Mr. Speaker, I desire to offer the following amendments.

The Speaker. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, lines 14 and 15 by striking out the words "city, borough, town, township, school district and poor district" and inserting in lieu thereof: "of the second class"

Amend Sec. 1, page 2, lines 22 and 23, by striking out the words "cities, boroughs, towns, townships, school districts and poor districts"

Amend Sec. 1, page 3, line 1, by inserting after the word "taxes" the following: "during any period of time prior to the fifteenth day of August, one thousand nine hundred and thirty-six"

Amend Sec. 1, page 3, line 4, by striking out the words "municipal subdivisions" and inserting in lieu thereof: "counties of the second class"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend an act, approved the fourth day of June, one thousand nine hundred and thirty-six (Act No. 3),entitled "An act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof," by adding thereto a new section to be known as section six and one-tenth; providing for the compensation of delinquent tax collectors, their employes and expenses for the collection of delinquent taxes in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes.

On the question,

Will the House agree to the title?

Mr. ROBINSON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 3 from bottom of page, by inserting after the word "taxes" the following: "in counties of the second class"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

RESOLUTION No. 21

Miss BRANCATO asked and obtained unanimous consent to call up Resolution No. 21, Printer's No. 129.

The resolution was read by the Clerk as follows:

In the House of Representatives, June 3, 1936.

Whereas, At the last regular session of the General Assembly of Pennsylvania, there was passed an act entitled "An act requiring cities of the first class to allow members of the fire departments twenty-four consecutive hours of rest each week, except in emergency cases," said act having been approved the tenth day of July one thousand nine hundred and thirty-five (P. L. 639); and

Whereas, The City of Philadelphia has not exercised the powers granted in the above said act; therefore, be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania request and urge the City of Philadelphia to exercise the authority granted to it under the act, approved the tenth day of July, one thousand nine hundred and thirty-five (P. L. 639), and that if a compliance is not possible at this date, that the said City of Philadelphia shall, at the earliest possible moment, give this matter its earnest consideration so that the firemen of the City of Philadelphia shall be enabled to enjoy twenty-four hours a week rest from their public duties.

On the question,

Will the House adopt the resolution?

Mr. WITKIN. Mr. Speaker, I desire to interrogate the lady from Philadelphia, Miss Brancato.

The SPEAKER. Will the lady from Philadelphia, Miss Brancato, permit herself to be interrogated?

Miss BRANCATO. Mr. Speaker, I will.

Mr. WITKIN. Miss Brancato, is it not a fact that the police and firemen in Philadelphia now receive twenty-four hours off in accordance with the Act of Assembly?

Miss BRANCATO. Mr. Speaker, they do not. The police only.

Mr. WITKIN. Mr. Speaker, I merely want to say that I have no objection and shall not oppose this resolution. The gentleman from Philadelphia finds it most difficult to oppose anything that the charming lady from Philadelphia, Miss Brancato, wants. However, I want to call the attention of the House to the fact that we have in Philadelphia a mayor who is on all fours with the policemen and firemen getting twenty-four hours a week off, and I know that without this resolution the Mayor of Philadelphia would so do. The police are now getting twenty-four hours a week off, and I have no doubt that if it is possible the firemen will get the twenty-four hours a week off as soon as possible. However, in view of the fact that the lady from Philadelphia would like to have this resolution adopted, I urgently urge that my Republican colleagues give their unanimous consent in order that the lady from Philadelphia can go back to Philadelphia and show to the firemen what she did for them.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE GRANTED PERMISSION TO MEET DURING SESSION

Mr. YOURISHIN asked and obtained consent for the Committee on Labor to meet during the session of the House.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess for fifteen minutes. Are there objections? The Chair hears none and declares a recess for fifteen minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

REPORT FROM COMMITTEE

Mr. HOMER S. BROWN, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 136, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto a section.

BILL INTRODUCED AND REFERRED

By Mr. OMINSKY. HOUSE BILL No. 152.

An Act to amend the title and sections one, two, and three of the act, approved the twenty-fiifth day of May, one thousand nine hundred seven (Pamphlet Laws, two hundred forty-four), entitled "An act to provide revenue by imposing a license-tax on the keepers of all shooting-galleries, shuffle-board-rooms, billiard or pool-rooms, for purpose of profit, or any other place in which any game is played on a table with the use of balls and cues; and bowling-alleys, ninepin-alleys, tenpin-alleys, or other alleys or places in which any game is played with the use of balls or pins, or other objects; providing for the collection of said tax, and imposing certain duties upon mercantile appraisers and county treasurers", by amplifying and clarifying the act by imposing a license-tax upon keepers of places having therein or thereon, for the purpose of profit, certain games of skill.

Referred to the Committee on Ways and Means.

ANNOUNCEMENTS

Members of the Pennsylvania Democratic Convention are invited to the 48th Ward Democratic Club, 20th and McKean Streets, Philadelphia, after the Wednesday session of the Convention.

There will be a meeting of the Committee on Ways and Means in the House Caucus Room tomorrow morning at 9:30 o'clock.

ADJOURNMENT

Mr. SIMON. Mr. Speaker, I move that this House do now adjourn until tomorrow at 10:00 o'clock A. M.

The motion was agreed to, and (at 7:22 P. M.) the House adjourned until Wednesday, June 24, 1936, at 10:00 A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., WEDNESDAY, JUNE 24, 1936. No. 24.

SENATE

WEDNESDAY, JUNE 24, 1936

The Senate met at 10:00 o'clock A. M.

The PRESIDENT PRO-TEMPORE (Mr. John G. Homsher) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Oh blessed Lord God, we know Thou art all powerful because Thou hast made and dost sustain the world and the universe. We know Thou art wise because the laws governing the world and the universe emanate from Thy mind. We know Thou art loving because Thou hast placed us in so beautiful a world and bestowed upon us so many wonderful blessings.

For all Thou art unto us we most humbly and sincerely thank Thee. Bestow upon us Thy power, Thy wisdom and Thy love in ever-increasing abundance and make us worthy to receive them.

Lead by Thy Spirit the members of this Senate so they may do Thy will and cause it to be done in our Commonwealth and our Nation.

Forgive our sins and strengthen us for service, to the honor and glory of Thy great name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for re-appointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

LUZERNE COUNTY

Harry E. Jones, Kingston, June 27, 1936.
Mrs. Minna L. Seward, Kingston, June 27, 1936.

NORTHUMBERLAND COUNTY

L. J. Dildine, Turbotville, June 27, 1936.

LAWRENCE COUNTY

Mrs. Elvie M. Mitchell, New Castle, July 11, 1936.

PHILADELPHIA COUNTY

D. B. Gillman, Philadelphia, July 11, 1936.

ALLEGHENY COUNTY

Miss Ellen C. Hoge, Pittsburgh, July 12, 1936.

SCHUYLKILL COUNTY

Edward B. Bunsa, McAdoo, July 12, 1936.
Charles R. Kaufman, Gordon, July 12, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

DAUPHIN COUNTY

Wm. G. Brown, Harrisburg.

PHILADELPHIA COUNTY

Mrs. Elizabeth S. Garrison, 1306 Chestnut St., Philadelphia.

GEORGE H. EARLE.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Reprsentatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 91 (Senate Bill No. 95), entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes, levees and river bank protections along the Delaware River at Morrisville Borough, Bucks County.

Which was committed to the Committee on Appropriations.

House Bill No. 118 (Senate Bill No. 96), entitled:

An Act abating accrued penalties and interest on certain delinquent taxes levied by counties, cities, boroughs, towns,

townships, school districts and poor districts, where such taxes have heretofore been paid in full at face.

Which was committed to the Committee on Municipal Government.

House Bill No. 149 (Senate Bill No. 97), entitled:

An Act to amend an act, approved the fourth day of June, one thousand nine hundred and thirty-six (Act No. 3, entitled "An act abating certain tax penalties and interest of county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof," by adding thereto a new section to be known as section six and one-tenth; providing for the compensation of delinquent tax collectors, their employes and expenses for the collection of delinquent taxes in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes.

Which was committed to the Committee on Municipal Government.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 4, entitled:

A Joint Resolution proposing an amendment to section one article eight of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, this is a return practically to the poll tax. While not calling it a poll tax, it is a required payment of a county tax for exercising the right of franchise. When you read of this tax requirement, it sounds worse than it really is. It means a man must pay fifty or sixty cents in county taxes in order to vote. We have had a poll tax for many years, so no particular hardship would be incurred.

Mr. McGINNIS. Mr. President, I think that the payment of a tax in order to vote, especially at this time, during the depression, is a hardship and is wrong. If the voter paid the tax himself, it might not be so bad. Our experience in the City of Pittsburgh, at least in Allegheny County, is that people who are poor and cannot afford to pay any tax, the "machine" pays the tax for him, and if they pay the tax for him they have got a lien on his vote; so that the small tax that may be required to vote does not mean so much so far as the treasury is concerned. It is a method, to my mind, of a political machine, whether it is a Democratic or Republican, to pay the taxes for the poor and then have a mortgage on their votes. I am going to oppose it.

Mr. SHAPIRO. Mr. President, under section four of this Act, I wonder how many people of Philadelphia would be able to vote even if they paid the tax.

Section 4 provides "if twenty-one years of age and upwards, he or she shall have paid within two years a county, municipal or school tax which shall have been assessed at least two months and paid at least one month before the election."

There is no provision in our law at the present time to do either of those two things.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the constitution.

Mr. CAVALCANTE. Mr. President, I did not hear how the Senator from Allegheny voted.

Mr. COYNE. Mr. President, I will answer that question. I was not in the room when my name was called, and I do not desire to vote after coming in half an hour late. I thank the Senator from Fayette, Mr. Cavalcante, for his interest.

Mr. CAVALCANTE. Mr. President, I call for a verification of the roll.

The roll was verified and was as follows:

YEAS—16

Batchelor,	Harvey,	Owlett,	Thompson,
Bean,	Howell,	Pierson,	(Westmoreland)
Chapman,	Huffman,	Reed,	Woodward,
Ealy,	Law,	(Dauphin)	Homsher,
Graff	Mallery,		Pres. Pro. Tem.

NAYS—21

Aron,	Kahle,	Rankin,	Shapiro,
Buckman,	Lanius,	Rice,	Staudenmeier,
Cavalcante,	McCreesh,	Roberts,	Thompson,
Frey,	McGinnis,	Ruth,	(Centre)
Gelder,	Prince,	Scott,	Trainer,
Harris,	Pytko,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 8, entitled:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commnwealth of Pennsylvania."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. REED (Dauphin). Mr. President, I would like to make a brief explanation of the purpose of this amendment. This is an amendment to Article 18, relating to future amendments to the Constitution of Pennsylvania, and how made. The amendment contains the exact language of the present provision of the Constitution except in this particular: It strikes out the last words of the present provision, which reads: "but no amendment or amendments shall be submitted oftener than once in five years. When two or more amendments shall be submitted they shall be voted upon separately."

In view of the language I have just read, an amendment will be submitted at any general or municipal election, but no amendment which has been submitted and has failed of approval shall be again submitted within a period of five years thereafter. When two or more amendments shall be submitted, they shall be voted upon separately.

The present provision has been in the Constitution for almost one hundred years. It was contained in the Constitution of 1838 and re-enacted in the Constitution of 1874. However, under the adoption of the Constitution of 1874, there were no amendments to the Constitution

of Pennsylvania until the year 1901, and a further set of amendments were passed in 1909, and at that time the Legislature of Pennsylvania and the executive officers construed that provision, the five-year limitation, as only relating to amendments which had already been rejected.

This question came before the Supreme Court of Pennsylvania in the case of Armstrong vs. King, reported in 281 Pa., 207, and the Supreme Court held that the language applied to all amendments, that under the language of the Constitution, the amendments could only be submitted every five years. I am not going to take the time to read he opinion of Mr. Justice Simpson, except one paragraph, which clearly states the historical fact which I have stated. Mr. Justice Simpson said:

"The present Constitution was amended in 1901, 1909, 1911, 1913, 1915, 1918, 1920 and 1923, those of 1911, 1915, 1918 and 1920, being amendments to Article I section 8, relating to municipal indebtedness. It will be noticed that the untimely submissions were in 1911, 1913, 1918 and 1923. Had injunctions been sought at an appropriate time, against their then present submission, doubtless they would have been enjoined. No such action was applied for, however, the people gave their approval to the amendments, and to this day no one has challenged the fact that they are properly a part of the Constitution. The affirmative action of two successive legislatures, the form of submission, the approval by a majority of the electors, and all other steps necessary to give the amendments validity, were duly and properly taken; only the dates of submission were mistakes. It is now too late to directly attack the amendments on this ground, and they cannot be collaterally attacked for any reason."

The decision which I read was handed down in 1924, and since that time the rule has been strictly enforced that constitutional amendments can be submitted every five years, consequenly amendments were submitted in 1928 and 1933, and this legislature at the present moment can pass amendments to the Constitution. The next ensuing legislature, which meets in January, may pass the same amendment, but under that rule, submission to the people cannot be made until 1937, but deferred until 1938.

This amendment makes no change whatever except to provide that where an amendment passed one session and the ensuing legislature passes the same amendment, it shall go directly and promptly to the people. I can see no reason, Mr. President, for the enforcement of this five-year rule. While this legislature, or two successive legislatures, have adopted an amendment, why they should arbitrarily delay submitting what has been decreed as the will of the legislature to this arbitrary limitation. That is the only purpose and that is the reason. It is the only change which is sought in the present constitutional provision. If the legislature seeks to propose an amendment which has been rejected, the five-year limitation will remain apply. This will bring this provision in the Constitution into harmony with what was regarded as the practice in the Commonwealth between the years 1911 and 1924, when this decision of the Supreme Court was rendered.

I presented this in the belief that when two successive legislatures enact a constitutional amendment, that it not be delayed, but it should go directly to the people. Therefore, I hope this amendment will have favorable consideration of this body.

Mr. CAVALCANTE. Mr. President, for the purpose of information, I would like to interrogate the Senator from Dauphin, Mr. Reed.

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated?

Mr. REED (Dauphin). Mr. President, I will.

Mr. CAVALCANTE. Mr. President, if two successive legislatures should propose an amendment and the amendment had been regularly submitted to the people and the people defeated the amendment, will it be possible under this bill for the two successive legislatures to propose the same amendment and submit it to the people before the expiration of five years?

Mr. REED (Dauphin). I believe that that could be done, that is, if the two legislatures should act on the amendment but its submission to the people would be delayed for a period of five years.

Mr. CAVALCANTE. Mr. President, then the proposed legislation in this bill does not any way change the present provision that you can submit an amendment to the Constitution every five years?

Mr. REED (Dauphin). Mr. President, no, I cannot agree with the Senator from Fayette, Mr. Cavalcante. Let us assume that this amendment is now in the Constitution, it would be possible for this session to enact an amendment, and if the session of 1937 enacted that amendment, it could be submitted promptly to the people in 1937, whereas, at the present time under the five-year rule, according to the Supreme Court, it could not go to the people until 1938.

Mr. CAVALCANTE. Mr. President, but if that particular amendment is defeated by the people, it still could not be submitted to them within the five year period?

Mr. REED (Dauphin). Mr. President, that is right, on the theory that the legislature could not force the people every two or three years to vote for the proposition.

Mr. CAVALCANTE. Mr. President, the purpose of this bill maybe proper, but heretofore I have felt that the Constitution of this Commonwealth does not need a piecemeal breaking down and rebuilding. I am certainly of the belief that the Constitution of this Commonwealth needs a revision from top to bottom, and in order to act consistently with that belief, I intend to vote against this bill. I am of the opinion, as I stated, that the Constitution should be revised from top to bottom, and any time any legislation is proposed in the Senate—if I still have the honor of being a member of it—I shall vote for a revision of the Constitution, but I will not vote for any bill that permits the breaking down of the Constitution piece-meal and then building it up again.

Mr. SHAPIRO. Mr. President, I understand the intent of this resolution is that if any session of the legislature would fail to adopt a set of proposed amendments, that the next session of the legislature could act on it again to submit it to the people, but if the two branches voted in accordance with this amendment and approved it, then submit it to the people to approve it, that it could be acted upon again in five years. I think it is a good suggestion and a step in the right direction, but I am asking only for information, because I am not so sure that the use of the words which have been inserted here carry out the intent. I should like to call it to the attention of the sponsor of this bill. "No amendment which has been submitted shall be again submitted within a period of five years." It seems to me it might apply to a failure to approve by the legislature. In other words, my position is if the words "no amendment which has been submitted to the people and failed of approval" would clarify that and leave no ques-

tion of doubt, old or present constitution, but with the amendment here, I am not so sure that those words may be as clear as they should be under the circumstances. I am quite sure that the intention should be made clear.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Batchelor,	Harvey,	Pierson,	Shapiro,
Bean,	Howell,	Prince,	Staudenmeier,
Buckman,	Huffman,	Rankin,	Thompson,
Chapman,	Kahle,	Reed,	(Centre)
Coyne,	Lanius,	(Dauphin)	Thompson,
Ealy,	Law,	Rice,	(Westmoreland)
Frey,	Mallery,	Ruth,	Trainer,
Gelder,	McCreesh,	Salus,	Woodward,
Graff,	McGinnis,	Scott,	Homsher,
Harris,	Owlett,		Pres. Pro. Tem.

NAYS—4

Aron,	Cavalcante,	Pytko,	Roberts,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RECONSIDERATION OF HOUSE RESOLUTION NO. 33

Mr. RICE. Mr. President, I move that the vote by which House Resolution No. 33 was defeated be reconsidered.

The PRESIDENT. How did the Senator vote?

Mr. RICE. Mr. President, I voted "no."

Mr. BUCKMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "no."

On the question,

Will the Senate agree to the motion?

It was agreed to.

HOUSE RESOLUTION NO. 33 RECOMMITTED

Mr. OWLETT. Mr. President, I now move that the resolution be recommitted to the Committee on Appropriations.

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

RECESS

Mr. BUCKMAN. I move that the Senate now take a recess for ten minutes.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of the recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. GELDER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, re-reported as amended, House Resolution No. 33.

Resolved (if the Senate concur), That the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund the sum of one million dollars ($1,000,000) from the Liquor License Fund for the balance of the month of June, one thousand nine hundred and thirty-six, and a further sum of one million dollars ($1,000,000.) from the Liquid Fuels Tax Fund to apply on any requirements for relief for the month of July, one thousand nine hundred and thirty-six and hereby makes available to the State Emergency Relief Board the aggregate sum of two million dollars ($2,000,000) for unemployment relief purposes as set forth above and

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the fiscal officers in making the transfers authorized by this resolution (2) appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of two million dollars ($2.000,000) and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Liquid Fuels Tax Fund and the Liquor License Fund.

Mr. GELDER. Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions reported from Committee to lie on the table one day, be suspended and that the Senate do now proceed to the immediate consideration of House Resolution No. 33 just reported from the Committee.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the Resolution?

The yeas and nays were required by Mr. BUCKMAN and Mr. GELDER and were as follows, viz:

YEAS—35

Aron,	Huffman,	Pytko,	Staudenmeier,
Bean,	Kahle,	Rankin,	Thompson,
Cavalcante,	Lanius,	Reed,	(Centre)
Coyne,	Law,	(Dauphin)	Thompson,
Frey,	Mallery,	Rice,	(Westmoreland)
Gelder,	McCreesh,	Roberts,	Trainer,
Graff,	McGinnis,	Ruth,	Woodward,
Harris,	Owlett,	Salus,	Homsher,
Harvey,	Pierson,	Scott,	Pres. Pro. Tem.
Howell,	Prince,	Shapiro,	

NAYS—4

Batchelor,	Buckman,	Chapman,	Ealy,

So the question was determined in the affirmative.

Ordered, That the Clerk return the same to the House of Representatives with the information that the Senate has passed same, with amendments, in which the concurrence of the House is requested.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

LUZERNE COUNTY

Harry E. Jones, Kingston, June 27, 1936.
Mrs. Minna L. Seward, Kingston, June 27, 1936.

NORTHUMBERLAND COUNTY

L. J. Dildine, Turbotville, June 27, 1936.

LAWRENCE COUNTY

Mrs. Elvie M. Mitchell, New Castle, July 11, 1936.

PHILADELPHIA COUNTY

D. B. Gillman, Philadelphia, July 11, 1936.

ALLEGHENY COUNTY

Miss Ellen C. Hoge, Pittsburgh, July 12, 1936.

SCHUYLKILL COUNTY

Edward B. Bunsa, McAdoo, July 12, 1936.
Charlse R. Kaufman, Gordon, July 12, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Hymen Schlesinger, Pittsburgh, June 27, 1936.

ERIE COUNTY

Hjalmar M. Johnson, Erie, June 27, 1936.

LEHIGH COUNTY

Miss Iva E. Krause, Bethlehem, June 27, 1936.

SCHUYLKILL COUNTY

Miss Dora D. Thompson, Tower City, June 27, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Glenna E. Smith, Aspinwall.

PHILADELPHIA COUNTY

Mr. Rita M. Marine, 1320 Packard Bldg., Philadelphia.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

DAUPHIN COUNTY

Wm. G. Brwn, Harrisburg.

PHILADELPHIA COUNTY

Mrs. Elizabeth S. Garrison, 1306 Chestnut St., Philadelphia.

GEORGE H. EARLE.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointment:

Charles D. Trautman, of Lebanon, Lebanon County, as Alderman in the First Ward of the City of Lebanon, Lebanon County, until the first Monday in January, 1938.

GEORGE H. EARLE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointment:

Harold Leisey, of Adamastown, Lancaster County, as Justice of the Peace in the Borough of Adamstown, Lancaster County, until the first Monday in January, 1938.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. RICE

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. RICE,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Aron,	Harris,	Pierson,	Shapiro,
Batchelor,	Harvey,	Prince,	Staudenmeier,
Bean,	Howell,	Pytko,	Thompson,
Buckman,	Huffman,	Rankin,	(Centre)
Cavalcante,	Kahle,	Reed,	Thompson,
Chapman,	Lanius,	(Dauphin)	(Westmoreland)
Coyne,	Law,	Rice,	Trainer,
Ealy,	Mallery,	Roberts,	Woodward,
Frey,	McCreesh,	Ruth,	Homsher,
Gelder,	McGinnis,	Salus,	Pres. Pro. Tem.
Graff,	Owlett,	Scott,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. RICE. Mr. President, I move that the Executive Session do now rise.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HARVEY. Mr. President, I ask unanimous consent that Senate Bill No. 74, on third reading, entitled:

A Joint Resolution proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON. Mr. President, I ask unanimous consent that Senate Bill No. 76, on third reading, entitled:

An Act to authorize the Board of Revision of Taxes in cities of the first class to classify the real estate situated therein so as to discriminate between those parcels employed exclusively for manufacturing purposes and other real estate in such cities and to provide for carrying such classification into effect.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 48 (House Bill No. 68), as follows:

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and water conservation and the coordination of any Federal and State flood control program and making an appropriation

Whereas Numerous projects have been proposed in the Commonwealth for flood prevention and flood control involving the construction of storage reservoirs dykes and other forms of stream channel improvement and

Whereas It is of utmost importance that such projects be studied and correlated so that they may form part of a properly developed plan for flood control covering the entire Commonwealth and

Whereas A study should be made to determine how much projects may be constructed primarily in the interest of flood control and at the same time develop the uses of water for public water supply hydroelectric power development navigation increase of dry weather flow sanitation and other forms of water conservation and

Whereas A survey and investigation should be made to determine the locations where additional storage reservoirs may be built for flood control and at the same time provide for water conservation including estimates of cost and economic justification and

Whereas The construction of flood control works by the Federal Government with or without the financial cooperation of this and adjoining states should be carefully reviewed by some Commonwealth agency to the end that such projects may be most advantageously coordinated with any State program for flood control and water conservation therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forests and Waters is hereby authorized and directed to make a survey and study of the various watersheds of the Commonwealth for the purpose of determining for the benefit of this Commonwealth and the Federal Government where reservoirs may be built for flood control and the manner in which such developments may be combined to best advantage with other forms of water conservation and for the further purpose of determining where and in what manner flood control may be secured by the construction of dykes and other forms of stream channel improvement

Section 2 The Department of Forests and Waters shall make a complete report of its investigation and flood control survey to the next General Assembly convening in January one thousand nine hundred and thirty-seven not later than February first one thousand nine hundred and thirty-seven so that the General Assembly may be fully advised in order that appropriate legislation may be enacted with a view of adopting a comprehensive flood control and water conservation program

Section 3 The sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the payment of the salary compensation and wages of engineers experts clerks assistants and employes deemed necessary in making the investigation survey and report authorized by this act for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment for printing and for all other incidental expenses necessary for carrying into effect the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. GELDER. Mr. President, I move that Senate Bill No. 48 (House Bill No. 68), the bill just read, be recommitted to the Committee on Appropriations for further study.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 49 (House Bill No. 69), as follows:

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestion with flood control as the objective and making an appropriation

Whereas the continued efficiency of any water impounding dams which may be constructed by the State or Federal Government as flood control projects is dependent upon reducing to a minimum the silt deposited in them and

Whereas A forest cover with its honey-combed soil and thick humus bedded surface is the most effective agent known to prevent soil erosion and the silting of streams and dams and to retard the water run-off and

Whereas There are upwards of two million three hundred thousand acres of submarginal idle and abandoned farm lands in this State located largely on the upper river water sheds which are subject to serious soil erosion and rapid water run-off which constitute a growing menace during flood seasons and are of little value for reforestation and

Whereas The rate of fire damage on private unmanaged and unattended wild lands is six times that on State-controlled forest lands and such burned-over lands constitute an additional menace from soil erosion and water run-off therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forests and Waters is hereby authorized and directed to make an investigation and reforestation survey with flood control as the objective of all private forest lands and all abandoned farm lands and submarginal lands their location availability for purchase and their approximate purchase prices together with all lands in any of the above classes on which the taxes imposed by political subdivisions are delinquent or which have been sold to counties because of insufficient bids at tax sales

The investigation and survey shall include the three watersheds of the Commonwealth the Susquehanna watershed the Delaware watershed and the Ohio watershed including lands draining directly or indirectly into the Susquehanna River and its North and West Branches and the Juniata River the Delaware the Lehigh and Schuylkill Rivers and the Ohio Allegheny Monongahela and Beaver Rivers

Section 2 The Department of Forests and Waters shall make a complete report of its investigation and reforestation survey to the next General Assembly convening in January one thousand nine hundred and thirty-seven not later than February first one thousand nine hundred and thirty-seven so that the General Assembly may be fully advised in order that appropriate legislation may be enacted with a view of adopting a comprehensive flood control program

Section 3 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the payment of the salary compensation and wages of engineers experts clerks assistants and employes deemed necessary in making the investigation survey and report authorized by this act for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment for printing and for all other incidental expenses necessary for carrying into effect the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. GELDER. Mr. President, I move that Senate Bill No. 49 (House Bill No. 69), the bill just read, be recommitted to the Committee on Appropriations.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 50, as follows:

An Act to limit the amount of moneys allocated to and expended in counties by the State Emergency Relief Board for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with the care of the poor for the maintenance of unemployable residents and requiring such political subdivisions to make certain reports

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Emergency Relief Board shall not allocate to any county or authorize the expenditure in any county in any year from any State appropriations for direct relief or work relief any moneys for the maintenance of residents who are unemployable and without means of support in excess of the total amount of money expended during a year in such county by the political subdivisions or divisions thereof charged by law with the care of the poor for the maintenance of unemployable residents who are without means of support In order to determine the amount of money expended locally for the maintenance of unemployable residents the State Emergency Relief Board shall have power to require the proper authorities of all political subdivisions charged by law with the care of the poor to make such monthly reports of expenditures for the maintenance of unemployables as may be deemed In order to carry this act into practical operation it shall not be necessary that the year used for the measure of the State expenditures shall accord with the year for which expenditures are made by such political subdivisions but at least ten months of such years shall be the same

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-six

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 64 (House Bill No. 109), as follows:

An Act to authorize and empower municipalities and townships separately or jointly to erect dykes river bank protection or flood control works within or without their territorial limits and to expend moneys and incur indebtedness for such purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "municipality" as used in this act shall be construed to include cities boroughs towns and townships

Any municipality may expend moneys for the erection and construction of flood control works and improvements within or without its territorial limits if such flood control works will be of benefit to the municipality erecting the same and to the inhabitants thereof

Any two or more municipalities may jointly erect and construct flood control works within the territorial limits of any municipality joining or within the territorial limits of some other municipality

No flood control works shall be erected under the provisions of this act in any municipality not joining in the erection or construction thereof unless such municipality shall first consent thereto

Section 2 No such flood control works or improvements involving an expenditure by an municipality or municipalities of more than three hundred dollars ($300) shall be erected and constructed except by contract let to the lowest responsible bidder after due advertisement once a week for two weeks in at least one newspaper of general circulation Provided however That no contract shall be required to be let for the performance of the work on any such flood control work where the cost of the labor shall be paid by the Federal Government or any agency thereof without cost to the municipality or municipalities

Section 3 Any municipality may in accordance with existing law incur or increase their indebtedness for the purpose of erecting and constructing flood control works in accordance with the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 69 (House Bill No. 76), as follows:

An Act to amend section eight of the act approved the nineteenth day of January one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws two hundred eighty-six) entitled "An act making appropriations out of the State Stores Fund to the Emergency Relief Board for direct relief work relief and expenses including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments" by imposing a time limit within which counties cities boroughs incorporated towns townships school districts and poor districts may obtain reimbursements for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of the act approved the nineteenth day of January one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws two hundred eighty-six) entitled "An act making appropriations out of The State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses including reimbursements of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments" is hereby amended to read as follows

Section 8 Out of the moneys in The State Stores Fund which represent net profits from the operation of Pennsylvania Liquor Stores an additional sum of two hundred fifty thousand dollars ($250,000) is hereby specifically appropriated to the State Emergency Relief Board for the purpose of reimbursing counties cities boroughs incorporated towns townships school districts and poor districts for such sums as they have paid or which they have become obligated to pay and shall hereafter pay as premiums on workmen's compensation insurance covering persons engaged between January first one thousand nine hundred and thirty-three and June third one thousand nine hundred and thirty-three on work relief projects carried on with the approval of the State Emergency Relief Board or a county emergency relief board and on which the employes were paid by cash or food orders distributed by the State Emergency Relief Board No payment shall be made from his appropriation to any municipal subdivision except upon sworn statement of an executive officer of the subdivision and also sworn receipt from the insurance carrier stating the amount of insurance premium paid by the subdivision and the period covered and that only work relief employes were included in the insurance for which such premiums were paid Any balance of this appropriation that remains unclaimed on January first one thousand nine hundred thirty-seven shall lapse

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 83 (House Bill No. 46), as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protections along the Delaware River at Matamoras and Milford Pike County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-two thousand dollars ($32,000) or so much thereof as may be required is hereby specifically appropriated to the Department of Forests and Waters for the following purposes

(a) For making necessary repairs to the existing dike or river bank protection along the Delaware River at Pike County west of the bridge between Matamoras and Port Jervis the sum of one thousand dollars ($1,000)

(b) For building and constructing of a new dike or river bank protection along the Delaware River at Matamoras Pike County east of the bridge between Matamoras and Port Jervis the sum of twenty-one thousand dollars ($21,000)

(c) For building and constructing a new dike or river bank protection for a distance of six hundred feet (600) more or less along the Delaware River at Milford Pike County the sum of ten thousand dollars ($10,000)

The sum appropriated by this act shall be available for use by the Department of Forests and Waters until the dikes or river bank protections provided for herein shall be repaired or built and constructed

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 84 (House Bill No. 60), as follows:

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public non-sectarian libraries Pennsylvania State Library public non-sectarian libraries and public school libraries damaged or destroyed by flood and providing procedure to ascertain the amount of damage

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public non-sectarian libraries Pennsylvania State Library public non-sectarian libraries or public school libraries damaged or destroyed by floods in this Commonwealth during the year one thousand nine hundred and thirty-six

No payment shall be made from the appropriation herein made until the trustees directors managers or other body or person in charge of any such damaged free public non-sectarian library Pennsylvania State Library public non-sectarian libraries or public school libraries shall have first filed with the Department of Public Instruction sworn proofs of loss in detailed statement Upon the receipt of any such proof of loss the department shall review the same and recommend the amount which in its opinion represents the value of the property damaged and destroyed

by such floods The department shall thereupon lay the proofs of loss together with its recommendation and reasons therefor before the State Council of Education which shall fix the amount which in its opinion any library is entitled to from the appropriation herein made

Payment from said appropriation shall be made by requisition of the Department of Public Instruction in the manner provided by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that Senate Bill No. 87, on second reading, entitled:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

RECESS

Mr. EALY. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE RESOLUTION NO. 33

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Resolution No. 33.

ADJOURNMENT

Mr. HUFFMAN. Mr. President, I move that the Senate do now adjourn.

Mr. McGINNIS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:30 P. M. until 9 o'clock Monday evening, June 29, 1936.

HOUSE OF REPRESENTATIVES

WEDNESDAY, June 24, 1936

The House met at 10:00 A. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend FRANK W. RUTH, a member of the Senate, offered the following prayer:

Most gracious Lord and God, we come to Thee this morning with a deep sense of gratitude for the many gifts, the many blessings which Thou hast bestowed upon us, especially for the blessing of health and strength which Thou hast so graciously given to us.

We pray Thee, Father, Thou wilt bless each one of the members of this House today and the members of their families. Those who may be in illness or distress, may the cooling hand of Thy presence be placed upon them and restore them again to full health and strength. Help us each morning to dedicate ourselves to Thy service and to the service of mankind, so that we may so do our work and lead our lives that if it should be our last day upon earth, we may enter into that reward which Thou has promised to Thy children with a feeling of satisfaction that we have done the best that we could.

We ask it in the Master's Name, Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. HIRSCH the further reading was dispensed with and the Journal approved.

LEAVES OF ABSENCE

Mr. Ominsky asked and obtained leave of absence for Mr. SHEPARD for the remainder of the week.

Mr. George E. Downey asked and obtained leave of absence for Mr. HARMUTH for the remainder of the week.

Mr. Gerard asked and obtained leave of absence for Mr. RUFFENNACH for the remainder of the week.

Mr. Carson asked and obtained leave of absence for Mr. STONE for the remainder of the week.

RESOLUTION

CONGRATULATIONS EXTENDED TO HOUSE POST MASTER

Mr. CARSON offered the following resolution which was twice read, considered and unanimously adopted.

In the House of Representatives, June 24, 1936.

Our genial, courteous and efficient postmaster of the House of Representatives has just become a grandfather;

Another Smith has arrived upon this earth to prolong the unbroken lineage of our friend through whose untiring efforts we are assured of the prompt receipt of our official mail; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby extends it warmest congratulations to Robert Francis Smith, postmaster of this House, on the occasion of the birth of his first grandson, the son of Thomas Smith, a principal of schools in the County of Washington, Pennsylvania; and be it further

Resolved, That a copy of these resolutions be transmitted by the Chief Clerk of this House to Mr. Robert Francis Smith.

RESOLUTION No. 2

Mr. JOHN E. BROWN. Mr. Speaker, I desire to call up at this time Resolution No. 2, Printer's No. 46.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 5, 1936.

Whereas Information is given to the public emanating from Washington that at least one million aliens are illegally within the borders of the United States and

Whereas If this information is correct and appreciable

percentage of these will be found within this Commonwealth and

Whereas It is believed that much of the money spent for unemployment relief is expended for the maintenance of aliens illegally within the Commonwealth of Pennsylvania therefore be it

Resolved (if the Senate concur) That the State Emergency Relief Board and those in charge of the administration of unemployment relief in this Commonwealth be instructed to refuse to grant any unemployment direct or work relief to any alien who is known to be illegally within this Commonwealth

Resolved That a copy of this resolution be transmitted to the State Emergency Relief Board by the Chief Clerk of this House

On the question,

Will the House adopt the resolution?

Mr. YOURISHIN. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Brown.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. JOHN E. BROWN. Mr. Speaker, I will.

Mr. YOURISHIN. Mr. Speaker, I would like to ask the gentleman from Washington, Mr. Brown, to explain the fore part of this resolution, the first "whereas" clause. What does that mean, "are illegally within the borders of the United States"?

Mr. JOHN E. BROWN. Mr. Speaker, I mean those residents of our country who have come in across the border without the proper papers. It is estimated that there are a million such persons in these United States. The United States Senate, really, has just passed a similar resolution a few days ago.

I feel that charity begins at home. There seems to be a shortage of funds, and we have no obligation to take care of citizens of other lands who come in here illegally. If they do come in legally, if they have their first papers and come in legally, we are taking care of them. We are taking care of the blind, even though they may not be citizens of the United States, but there is no obligation upon us, when we are short of money for relief, to take care of those who have come in illegally.

Mr. YOURISHIN. Mr. Speaker and members of the House, my reason for asking that question of the gentleman from Washington was due to the fact that at the present time in the State of Pennsylvania, there is a great number of aliens that were admitted to this country, not illegally, but legally. Yet they are aliens, they have families here that were born and reared and educated in this country. I was just wondering whether this resolution would not apply to them. If a man is admitted illegally to this country, I do not think the relief authorities will grant any relief to him, and if he is found out he is deported immediately at the present time.

Mr. HOOPES. Mr. Speaker and members of the House, I consider this a very dangerous resolution. Many arguments can be made against it. In the first place, aliens, of whatever vintage, are human beings, and while they are here something must be done to prevent them from starving. I don't believe that any one here would want to see them turned out to starve. There are plenty of laws to take care of those who are here illegally, once they are discovered, and I think they provide for their immediate deportation to the country from whence they came. There is no reason why, if there are such aliens, known to be in the Commonwealth of Pennsylvania, that they should continue indefinitely on our relief rolls. But while they are here, certainly we are not going to starve them just because they were unfortunate enough not to be born within Pennsylvania or even the United States. A more dangerous feature of this resolution, however, lies in the fact that you are going to open the door to a sort of heresy hunt against every alien in Pennsylvania, and a lot of people who are not aliens. All that will be necessary will be for some gossip to go around and whisper that so and so who is on relief is an alien and is here illegally. Under this resolution a relief board would probably feel they would be bound to cut off relief from that person until they proved that they were here legally. That is going to result in all sorts of hardships and discrimination, and I don't think that any member of this House wants to impose upon the people on relief in Pennsylvania any such burden because they are subject now to enough hardship without adding to them. I hope the members of this House will vote against the resolution, and, Mr. Speaker, I ask for a roll call.

Mr. TUMELTY. Mr. Speaker and members of the House, I feel that the first "whereas" clause, stating that there are many aliens illegally in this country, is correct, but, nevertheless, I think we must also agree with the gentleman from Berks that we should not starve them, so, therefore, the "resolved" clause should not be to refuse them direct or work relief, but the "resolved" clause should be that they be reported to the proper authorities in order that they may be deported from this country. That would be the only reason that I would vote against this resolution because I feel the first "resolve" clause is wrong.

Mr. BURKE. Mr. Speaker and members of the House, I do not subscribe to the proposition that the State should support those people who are in this country in violation of the immigration laws, nevertheless, I wish to point out to the members the third "whereas" clause, which reads as follows: "Whereas it is believed that much of the money spent for unemployment relief is expended for the maintenance of aliens illegally within the Commonwealth of Pennsylvania".

Members of the House, I do not think the sponsor of this resolution really believes that that "whereas" clause is sound. It really connotes that a big percentage of the money which is expended for unemployment relief is given to people illegally in this country, and if the first two "whereas" clauses are correct, I do not think that the percentage would be any more than three or four or five. I can not support a resolution which on its face is so manifestly incorrect.

RESOLUTION RECOMMITTED

Mr. EBERHARTER. Mr. Speaker and members of the House, I think the proper thing to do with this resolution is to recommit it for further consideration. Therefore, I move you that Resolution No. 2 be recommitted to the Committee on Rules for further consideration and possible amendment.

On the question,

Will the House agree to the motion?

Mr. JOHN E. BROWN. Mr. Speaker and members of the House, I can only say that I ask the support of this House. It is a Democratic principle, it is a principle of the WPA in Washington. Mr. Hopkins,—one of his purposes is to eliminate WPA payments to aliens known to be illegally within the United States. Of course, you may

do as you please, but it is a Democratic principle from Washington. If you Democrats do not want to support it, it will be all right.

Mr. REISING. Mr. Speaker and members of the House, I am not in sympathy with using the taxpayers' money to support persons who are illegally in this country or in this Commonwealth, but I am certainly not in sympathy with starving them to death for the purpose of eliminating them from our relief rolls. So, until such time as the Federal Department of Welfare and other departments, including the Department of Justice, takes care of the illegal admission of aliens into this country, I say we should feed them. I ask the members to vote down this resolution.

Mr. HOOPES. Mr. Speaker and members of the House, I arise to oppose the motion to recommit. I can see no reason why the membership of this House should not kill this resolution on the floor. It has been brought before us, it has been put on the spot. There is no purpose whatever in sending it back to committee and handling it that way. Let us do it openly on the floor of the House. I ask you to vote against this motion and then afterwards to kill this resolution.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the ayes appear to have it, whereupon, a division was called for, eight-four members voting in the affirmative and thirty-two in the negative the motion was agreed to and the resolution was recommitted.

REPORTS FROM COMMITTEES

Mr. O'KEEFE from the Committee on Ways and Means, reported as amended, House Bill No. 105, entitled:

An Act to provide revenue by authorizing the Pennsylvania Liquor Control Board to issue package retailers' licenses for the sale of malt and brewed beverages in limited quantities for consumption off the premises where sold; imposing license and filing fees, and providing for the collection and distribution thereof; regulating and restraining the traffic in malt and brewed beverages by such licenses, and restricting the use, ownership and interest in licensed places; imposing duties upon the court of quarter sessions and the Department of Justice; and providing penalties.

Mr. PFAFF, from the Committee on Labor, reported as amended for Mr. Shepard, House Bill No. 138, entitled:

An Act limiting the hours of employment and providing penalties for the violation thereof.

QUESTION OF PERSONAL PRIVILEGE

Mr. ANDREWS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Cambria will state his question of personal privilege.

Mr. ANDREWS. Mr. Speaker and members of the House, the members of this House from Cambria County have received the following letter from the local officials of the Sun Oil Company:

"Resolved: That the following employes of the Sun Oil Company at Johnstown, do hereby go on record as being irrevocably and unalterably opposed to any increase in the tax on gasoline and any increase in truck license fees.

"That we are also opposed to the diversion of Motor License or Liquid Fuel Tax Funds to other uses than highway construction and maintenance.

"That the vote of our representatives or senator on the above matters, which are of vital interest to our industry, shall govern our vote in the next general election."

There we have a declaration, Mr. Speaker, that the special interests of the Sun Oil Company are to be made a governing consideration in the political activities of the employes of that company. The members from Cambria County are notified that although they may vote right upon ninety-nine per cent of the propositions that come before this House that if they offend the program of the Sun Oil Company in one particular, they shall be marked for opposition.

On this basis, Mr. Speaker, the members from Cambria County welcome the opposition of the Sun Oil Company and we hope that some of us may be able to return to the hall of this House to enact legislation which will make threats of this kind a criminal offense.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 63, entitled:

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animal upon the highways of the Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prscribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that rcords are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring extra fees for the assignment of special registration plates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 136, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 91, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes levees and river bank protections along the Delaware River at Morrisville Borough Bucks County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Alexander,	Eroe,	McDermott,	Shaw,
Allen,	Falkenstein,	McDevitt,	Shortz,
Altenburg,	Ferko,	McElroy,	Shreiner,
Andrews,	Finnerty,	McHenry,	Shugarts,
Anthony,	Fitch,	McKinney,	Siegel,
Arnold,	Flanagan,	Melchiorre,	Simon,
Atkins,	Flinchbaugh,	Mentzer,	Simpson,
Baine,	Flynn,	Merrell,	Sinwell,
Baker, J. J.,	Forrest,	Moomaw,	Sloan,
Baldi,	Gates,	Mooney,	Smith, J. A.,
Barber,	Gerard,	Moore,	Smith, W. G.,
Barnhardt,	Habbyshaw,	Moran,	Snyder, F. E.,
Beadman,	Haberlen,	Moul,	Sowers,
Bernhard,	Hagerty,	Muir,	Sproul,
Blumberg,	Haluska,	Munley,	Stank,
Boose,	Hamilton, F. P.,	Murrin,	Stevens,
Boyd, R.,	Hamilton, R. S.,	Nagel,	Stewart,
Boyer,	Harkins,	Nothnagle,	Stockham,
Bradley,	Hartman,	O'Keefe,	Sumney,
Brancato,	Hermansen,	Ominsky,	Surface,
Brennan,	Hetrick,	O'Neill,	Tahl,
Brown, H. S.,	Hindman,	Panton,	Terry,
Brown, J. E.,	Hirsch,	Parks,	Tronzo,
Brownfield,	Holland,	Patterson, C.,	Trout,
Brumbaugh,	Holstrom,	Patterson, J. W.,	Tumelty,
Burke,	Hoopes,	Pearson,	VanAllsburg,
Cannon,	Jackson,	Pfaff,	VanSickle,
Caputo,	Jones,	Piole,	Wasserman,
Carson,	Kelder,	Powers,	Weidemann,
Chervenak,	Kelso,	Reising,	Weiss,
Coakley,	Kenney,	Reynolds,	Welliver,
Cochran,	Kilroy,	Rhys,	Welsh,
Cohen,	Kinney,	Roan,	Westrick,
Coleman,	Klingler,	Robinson,	Wickersham,
Coolahan,	Kobelak,	Root,	Winner,
Cooper,	LaRue,	Royer	Witkin,
Davies,	Long,	Sarraf,	Wood,
Dent,	Longaker,	Scanlon,	Woodside,
Diehl,	Lovett,	Schaeffer,	Yeakel,
Downey, G. E.,	Male,	Schrock,	Yourishin,
Downey, J. J.,	Mason,	Schrope,	Zappala,
Duffort,	McCreary,	Serrill,	Furman,
Eberharter,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 149, as follows:

An Act to amend an act approved the fourth day of June one thousand nine hundred and thirty-six (Act Number three) entitled "An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and prescribing certain tax liens and providing for the extension thereof" by adding thereto a new section to be known as section six and one-tenth providing for the compensation of delinquent tax collectors their employes and expenses for the collection of delinquent taxes in counties of the second class in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the fourth day of June one thousand nine hundred and thirty-six (Act Number three) entitled "An act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof" is hereby amended by adding thereto a new section to read as follows

Section 6.1 In every county of the second class where the penalties on certain delinquent taxes have been abated under the provisions of this act and where the compensation of the delinquent tax collectors their employes or the expenses incurred by them in the collection of such delinquent taxes have heretofore been paid from the penalties attached by law to such delinquent taxes it shall be lawful for such counties to which this act is applicable to provide as a part of the maintenance and operation of the collection of delinquent taxes upon which the penalties have been abated such moneys as may be necessary to compensate the delinquent tax collectors their employes and such other necessary expenses as may be incurred in the collection of such delinquent taxes during any period of time prior to the fifteenth day of August one thousand nine hundred and thirty-six such compensation and expenses to be provided for and paid in the same manner as compensation and expenses are provided for and paid in other cases by the respective counties of the second class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Alexander,	Eberharter,	McDermott,	Serrill,
Altenburg,	Eroe,	McDevitt,	Shaw,
Andrews,	Falkenstein,	McElroy,	Shortz,
Anthony,	Ferko,	McHenry,	Shreiner,
Arnold,	Finnerty,	McKinney,	Shugarts,
Atkins,	Fitch,	Melchiorre,	Siegel,
Baine,	Flanagan,	Mentzer,	Simon,
Baker, J. J.,	Flinchbaugh,	Merrell,	Simpson,
Baldi,	Flynn,	Moomaw,	Sinwell,
Barber,	Forrest,	Mooney,	Sloan,
Barnhardt,	Gates,	Moore,	Smith, J. A.,
Beadman,	Gerard,	Moran,	Smith, W. G.,
Bernhard,	Habbyshaw,	Moul,	Snyder, F. E.,
Blumberg,	Haberlen,	Muir,	Sowers,
Boose,	Hagerty,	Munley,	Stank,
Boyd, R.,	Haluska,	Murrin,	Stevens,
Boyer,	Hamilton, F. P.,	Nagel,	Stewart,
Bradley,	Hamilton, R. S.,	O'Keefe,	Stockham,
Brancato,	Hartman,	Ominsky,	Sumney,
Brennan,	Hermansen,	O'Neill,	Surface,
Brown, H. S.,	Hetrick,	Panton,	Tahl,
Brown, J. E.,	Hindman,	Parks,	Terry,
Brownfield,	Hirsch,	Patterson, C.,	Tronzo,
Brumbaugh,	Holland,	Patterson, J. W.,	Trout,
Burke,	Holstrom,	Pearson,	Tumelty,
Cannon,	Hoopes,	Pfaff,	Van Allsburg,
Caputo,	Jackson,	Piole,	VanSickle,
Carson,	Jones,	Powers,	Wasserman,
Chervenak,	Kelder,	Reising,	Weiss,
Coakley,	Kelso,	Reynolds,	Welliver,
Cochran,	Kenney,	Rhys,	Welsh,
Cohen,	Klingler,	Roan,	Westrick,
Coleman,	Kilroy,	Robinson,	Wickersham,
Coolahan,	Kinney,	Rooney,	Winner,
Cooper,	Kobelak,	Root,	Witkin,
Davies,	LaRue,	Royer,	Wood,
Dent,	Long,	Sarraf,	Woodside,
Diehl,	Longaker,	Scanlon,	Yeakel,
Downey, G. E.,	Lovett,	Schaeffer,	Yourishin,
Downey, J. J.,	Male,	Schrock,	Zappala,
Duffort,	McCreary,	Schrope,	Furman,

NAYS—3.

Nothnagle,	Sproul,	Weidemann,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 118, entitled:

An Act abating accrued penalties and interest on certain delinquent taxes levied by counties cities except cities of the first class boroughs towns townships school districts except school districts of the first class and poor districts except poor districts located in cities of the first class where such taxes have heretofore been paid in full at face.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Alexander,	Eroe,	McElroy,	Shugarts,
Allen,	Falkenstein,	McHenry,	Siegel,
Altenburg,	Ferko,	McKinney,	Simon,
Andrews,	Finnerty,	Melchiorre,	Simpson,
Anthony,	Fitch,	Mentzer,	Sinwell,
Arnold,	Flanagan,	Merrell,	Sloan,
Atkins,	Flinchbaugh,	Moomaw,	Smith, J. A.,
Baine,	Flynn,	Mooney,	Smith, W. G.,
Baker, J. J.,	Forrest,	Moore,	Snyder, F. E.,
Baldi,	Gates,	Moran,	Sowers,
Barber,	Gerard,	Moul,	Sproul,
Barnhardt,	Habbyshaw,	Muir,	Stank,
Beadman,	Haberlen,	Munley,	Stevens,
Bernhard,	Hagerty,	Murrin,	Stewart,
Blumberg,	Haluska,	Nagel,	Stockham,
Boose,	Hamilton, F. P.,	Nothnagle,	Stott,
Boyd, R.,	Hamilton, R. S.,	O'Keefe,	Sumney,
Boyer,	Harkins,	Ominsky,	Surface,
Bradley,	Hermansen,	O'Neill,	Tahl,
Brancato,	Hetrick,	Panton,	Terry,
Brennan,	Hindman,	Parks,	Tronzo,
Brown, H. S.,	Hirsch,	Patterson, C.,	Trout,
Brown, J. E.,	Holland,	Patterson, J. W.,	Tumelty,
Brownfield,	Holstrom,	Pearson,	VanAllsburg,
Brumbaugh,	Hoopes,	Pfaff,	VanSickle,
Burke,	Jackson,	Piole,	Wasserman,
Cannon,	Jones,	Powers,	Weidemann,
Caputo,	Kelder,	Reising,	Weiss,
Carson,	Kelso,	Reynolds,	Welliver,
Coakley,	Kenney,	Rhys,	Welsh,
Cochran,	Kilroy,	Roan,	Westrick,
Cohen,	Kinney,	Robinson,	White,
Coleman,	Klingler,	Root,	Wickersham,
Coolahan,	Kobelak,	Royer,	Winner,
Cooper	LaRue,	Sarraf,	Witkin,
Davies,	Long,	Scanlon,	Wood,
Dent,	Longaker,	Schaeffer,	Woodside,
Diehl,	Lovett,	Schrock,	Yeakel,
Downey, G. E.,	Male,	Schrope,	Yourishin,
Downey, J. J.,	McCreary,	Serrill,	Zappala,
Duffort,	McDermott,	Shaw,	Furman,
Eberharter,	McDevitt,	Shortz,	

NAYS—1

Chervenak.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess for fifteen minutes. The Chair hears none and a recess for fifteen minutes is declared.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The SPEAKER. The time of recess having expired the House will be in order.

SENATE MESSAGE

AMENDED RESOLUTION RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced returned resolution from the House of Representatives as follows:

In the House of Representatives, June 22, 1936.

Whereas it was estimated by the State Emergency Relief Board that six million eighty-six thousand two hundred eleven dollars ($6,086,211) in addition to the sum of eight hundred forty-five thousand dollars ($845,000) estimated to lapse on the thirty-first day of May one thousand nine hundred thirty-six out of prior funds available for unemployment relief would be necessary for unemployment relief purposes for the month of June one thousand nine hundred thirty-six and

Whereas the General Assembly by Resolution Serial Number eighteen approved by the Governor June two one thousand nine hundred thirty-six made available to the State Emergency Relief Board for unemployment relief purposes the sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211) and in addition any prior funds appropriated to the board for unemployment relief purposes that remained unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six and

Whereas it now develops that the funds made available to the State Emergency Relief Board as aforesaid will be exhausted on or about the twenty-third day of June one thousand nine hundred thirty-six

Therefore be it resolved Resolved (if the Senate concur) that the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund the sum of two million dollars ($2,000,000) from the Liquid Fuels Tax Fund and the sum of one million dollars ($1,000,000) from the Liquor License Fund and hereby makes available to the State Emergency Relief Board the aggregate sum of three million dollars ($3,000,000) one million dollars ($1,000,000) for unemployment relief purposes up to and including June thirty one thousand nine hundred thirty-six and

Resolved that the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the fiscal officers in making the transfers authorized by this resolution (2) appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of three million dollars ($3,000,000) one million dollars ($1,000,000) and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the Liquid Fuels Tax Fund and the Liquor License Fund

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend resolution by striking out the two whereas clauses on page 1, and the whereas clause on page 2 as follows: "Whereas it was estimated by the State Emergency Relief Board that six million eighty-six thousand two hundred eleven dollars ($6,086,211) in addition to the sum of eight hundred forty-five thousand dollars ($845,000) estimated to lapse on the thirty-first day of May one thou-

sand nine hundred thirty-six out of prior funds available for unemployment relief would be necessary for unemployment relief purposes for the month of June one thousand nine hundred thirty-six and

Whereas the General Assembly by Resolution Serial Number eighteen approved by the Governor June two one thousand nine hundred thirty-six made available to the State Emergency Relief Board for unemployment relief purposes the sum of four million eighty-six thousand two hundred eleven dollars ($4,086,211) and in addition any prior funds appropriated to the board for unemployment relief purposes that remained unobligated and unexpended on May thirty-first one thousand nine hundred thirty-six and

Whereas it now develops that the funds made available to the State Emergency Relief Board as aforesaid will be exhausted on or about the twenty-third day of June one thousand nine hundred thirty-six."

Amend page 1, line 22, by striking out the following: "Therefore be it resolved", and inserting in lieu thereof the word "Resolved"; also in line 25 by striking out after the word "Fund" the words "the sum of two million dollars ($2,000,000) from the Liquid Fuels Tax Fund and"; also on page 2, line 1, by inserting after the word "Fund" the following: "for the balance of the month of June, one thousand nine hundred and thirty-six, and a further sum of one million dollars ($1,000,000) from the Liquid Fuels Tax Fund to apply on any requirements for relief for the month of July, one thousand nine hundred and thirty-six"; also in line 11, by striking out after the word "of" the words and figures "three million dollars ($3,000,000)", and inserting in lieu thereof the words and figures "two million dollars ($2,000,000)"; also on page 2, line 3, by inserting after the word "purposes" the words "as set forth above"; also on page 2, line 11, by striking out after the word "of" the words and figures "three million dollars" and inserting in lieu thereof the words and figures "two million dollars".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. COHEN. Mr. Speaker, I ask that the House do concur in the amendments.

Mr. TUMELTY. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. COHEN. Mr. Speaker, I will.

Mr. TUMELTY. Mr. Speaker, in these amendments we are only transferring one million dollars for the balance of June and a second million dollars which can not be used until July, is that correct.

Mr. COHEN. That is correct, Mr. Speaker.

Mr. TUMELTY. Mr. Speaker, may I ask if one million dollars will be sufficient to carry on for the month of June.

Mr. COHEN. Mr. Speaker, according to the estimate of available funds that can be utilized for transfer to the State Emergency Relief Board, those funds plus the million dollars, which is included in this appropriation, will be sufficient to carry relief until the end of June, 1936.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171

Alexander,	Eberharter,	McCreary,	Shaw,
Allen,	Eroe,	McDermott,	Shortz,
Altenburg,	Falkenstein,	McDevitt,	Shreiner,
Andrews,	Ferko,	McElroy,	Shugarts,
Anthony,	Finnerty,	McHenry,	Siegel,
Arnold,	Fitch,	McKinney,	Simon,
Atkins,	Flanagan,	Melchiorre,	Simpson,
Baine,	Flinchbaugh,	Mentzer,	Sinwell,
Baker, J. J.,	Flynn,	Merrell,	Sloan,
Baldi,	Forrest,	Moomaw,	Smith, J. A.,
Barber,	Gates,	Mooney,	Smith, W. G.,
Barnhardt,	Gerard,	Moore,	Snyder, F. E.,
Beadman,	Habbyshaw,	Moran,	Sowers,
Bernhard,	Haberlen,	Moul,	Sproul,
Blumberg,	Hagerty,	Muir,	Stank,
Boose,	Haluska,	Munley,	Stevens,
Boyd, R.,	Hamilton, F. P.,	Murrin,	Stewart,
Boyer,	Hamilton, R. S.,	Nagel,	Stockham,
Bradley,	Harkins,	Nothnagle,	Sumney,
Brancato,	Hartman,	O'Keefe,	Surface,
Brennan,	Hermansen,	Ominsky,	Tahl,
Brown, H. S.,	Hetrick,	O'Neill,	Terry,
Brown, J. E.,	Hindman,	Panton,	Tronzo,
Brownfield,	Hirsch,	Parks,	Trout,
Brumbaugh,	Holland,	Patterson, C.,	Tumelty,
Burke,	Holstrom	Patterson, J. W.,	VanAllsburg,
Cannon,	Hoopes,	Pearson,	VanSickle,
Caputo,	Jackson,	Pfaff,	Wasserman,
Carr,	Jones,	Piole,	Weidemann,
Carson,	Kelder,	Powers,	Weiss,
Chervenak,	Kelso,	Reising,	Welliver,
Coakley,	Kenney,	Reynolds,	Welsh,
Cochran,	Kilroy,	Rhys,	Westrick,
Cohen,	Kinney,	Roan,	Wickersham,
Coleman,	Klinger,	Robinson,	Winner,
Coolahan,	Kobelak,	Root,	Witkin,
Cooper,	LaRue,	Royer,	Wood,
Davies,	Linderman	Sarraf,	Woodside,
Dent,	Long,	Scanlon,	Yeakel,
Diehl,	Longaker,	Schaeffer	Yourishin,
Downey, G. E.,	Lovett,	Schrock,	Zappala,
Downey, J. J.,	Male,	Schrope,	Furman,
Duffort,	Mason,	Serrill,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

BILLS INTRODUCED AND REFERRED

Mr. EBERHARTER asked and obtained unanimous consent of the House to introduce two bills, one of which makes an appropriation to the State Emergency Relief Board to take care of the resolution which has just been concurred in by this House and the other ratifying the transfer of funds previously made by resolution.

By Mr. EBERHARTER. HOUSE BILL No. 153.

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such monies may be expended, and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments, and ratifying, confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act.

Referred to the Committee on Appropriations.

By Mr. EBERHARTER. HOUSE BILL No. 154.

An Act ratifying, confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund, and providing for the subsequent return from the General Fund of the transferred money.

Referred to the Committee on Appropriations.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COHEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. MELCHOIRE, from the Committee on Appropriations, reported as committed, House Bill No. 153, entitled:

An Act making an appropriation to the Stat eEmergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such monies may be expended, and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments, and ratifying, confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act.

Mr. MELCHOIRE, from the Committee on Appropriations, reported as committed, House Bill No. 154, entitled:

An Act ratifying, confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund, and providing for the subsequent return from the General Fund of the transferred money.

ADJOURNMENT

Mr. MENTZER. Mr. Speaker, I move that this House do now adjourn until Monday, June 29, 1936, at 9:00 o'clock P. M.

The motion was agreed to and (at 1:28 P. M.) the House adjourned until Monday, June 29, 1936, at 9:00 o'clock P. M.

Memorial Services

for

HONORABLE WILSON C. SARIG

HONORABLE ALEXANDER R. WHEELER

HONORABLE SAMUEL BEECHER HART

HONORABLE EDWIN R. SPANGLER

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 16, 1936.

Pursuant to a resolution unanimously adopted by the House on June 8, 1936, memorial services as therein directed were held in the Hall of the House on Tuesday, June 16, 1936, at three o'clock P. M.

The SPEAKER (Roy E. Furman) Presiding.

The SPEAKER. Ladies and gentlemen, we are here this afternoon to conduct the memorial services for the late Speaker of the House and for three other members who are deceased. This is a very solemn occasion. It is our duty to honor and pay tribute to these members.

At this time I will turn over the Chair to the Chairman of the Committee for these exercises, the gentleman from Berks, Honorable Mahlon F. LaRue.

Mr. LaRUE, Presiding.

The CHAIRMAN. This being the hour set for the memorial services for four of our deceased members, this House will come to order.

The Chair recognizes the gentleman from Philadelphia, a member of this House, Reverend Marshall L. Shepard, who will offer the prayer.

PRAYER

Reverend MARSHALL L. SHEPARD, a member of the House offered the following prayer:

O God, our Heavenly Father, we thank Thee that it is our privilege to be co-workers with Thee. We thank Thee that in the course of our duties we associate with men whom we esteem very highly, men whose lives touch ours. We know that we are made better because of this very happy association.

We thank Thee for the late Speaker, Wilson G. Sarig and the other members of this House, who have gone on to their eternal reward. We are grateful for the inspiration and encouragement that we have received from them. We thank Thee for the rich values in fellowship that were ours because our lives touched theirs. Now, may we hallow their memory, may we emulate in our lives those fine qualities that made them such a blessing to their day and generation. Guide us through the remainder of this service, and may everything that is said and done redound to Thy Honor and Glory. In His Name and for His sake, Amen.

HONORABLE WILSON G. SARIG

The CHAIRMAN. We will first proceed with the memorial services for our late lamented Speaker, Wilson G. Sarig.

The Chair recognizes the gentleman from Delaware, Honorable Ellwood J. Turner.

Mr. TURNER. Mr. Chairman, and fellow members of the House, I arise with a sense of pleasure, if one may say that one may have pleasure in speaking on an occasion like this. I deem it an honor and appreciate the fact that the committee asked me to speak in reference to our late beloved Speaker, and my own personal friend, with whom I served so many years in this House. In the prayer we have just heard, the Parson spoke of the happiness of service and the happiness of association with others in this work of the Legislature. I remember when I came to the House in 1925 that Mr. Sarig at that time was one of the outstanding members, one of that little band, that little handful at that time, of Democrats in this House, who firmly, believing in the great principles and traditions of that party notwithstanding the fact that they were submerged by the great majority of Republicans, were nevertheless willing to stand and to fight for those things which they believed to be right. Such a man must always win one's respect, whether you differ with him as to his reasoning and as to the principles for which he stands. As time went on it was my pleasure to know him in a broader sense, to know that beneath what at times seemed to be a very solemn mien, was a great well of humor, a great well of fun, that while he attended studiously to his duties in this House, and was always attentive to those things that were passing before us in the way of legislation, at the same time could see the fun and could enter into the spirit of gaiety that occurred in the House from time to time. I think that none of us will ever forget those sallies of his, those poems of his, that he read from time to time in the session of 1931. When the time came that the Democratic party had mustered a majority in this House, even though we regretted it, of course, and disliked to take a back seat, and to know that there was going to be a Democratic majority to control the affairs of this House, I think that to those of us who had served and had known this man, there was a tremendous amount of pleasure in the thought that the man who carried the banner, the man who, when the cause was not popular, the man who when the ranks were thin and very small, had stood in the front and fought what to him was the good fight, was at last to be recognized and placed on the rostrum, a great position, an honored position, a position which carries with it the traditions of the great Commonwealth of Pennsylvania and the history making legislation that has been enacted in these halls.

So, I can not today be mournful, as much as I regret that we do not have him with us, because there is too much in his life that was fine, and there was so much in his life that looked upon the bright side of things.

I regret that he is gone from among us, but I believe that in leaving us here behind he contributed a great share to the life and the culture and the well-being of the people of this State.

The other day I read in a little bulletin published by one of our departments, that the rocks of Pennsylvania were a billion years old. A billion years is almost impossible to conceive. We think of time in hundreds or thousands of years when we study history, but a billion years is beyond the comprehension of most of us. In that article it said that the building of these rocks is comparable to the waves washing upon the shore and gradually piling up the little particles of sand, gradually building infinitesimally at first, almost imperceptible to the eye, gradually building and building and building.

So I would like to think of the life of a man such as our lamented Speaker; forty-five years in instructing the youth of the Commonwealth, forty-five years as a teacher, but no conceding that as his sole work upon the earth, but also taking unto himself another task, contributing his part to the political and economic life of our people. Perhaps history will not inscribe his name on its pages. It is only given to a very few in the millions that play a part in history to have their names indelibly inscribed on future generations, but I believe that the man who in his daily life, who in his profession, who in

public life contributes the best that is in him, who has vision, honesty, and integrity, who inspires the best that is in other men, is like those little grains that have gradually made these rocks, made these great piles of what we call mountains, that inspire us all as we stand and look upon them,—the green hills of Pennsylvania with their mineral wealth, molecules and little vegetable and animal life, almost invisible to the eye, have year by year accumulated to build a great Commonwealth.

So have men like the little molecules, like those infinitesimal bits of animal and vegetable life contributed to the making of civilization, and to the making of a state, to the building of happiness for a people, and opportunity of a future for its youth, that there may be offered to the world a great nation like America, the hope of all mankind.

So, I would like to say, Mr. Chairman, in closing, that I believe that our late Speaker was one of that sort of men. I believe he has left his mark and influence upon our time.

Though the people of Pennsylvania never erect to his memory a great shaft such as that which stands in Washington; although no bronze statute ever be erected to his memory; though in the Hall of Fame there be no bust of Wilson G. Sarig, yet I think those of us who are his friends, and those of his family can be proud of the fact and can have a deep sense of satisfaction in their hearts that this man built a fine statue for himself, and a fine monument of more imperishable material than any bronze or marble, an imperishable monument that is builded in the hearts of men and in the minds of the people, when a man has been a good servant and his work has been well done.

The CHAIRMAN. It has fallen to my lot to speak more especialy in memory of one of Pennsylvania's greatest sons, the Honorable Wilson G. Sarig, former beloved Speaker of this House. Mr. Sarig was my friend, and while no words of mine can add peace to his ashes or sweetness to his sleep, I beg to place on record my tribute of affection and esteem.

With him citizenship was a sacred trust as well as a privilege, and in the discharge of its responsibilities he exercised the most conscientious care. He was a politician in the sense that he was a student of the science of government, and a successful Legislator in that he endeavored to put into effective law the principles in which he believed. He possessed all the characteristics of the statesman. He reasoned out each proposition that came before him with a singleness of purpose and a desire to know the right.

Our hearts are burdened with grief as we realize that one whose voice and form, for many years so familiar in this Legislative Hall, is no longer in this life to be seen and heard and greeted by us.

We rejoice in the noble life he lived, in the high ideals which directed him in all of his activities and for the wholesome influence of his life upon others, whether as student, teacher or as a legislator.

The Hon. Wilson G. Sarig was born in Lenhartsville, Berks County, on March 7, 1874. The son of a stone mason and in modest circumstances, he worked his way through Keystone State Normal School at Kutztown, Pennsylvania, by living at a farm near the school and doing chores for the farmer. Part of his course was taken in "spring terms" when he would teach in a country school and at the close of the term go to normal school from which he graduated in 1894.

Because of his early struggle for an education he was always interested in making it possible for children to receive an education regardless of the financial status of their families. In 1933, as the oldest member in point of service on the Educational Committee of the House of Representatives of Pennsylvania, he was instrumental in defeating an attempt to abandon the Keystone State Teachers' College. From 1891 until the date of retirement from service on his sixty-second birthday, March 7, 1936, he taught in the public schools. Since 1899 he had been a teacher in the schools of Temple, his home town.

The Hon. Wilson G. Sarig was an outstanding member of the Democratic party of Pennsylvania. At the age of 21 he was elected as delegate to the County Convention from the Borough of Lenhartsville, which, because of the fact that it controlled as many delegates as wards in Reading with ten times its population, had become a political hotbed. Resigning his post in Temple as Justice of the Peace which he had held since 1900, he served his first term in the State Legislature in 1915. Thereafter he served eight more terms, five of them as minority floor leader in the House of Representatives, an honor which naturally followed his having been named the minority candidate for the Speakership.

On January 1, 1935, the ideal of this man was realized when he was elected Speaker of the House. With the aid of his key men he carried through Governor Earle's program without the loss of a single measure in the House, a record of which he was pardonably proud. That he was impartial and fair as Speaker was emphasized at the close of the session in June, 1935, when members of the three parties represented in the House paid him honor at special ceremonies for that purpose. The same keen sense of humor that endeared him to his pupils helped him through situations that might otherwise have been tense in connection with his duties as Speaker. Mr. Sarig was the first Berks countian to hold this position in 79 years and the first Democrat in 52 years.

He was a Liberal, especially opposed to an ever-increasing centralization of power. In regard to an attempt to take away local government of schools, of which he was very much in favor, he said: "God forbid that our schools should be made a political football." As an expression of appreciation of this attitude, and his professional services to the general public, the new grade school in Muhlenburg Township, Berks County, will bear the name of Hon. Wilson G. Sarig.

Mr. Sarig will be remembered on Capitol Hill for the colorful similies and quips he would inject into his speeches, and one of those phrases that still rings in my ears is: "And also the following." One of his most frequent targets was former Governor Pinchot, with whom he had nothing in common politically. Once he said: "Here lies the Pinchot Administration. It died of a mania (for power)." Realizing that he could say nothing derogatory on the floor of the House, Mr. Sarig prepared resolutions commending the Governor for certain acts, which because of their irony caused quite a bit of amusement to the members. The fact that these resolutions never were adopted did not bother their sponsor; he would prepare another one, just as ironic, and introduce it on the following Monday evening.

In 1924 he was elected County Chairman of Berks

County, but resigned this post to become a candidate for the Legislature. In 1932 he was the Democratic candidate for Auditor General, but was defeated with the rest of the ticket in the State. In 1920 he was defeated for a seat in the State Senate from Berks County by the late Senator James E. Norton.

Mr. Sarig was well known for his oratory. He delivered many addresses throughout the State, particularly in the eastern and central sections. His speeches played an important part in the fight for Constitutional Revision.

Governor George H. Earle said of him at his death on March 14, 1936:

"I can not find words to express my sorrow upon the death of Speaker Sarig. His deep and sincere devotion to the public welfare, his rugged personal virtues of loyalty, honesty and faithfulness to duty, endeared him to everyone. There are few men in public life today who will not mourn for him, few who will not feel the loss of his wise and prudent counsel.

"His death is a tremendous loss to my administration. The success of the great humanitarian program passed by the House of Representatives at last year's session is a tribute to his generalship and his devotion to liberal principles of government.

"His family and his friends and neighbors in Berks County may well be proud of Speaker Sarig. His career has been one of unselfish service to mankind. In his passing I feel a deep sense of personal loss, the loss of a dear friend and a trusted adviser. His work is done, but his labors through the years have helped to make Pennsylvania a better place to live in—and the good that he has done lives after him."

May the grief of Mrs. Sarig and his two daughters be made less oppressive as they think of the splendid life of the one taken from their midst.

Instead of mourning, let us look up and address him in the words of the poet:

"Thy day has come, not gone;
Thy sun has risen, not set;
Thy life is now beyond
The reach of death or change,
Not ended—but begun
O, noble soul! O, gentle heart! Hail, and farewell."

The CHAIRMAN. The Chair now recognizes the gentleman from Berks, the Honorable Darlington Hoopes.

Mr. HOOPES. Mr. Chairman, I am not a memorial speaker and I feel really unable to say anything worthy of note on an occasion such as this, but I feel I would be remiss in my duty if I did not pay a tribute to the late Speaker Sarig. As a new member in 1931, I found him ever ready to offer advice or to help me in any way that he could. As Speaker of the House, I found him always fair, always willing to recognize me, although he knew very well that what I was going to say would certainly be contrary to what he believed. A man who could do that, a man who served the State as long and as ably as he did is worthy of the tribute that has been paid him and I deem it a great honor on this occasion to add my feeble words to what has already been said in praise of him.

The CHAIRMAN. The Chair now recognizes the gentleman from Berks, the Honorable Lloyd M. Schaeffer.

Mr. SCHAEFFER. Mr. Chairman and members of the House, having been elected as a successor of Wilson G. Sarig in the Fourth Legislative District in the County of Berks, I would be remiss in my duty as a Legislator if I would not say a few words at this particular moment. Little did I realize when I came into these halls, of the esteem, of the honor and of the glory that was bestowed upon Mr. Sarig in his life time. Coming from his home district, residing only a few miles away from his home town, we there perhaps did not realize and could not preceive the high honor that was bestowed upon this man in this hall. Mr. Sarig, as known to his constituents, was of a high-strung type, a loving, esteemed and kind friend, but a bitter and relentless foe, especially in political life. Mr. Sarig had his faults and his defects, but with all I realize that the people of Berks County are just beginning to appreciate the high standing of Mr. Sarig in the community, in the State and in the nation.

Mr. Sarig started humbly as a teacher, taught for forty-five years, I believe, in the schools, worked upon the plastic minds of the young, and the impressions that he there created in the minds of the young will stand for some time to come. Being grounded and interested in politics and being a great student of history, he became impressed with the Jacksonian principles of democracy and was one of the greatest admirers of Andrew Jackson and of Thomas Jefferson.

I might say in conclusion this, that the forensic ability that he acquired in his day started in small debating or literary societies of the county of the kind that were common in those days and which were even common in my youth. Mr. Sarig stood high in the political limelight of this country and of the Democratic party as a whole. May it be said in this demise the Roosevelt administration has lost one of its most ardent admirers, the Democratic party one of its greatest campaigners, the State of Pennsylvania a noble and eminent statesman, the County of Berks a noble son, the Borough of Temple, his home town, its most eminent citizen, and his wife and children a kind husband and loving father.

Mr. Chairman, I have a resolution at this time that I wish to present.

RESOLUTION EXTENDING SYMPATHY ON DEATH OF HONORABLE WILSON G. SARIG

The resolution was twice read, considered and unanimously adopted by a rising vote, as follows:

In the House of Representatives, June 16, 1936.

During the interim between the adjournment of the Regular Session of the Legislature of 1935, and the convening of this Special Session, the Members of the House of Representatives were saddened by the news of the death of their beloved Speaker, the Honorable Wilson G. Sarig.

A native of Lenhartsville, Berks County, he attended the public schools, graduated from the Keystone State Normal School at Kutztown, taught in the public schools more than forty years, served his community as a justice of the peace, and his legislative district and his State as a Member of this House of Representatives for eighteen years, being honored at the Session of 1935 with election to the office of Speaker.

He was a leader of the Democratic party, attending its conventions as a delegate, acting as its floor leader in the House of Representatives, was honored with his party's nomination for the office of Auditor General, and was ever active as a campaign orator in all parts of the State for many years.

During all of his years of activity, his public and party service were marked by fairness, loyalty, sincerity and square dealing. In his service and his leadership he dis-

played at all times that rare ability with which he was naturally endowed and imparted to others that sound education which he obtained by hard work and sacrifice.

He delighted in the companionship of his many friends and loved the association of the members of his family in his home.

The passing of this illustrious son of Pennsylvania removes from official life one whose services were particularly needed at this time.

Resolved, That the Members of the House of Representatives reverently extend to the wife and daughters of the Honorable Wilson G. Sarig their most profound sympathy, and that a copy of this resolution, duly engrossed, be sent to the family by the Chief Clerk of the House of Representatives.

HONORABLE ALEXANDER R. WHEELER

The CHAIRMAN. Are there any other members who wish to speak on behalf of the late Speaker, Wilson G. Sarig? If not, the Chair will take up the memorial services of the late Alexander R. Wheeler, a member from Forest County.

The Chair now recognizes the gentleman from Forest County, the Honorable William W. Serrill.

Mr. SERRILL. Mr. Speaker and members of the House, I consider it a privilege to be accorded at this time the opportunity of expressing, to some extent, the respect, admiration, and appreciation which I feel for the late Honorable Alexander R. Wheeler, of Forest County. My feeling for Major Wheeler is not based upon any political connection nor upon the fact that I am completing his unexpired term, but upon my personal friendship with him and my knowledge of the value of his life to his community and his country. For, a versatile, keen-minded, well-educated man, he chose to unselfishly devote the greatest part of his whole mature life to public service; it is for this reason that I, and all who knew him, feel that the loss caused by his death is inexpressible.

Born at Tidioute, Pa., Major Wheeler made his home for nearly all of his life at Endeavor, Forest County. After attending the public schools there, he attended Yale University, where he was graduated in 1911. His education was further completed by his receiving an M. A. degree from Oxford University.

From this time on, his life was one of unstinted public service. Joining the French Red Cross in 1915, he served with them until the United States entered the Great War. After our entrance he served in the American Army throughout the whole war, acting in the capacity of First Lieutenant and Battalion Adjutant of the 312th Infantry, and Captain of the 78th Division Headquarters of the American Expeditionary Forces.

In 1923 he received further military honors by being commissioned Major of the Infantry Reserve. His interest in the Red Cross during and after the war was exceptional, and his contributions to its support extremely generous. The confidence and esteem in which Major Wheeler was held by authorities is attested by his being appointed a member of the Czecho-Hungarian Armistice Commission in 1919.

Returning to his home at Endeavor after the war, he was elected in 1922 to the House of Representatives by the voters of Forest County. His activities in this body are doubtless much better known by you who were his colleagues here. Suffice it to say that during his work here he served on the Pennsylvania State Park and Harbor Commission, the Pennsylvania Tax Commission, and many of the most important committees of the House.

The high regard in which his constituents held him is shown by the fact that he was re-elected to the House for each consecutive term from 1922 until his death Indeed, his courage and spirit of service caused him to carry on his work and give the benefit of his experience and influence long after he was physically unable for such exertion.

And so it is that the passing of the soldier, scholar, and statesman causes to the State, his family, and all who knew him, a sense of irreparable loss, for it is seldom that a man of such ability and wisdom is willing to give himself so wholeheartedly to the call of service as has our late friend, Major Wheeler. And now it is with sincere sorrow that I offer my deepest sympathy to his family in their bereavement.

The CHAIRMAN. The Chair now recognizes the gentleman from Luzerne County, the Honorable J. Gordon Mason.

Mr. MASON. Mr. Chairman and my fellow colleagues, family and friends of those in whose memory we are here this afternoon, after the eloquent eulogies so ably presented I hesitate somewhat to add my own few feeble remarks. The former speaker, Mr. Serrill, the gentleman from Forest, has thoroughly covered the life of our former colleague, Alexander R. Wheeler, and in doing so he has mentioned the past military record of my late colleague. Major Wheeler has indelibly inscribed his record of patriotism upon the war records of our national government. I would like to repeat that war record so that some of the members and some of the friends who are here might realize what he has done.

At the age of twenty-six he became a member of the French Red Cross, and stayed with them in active service for the years 1915 and 1916. In April, 1917, when the United States entered the World's War, Major Wheeler immediately offered his services and enlisted in the American Army. He was commissioned as a First Lieutenant and served as Company Adjutant of the 312th Infantry Overseas Force. Later he was promoted in rank to that of Captain and as such was assigned to the Division Headquarters of the 78th Division of the A. E. F. In 1919 because of his diplomatic record during the World War he was appointed a member of the Czecho-Hungarian Armistice Mission, and when his work was completed there he returned to his home country. His last record in the military line may be found in 1923, when he was commissioned as a Major of the Infantry Reserves. The spoken word itself, the printed sentence, cannot tell us of the four years of hardship, sacrifice and suffering that he went through. I can only say that he would share with us our legislative debates at this present time, had he not valued his country and its liberty more than his own life.

I speak these few words so that we can perpetuate on the pages of our own Commonwealth's history the record of Major Wheeler, and so that the future generation will know what manner of man stood in the legislative hall with us. I speak these few words not as a colleague but as a comrade, in behalf of two score comrades who shared legislative work with him, and likewise for the thousands of comrades who marched shoulder to shoulder with him in 1917 and 1918. Major Wheeler is gone. He will no longer answer a legislative roll call. He will await that last roll call of the dead. But we who know him, know full well that his memory and his spirit will

eternally linger on through these legislative halls. I can only say, in conclusion, that he has done his work, his tasks have been accomplished full well. May he have peace and eternal sleep from now on.

The CHAIRMAN. Are there any other members who wish to speak on behalf of the late Honorable Alexander R. Wheeler? If not the Chair now recognizes the gentleman from Lebanon County, the Honorable Miles Horst.

Mr. HORST. Mr. Chairman, fellow colleagues and friends, I join with you in honoring the memory of these men who served well in this House. Mr. Alexander R. Wheeler followed in the footsteps of his father in the interest of government, particularly in the legislative branch. His father served for a number of years as a representative of his district in the halls of the Federal Congress. Mr. Wheeler, while a member of this House, took a very active interest in the affairs and the business before this body. He served as a member of a number of important committees of this House, being a member from time to time of the Ways and Means Committee and the Committee on Appropriations. He served also as a member of the Committee on Military Affairs. He was active in various other interests, as has already been mentioned by those who spoke about him before me.

Mr. Chairman, I offer the following resolution, and ask for its adoption.

RESOLUTION EXTENDING SYMPATHY ON DEATH OF HONORABLE ALEXANDER R. WHEELER

The resolution was twice read considered. and unanimously adopted by a rising vote, as follows:

In the House of Representatives, June 16, 1936.

Forest County lost its most illustrous son in the passing of the Honorable Alexander R. Wheeler.

He was educated in the public schools and at Yale and Oxford. During the World War, he served with the French Red Cross. Later he joined the American Army, in which he held the following ranks: Lieutenant, Battalion Adjutant, and Captain. He was a member of the Czecho-Hungarian Armistice Commission. After the war, he held the rank of Major in the Infantry Reserve. His entire was record in the French and American service was an outstanding one.

He was honored by his constituents with election to seven successive terms in the House of Representatives, where, during his years of service, he displayed rare qualities of statesmanship. He was a leader in road, tax and military legislation. As a member of the Pennsylvania Tax Commission, he displayed his sound knowledge of economics and aided to a great degree in the formulation of the policies of that commission.

He was the father of the Drake Well Memorial Park, commemorating the drilling of the first oil well in the world, and was also a member of the Pennsylvania State Park and Harbor Commission.

His span of life was relatively short but his usefulness was great.

Resolved, That the House of Representatives extend to the family of the Honorable Alexander R. Wheeler its profound sympathy in the loss they have sustained, and that a copy of this resolution be sent to the family by the Chief Clerk of this House.

HONORABLE SAMUEL B. HART

The CHAIRMAN. The House will now take up the memorial services for the late Samuel B. Hart, a member from Philadelphia. The Chair now recognizes the gentleman from Philadelphia, Honorable John J. McDevitt, 3rd.

Mr. McDEVITT. Mr. Speaker, members of the General Assembly, friends and relatives of our deceased members:

At this moment when there is a temporary lull in the proceedings of this House, in the midst of a particularly strife-torn Special Session of the Legislature of this great Commonwealth, we the members of the General Assembly now pause and as it were, step out of character. We have obliterated party lines and set aside partisan feelings. We now meet as men and women intent only upon eulogizing the accomplishments and memoralizing the men who served in the 1935 Session of the Legislature with us, but have now been called upon by their Maker to render an account of their stewardship.

One was honored by this House with highest honor in its power to bestow—the Speakership. In retrospect one must recognize as a fact that his untimely end was, no doubt, precipitated by his intense loyalty to party, sense of responsibility and tenacious will to do that which mere man has decreed he must do. His constituents, the Commonwealth, and the General Assembly have suffered an irreparable loss.

As a member of the memorial committee and a Philadelphian, I shall direct my remarks specifically to the deceased member of the Philadelphia Delegation—our colleague, Samuel Beecher Hart.

Sam Hart was born in Philadelphia in 1863. His early education was received in our public schools. Subsequently he attended Emlen Institute at Warminster, Bucks County, and Mrs. Lloyd's Night School, Gloucestershire, England.

Our deceased colleague thereupon commenced a long and successful career as a newspaperman and publisher. In the course of his career in that field he served as editor of numerous publications.

To we who knew Sam Hart it is readily understandable that he would enter the Pennsylvania National Guard. In that organization as well as in the various other fields of his endeavor he gave his best. As a result he rose from the rank of private to that of Captain—an unusual accomplishment and tribute to his ability.

In 1924 our late colleague first answered the call of his constituency and was elected to the General Assembly from the 6th Legislative District of the city and county of Philadelphia. Subsequently, his ability and valuable services then recognized, he was renominated and elected successively in 1926, 1928, 1930, 1932 and 1934.

During the 1935 Session I sat beside Sam Hart and had a first hand opportunity to observe his manner and demeanor, and gain some insight into his true character.

In his every thought and action Sam Hart was sincere, upright, and honest. He gave his very best at all times as a member of this House.

He was fully cognizant of his obligation to the Commonwealth, his constituents, and to the Republican Party. Sam Hart believed implicitly in his party. He was a Republican and proud of it. No expenditure of physical energy was too great in order to perpetuate the life of that great party.

In the early morning of March 24, 1936, Sam Hart quietly passed from this world. Happily he lived to see enacted into law many of the measures he fostered and fought for. The 1935 Session marked the passage of the Equal Rights bill, sponsored by his colleague from Philadelphia, Mr. Reynolds, and his own measure, Act No. 104, P. L. 248, providing for the organization of two colored National Guard battalions and appropriating the

sum of $150,000 to properly equip and quarter them.

Samuel Beecher Hart is no longer a member of the General Assembly from the sixth Legislative District of Philadelphia, nor longer engaged in worldly pursuits. However, Mr. Chairman, I say in conclusion, as a member of this House and a colleague from Philadelphia, that his name and accomplishments are indelably inscribed upon the hearts of his people and the archives of the Commonwealth of Pennsylvania.

May his soul rest in peace.

The CHAIRMAN. The Chair now recognizes the gentleman from Philadelphia, the Honorable Hobson R. Reynolds.

Mr. REYNOLDS. Mr. Speaker and members of the House, Mr. McDevitt has very clearly stated the life history of the Honorable Samuel B. Hart. I am sure that his colleagues from Philadelphia would like to say just a word in order that the people of the Commonwealth may know that we feel proud of his having passed through this House. I feel, as Mr. Turner said, when speaking of Speaker Sarig, that his life should be an inspiration to all underprivileged groups.

Sam Hart was born in 1863, a year in which this country was in a great turmoil. During the Civil War, privileges and advantages for his racial group were very few. It was very hard for a Negro to get any public attention. But Sam Hart went through the public schools of Philadelphia, the Emlen Institute, a home for colored boys at Warminister, Bucks County, Pennsylvania, and by his record there he drew to him friends, who financed his further education in England. He often said during his life's career that his trip abroad endeared his home land to him, and upon his arrival back in this country he immediately enlisted in the National Guard of this State, where he served as private, and by sheer ability and application to duty he was promoted from private to captain, and at one time he was in charge of the Gray Invincibles of the First Brigade. Sam Hart's career in this House stands unblemished. He was loved by all who knew him. As Mr. McDevitt said, he always took a great interest in trying to show around the House the young men who came behind him. Mr. Turner informed us of the time when Mr. Sarig came, there were few Democrats, and he made it possible for others to follow in his footsteps by the very fine record he made here.

When Sam Hart first came to this House there was only one Negro here, but by the fine record he made the people realized that his was a group of people to be proud of, to be proud that they were Americans and Pennsylvanians. Philadelphia has sent four Negro representatives and Pittsburgh has also sent one. We feel that in Pennsylvania Sam Hart's reputation stands out as an inspiration to all.

As a former National Guarsman he realized the advantages to be derived from the same, and he fought courageously during his entire career in the General Assembly to have the Negro youth admitted in the State Militia. A right he insisted should not be denied any worthy Pennsylvania citizen.

He built his own monument. In Fairmount Park there stands a monument erected through his efforts, at a cost of fifty thousand dollars to commemorate the colored soldiers who fought in the great World War, and if any of you who live in the other parts of the State ever visit Philadelphia do not miss the opportunity of passing along the main trunk Belmont Avenue one of the main driveways, and see that great monument of which Sam Hart supervized the construction, at an expenditure of fifty thousand dollars furnished by the State, without any discrepancy or any marked criticism.

I feel in his passing this country has lost a valuable soldier, this state has lost a wonderful statesman, and his race has lost a real leader.

The CHAIRMAN. The Chairman now recognizes the gentleman from Philadelphia, the Honorable Richard A. Cooper.

Mr. COOPER. I arise at this time to offer a resolution, and in so doing I wish to say, speaking of Mr. Hart, that his record in this House is the same record that he made in the City of Philadelphia.

It was about the year 1907 that I first came in contact with him as a newspaper man, and from that day up until the day he died we were bosom friends.

In every campaign no matter whether city, state or national, he was a man to take the lead. It was he that everybody consulted, it was he who gave the advice, it was he to celebrate the victory when the victory was theirs and to console his fellow men when defeat was their portion.

Having come here to take his place, I feel that I have assumed a very great responsibility, and not being acquainted with the affairs that go to make up the sum total of this great Commonwealth of Pennsylvania, I shall bide my time and learn what I can learn from the proceedings transacted in this House from time to time, and when I have finished my term here, I shall be satisfied if I am spoken of in the same high manner and be held in the same high regard that you hold my brother, Hart.

His death is regarded by the people who knew him as a serious loss to the Republican party, as he was looked upon by them as the leader and inspiration of the Republican workers in his district.

He will no doubt be remembered by the people at large as the leader in the movement for the erection of a monument in honor of our colored soldiers and also for the enactment of the law creating two Negro battalins of infantry in the Pennsylvania National Guard, both of which will, I am sure, be a source of great inspiration to the youth of his race.

I now take this opoortunity to present this resolution and ask, Mr. Chairman, for its immediate consideration and adoption.

RESOLUTION EXTENDING SYMPATHY ON DEATH OF HONORABLE SAMUEL B. HART

The resolution was twice read, considered and unanimously adopted by a rising vote, as follows:

In the House of Representatives, June 16, 1936.

Honorable Samuel Beecher Hart was born in Philadelphia, educated in the public schools of that city, Emlen Institute, a home for colored boys, and at Mrs. Lloyd's Night School, Cheltenham, England.

He served in the National Guard of Pennsylvania, rising from private to captain, and at one time was in command of the Gray Invincibles.

He served as a law clerk and held various public positions in the City of Philadelphia. He was honored and beloved by his constituents who elected him for six successive terms as a member of the House of Representatives of Pennsylvania.

Resolved, That the members of the House of Representatives extend to the family of Honorable Samuel Beecher

Hart their sincere sympathy for the loss they have sustained in his death, and that a copy of this resolution be sent to the family by the Chief Clerk of this House.

HONORABLE EDWIN R. SPANGLER

The CHAIRMAN. Are there any other members of the House who wish to say anything on behalf of the late Honorable Samuel B. Hart? If not, the House will now take up the memorial services for the late Honorable Edwin R. Spangler, a member of the House from Lancaster County.

The Chair recognizes the gentleman from Lancaster County, the Honorable Harry E. Trout.

Mr. TROUT. Mr. Chairman, members of the House, ladies and gentlemen, it is with a sincere feeling of gratitude that I am permitted in this memorial service to pay tribute to the Honorable Edwin R. Spangler, my friend and colleague.

The Honorable Edwin R. Spangler was born in Ephrata, Lancaster County, Pennsylvania, on April 21st, 1893. He was the son of Dawson and Stella, nee Royer, Spangler. His entire life was spent in the town of his nativity. He was graduated from the Ephrata public schools in 1910, completing a post graduate course in the same school in 1911. Following his graduation he entered the Philadelphia College of Pharmacy and Science graduating in 1914 with the degree of Doctor of Pharmacy. The following year he completed a course in Bacteriology at the same college.

Following his professional education he was associated with the G. S. Royer Pharmacy in Ephrata where he continued in active business relations until 1930 at which time he resigned because of ill health. During 1931 and 1932 he took special courses in Economics at the Wharton School, University of Pennsylvania, following which he entered the Insurance field continuing until the Spring of 1934.

In 1917 he entered the United States Army. His war record and later activities in the American Legion will be elaborated on by another member of the House.

Mr. Spangler was a life member of the Kappa Psi Fraternity and the Ephrata Alumni Association, a Thirty-second degree Mason and a member of the Rajah Temple Shrine, Reading. He was also a member of the Ephrata Chamber of Commerce, an honorary member of the Lion's Club, a member of the Young Republican Club, of Lancaster city, County Committee of Lancaster County, County Chairman of the Young Republican County Committee of Lancaster County, a member of the Independent Order of Odd Fellows and of the Lancaster County Fish and Game Protective Association.

In early childhood he was confirmed as a member of Trinity Lutheran Church of Ephrata by the Reverend J. W. Smith. On September 14, 1918 he was married to Miss Clara Bell Chidester, of Illinois, who survives as do also two daughters, Martha Lorraine, aged 13 and Eleanor Virginia, aged 11.

Mr. Spangler passed to the great beyond on October 15, 1935 and was buried in Bowman's cemetery, Ephrata. It was Reverend Smith's unusual privilege to have confirmed Mr. Spangler, and officiated at his funeral service.

Mr. Spangler was elected a member of the House of Representatives from the second legislative district of Lancaster County in November, 1934. He took his seat in this House on January 1, 1935. Immediately following the first day's session he was stricken with penumonia which necessitated an absence of approximately three months. Upon his return to the House he sponsored a bill appropriating $10,000 for the preservation of the Ephrata Cloisters, which to him was the outstanding accomplishment of his short career as a member of the House.

During his entire life Mr. Spangler was a leader in his community. He was actively engaged in all civic movements. His advice and council was sought by his neighbors and friends. He sacrificed his time and his health for the benefit of his people. His service to his comrades cannot be described by words. His entire aim was to do good to the people of his community. He was loved and respected by all and in the words of the poet, it can truly be said of the Honorable Edwin R. Spangler—"None knew him but to love him; none named him but to praise."

The CHAIRMAN. The Chairman recognizes the gentleman from Montgomery County, the Honorable William Ellis Zimmerman.

Mr. ZIMMERMAN. Mr. Chairman and members of the House, it is a privlege for me to make a slight contribution to the visible memorial that we are erecting to-day. It is a further privilege to speak of a man with whom I served in the late World War, he being a member of the division called the 79th. At this time it is not my intention or purpose to review the events of the World War in which he served except to say that he was a sincere and a good soldier. It cannot perhaps be said honestly that his service in the World War was outstanding, nor was it spectacular, but at the same time he, in his quiet devotion to duty, represented that service that was given to the country by hundreds of thousands of men. He served in the Verdun sector and in the Meuse-Argonne and he served at a time when the 79th Division took the very spectacular place called Monfaucon, that high hill overlooking Verdun, from which, deeply imbedded in a concrete basement, that brave soldier, the Crown Prince of Germany, viewed through a high powered periscope the battle of Verdun. So into that marvelous event of the World War came the service that was rendered by Comrade Spangler. He in his quiet way, devoted ever to duty, contributed to the success. Then later he became a member of the 26th Engineers and also the 109th Engineering Corps, that branch of the service that works day and night. It repairs roads and keeps the arteries of travel open for munitions going to the front and for that doleful spectacle of the wounded and the dead being returned to the rear, and to that hospitalization that will either make their death an easy one, or restore them to duty in a fighting unit. At the close of the World War his service did not end, for it is impossible to find one with that fine devotion to duty limited to just a short span of time. So after the war he took up again the interests of those in whom he was so vitally interested, namely the disabled veterans of the World War, continuing as Post Commander of the Cloister Post of Ephrata, and again in his quiet and unassuming way, through his own efforts, and at a cost of vitality rapidly waning, he continued to serve those less fortunate than himself, and through his Post in Ephrata his activities became acknowledged by the Department of Pennsylvania of the American Legion and his services were called then to the Rehabilitation Committee of the Department of Pennsylvania, in which he served as Chairman, and to which he

gave the experience and the knowledge and the quiet thought that made his service valuable to the entire Department. He continued to serve, and I remember, speaking of his retiring attitude, his forgetfulness of self, in a convention that took place at the Delaware Water Gap, in which a citizen of his county was sponsored for the post of Eastern District Vice Commander of the Legion, a man who was later destined to become a member of this House. Comrade Spangler was interested in the nomination of this gentleman, and because of that, when the time came to make the nominating address, which was an occasion to have brought him to the forefront, before the convention and the entire Department, he first of all accepted, and then just before that gentleman's name was placed in nomination he called together a group of men and said that he felt that he was not qualified to do the honor, that he felt that someone that could do the job better should do it, and therefore he declined.

When they asked him why he was willing to forego an opporunity to place himself squarely before the people of Pennsylvania he said, "I am not interested in myself. My cause is to see this comrade is elected to the office that he deserves." Such was his retiring manner, such was his devotion to duty, as he saw it. Later, as he plainly saw death quietly overtaking him, with that same simplicity and with that same serenity he approached death the way William Cullen Bryant said all of us should do, and that is: "To so live that when thy summons comes to join that innumerable caravan which leaves to take its place in the silent halls of death we go not like the quarried slave scouraged to his dungeon cell but serene and calm just as one gathers the draperies of his couch about him and lies down to peaceful dreams."

Comrade Spangler has stacked his arms in the eternal bivouac of the dead. Nothing is left of him now but his memory which we revere today, and to perpetuate that memory and the life that he lived for others and the life yes, that he gave to his country, it is my honor and my privilege to present this resolution.

RESOLUTION EXTENDING SYMPATHY ON DEATH OF HONORABLE EDWIN R. SPANGLER

The resolution was twice read, considered and unanimously adopted by a rising vote, as follows:

In the House of Representatives, June 16, 1936.

Honorable Edwin R. Spangler was born in Ephrata, Lancaster County, educated in the public schools, was a graduate of the Philadelphia College of Pharmacy and Science, and was for many years associated with the pharmacy business in his home town. Due to ill health he ceased his connection with this business in 1930, and later took a special course in economics at the Wharton School of Finance, thereafter engaging in the insurance business.

He entered the army in 1917 and served during the World War with distinction. He was honorably discharged with a fine war record.

He was vitally interested in matters concerning his home community and was connected with many community organizations and clubs.

He was for many years actively interested in the success of his political party and was elected to represent it in the Legislature in the year 1934.

Resolved, That the Members of the House of Representatives extend to the family its sincere sympathy for the loss they have sustained in the passing of Honorable Edwin R. Spangler, and that a copy of this resolution be transmitted to the family by the Chief Clerk of this House.

The CHAIRMAN. Ladies and gentlemen, in behalf of the Memorial Committee, I wish to thank the members of the House for their attendance at these services, for the splendid attention you have given the several speakers, the respect shown the deceased members, and your general cooperation with this committee. This meeting now stands adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., MONDAY, JUNE 29, 1936. No. 25.

SENATE

MONDAY, JUNE 29, 1936

The Senate met at 9:00 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

O God, we live in a changing world. Even our ideals, social customs, moral standards and religious rituals change as time moves on. Men are here today and gone tomorrow. We stand in confusion amid the shifting scenes of existence, wondering in what to put our trust for this life and that which is to come.

Thou, O Lord, dost answer our questioning and allay our doubting by declaring in Thy word, "I am that I am." "From everlasting to everlasting Thou art God." With Thee there is neither variableness nor shadow caused by turning.

Help us, our Father, to build our life structures on Thee, the unchangeable God and on Thy eternal Word. In the Name of Thy Son and in behalf of this Senate, we ask it. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. RICE, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. ROBERTS asked and obtained leave of absence for the Senator from Centre, Mr. Thompson.

QUESTION OF PERSONAL PRIVILEGE

Mr. OWLETT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Tioga, Mr. Owlett, will state his question of personal privilege.

Mr. OWLETT. Mr. President, the present Special Session of the General Assembly convened on Monday, May 4th, and we are here today in the ninth week of this Extraordinary sitting. During the last few weeks, by administration leaders in the Senate and by Department heads, as well as by the Governor himself, the charge has been repeatedly made that nothing has been accomplished. The Republican members of this Senate are accused of retarding the work for which the General Assembly was summoned to Harrisburg by the Governor.

May I take a few moments, Mr. President, to calmly analyze the events that have taken place since May 4th, that we may determine whether this charge is well founded. This Session was called, as everyone knows, primarily for the purpose of meeting the relief problem in our State. We were advised that the funds appropriated at the 1935 Session of the Legislature for direct relief were exhausted and that there were still 576,625 persons, largely employables, remaining on direct relief. This in spite of the huge Federal Works Progress Administration program initiated by the Federal Government under Mr. Eddie Jones last year and started with the promise that all employables would be taken off the relief rolls. The Governor in his message to the General Assembly on May 4th demanded that this Legislature levy in new taxes for relief purposes against the people of Pennsylvania in addition to the huge tax program enacted at the last Regular Session, the tremendous sum of $70,000,000. While this sum may have seemed small to the New Dealer accustomed to talking in billions, to the average Pennsylvanian this amount was appalling. Immediately it occurred to every right thinking citizen that the time had come to consider the interest of the forgotten taxpayer, as well as the interest of those in our midst who are really in need of assistance. Having before us the knowledge that the taxes imposed by the last Regular Session had placed upon the people of Pennsylvania a greater burden than was being borne by our competitive industrial States and having nothing before us to justify the demand of $70,000,000 of new and additional taxes other than the bare statement of the Governor and Mr. de Schweinitz that it was necessary, the Republican members of this Senate immediately began to ask questions. We asked why WPA hadn't taken care of the employable relief cases as President Roosevelt and Mr. Hopkins had promised would be done. We asked why the cost of administering relief in Pennsylvania was continually mounting. We asked what progress was being made in the collection of the special taxes levied at the last Session of the Legislature. We asked what economies have been made by this Administration in the regular cost of running the State Government. We asked why the farmers of Pennsylvania are unable to get help on their farms with all this supposed unemployment in our midst. We asked why the industries of Pennsylvania which have been trying to give employment to our people in spite of the New Deal handicaps and New Deal taxes, are being further attacked by this Administration. We wondered why the handsome Secretary of Revenue was away from the State Capitol so much instead of being on the job gathering in the money from the taxes already imposed. Knowing how the WPA funds allocated to Pennsylvania have been used, we naturally asked whether this demand for $70,000,000 of new taxes was

merely an attempt to increase by that amount the Democratic Campaign Fund for 1936.

Mr. President, I submit that not one of these questions has been answered. At the time of the appointment of the Special Committee of this Senate to investigate the WPA, we were told that WPA had nothing to do with relief. The Democratic leaders in this Senate, including the Senator from Philadelphia, Mr. Shapiro, consumed much of our time explaining that there was no connection between the WPA and the Pennsylvania relief problem. They tried in every way to block the passage of the resolution. Last week Mr. Eddie Jones, the impetuous head of the WPA, suddenly admitted that if things had been different he would have had all the employables on the relief rolls employed on WPA projects. Just what we have been contending from the start could be done. We wonder now whether his vicious attack on Mr. de Schweinitz isn't evidence that Eddie can't take it. Isn't it pretty clear that Mr. Jones is trying to place the horns of a goat on Mr. de Schweinitz to take from his shoulders the blame for the mess that is WPA in Pennsylvania?

How can the Republican Senators be blamed for at least questioning the sincerity of this Administration and wondering whether they are really as interested in the hungry and the distressed as they profess to be.

Up in Corning, New York—not Corning, Pennsylvania, but Corning, New York—is an old crony of Governor Earle's who goes by the name of Billy Gorton. He is a candy manufacturer. I have a letter stating that this gentleman from the State of New York has been brought down to Harrisburg and Eddie Jones, under direct orders from Governor Earle to give him a good job at good pay, has made him head of the women's sewing division of WPA at $3600 a year or $300 a month. Remember, that this WPA money was sent to Pennsylvania for the purpose of giving honest employment to Pennsylvania's needy. Is it any wonder that we question the Governor's sincerity when he tells us how his heart bleeds for the hungry?

Is it true that Mr. Jones has given to the candidate for the State Senate who ran against Senator Bean, Miss Gertrude Ely, a $6000 a year job in the WPA? Is she among those in Pennsylvania in want? How many good jobs to the needy of Pennsylvania would be furnished with the salaries given to these two people alone?

Now, I take it, Mr. President, that every Republican Senator in this Senate knew at the commencement of the Session that if he opposed in the slightest degree any demand of Governor Earle, there would be opened against him the usual New Deal attack. He knew he would be accused immediately of being a representative of intrenched greed and he knew that the guns of the character assassins would be turned on him. We have stood here and taken it and we are going to continue to take it until we get the information necessary to act intelligently on the relief problem. Already, Mr. President, we have forced the Governor to reduce his exorbitant demands from $70,000,000 to $55,000,000, an outright saving of $15,000,000. Already we have forced the head of the Works Progress Administration in Pennsylvania to admit it is possible to take care of our unemployed persons with the WPA projects. Already we have given an insight to the people of Pennsylvania of the political horrors involved in WPA. We were told by none other than President Roosevelt himself in an address to the people on April 28, 1935, at the commencement of the WPA, I quote: "The most effective means of preventing evils in this work relief program will be the eternal vigilance of the American people themselves. I call upon my fellow citizens everywhere to cooperate with me in making this the most efficient and the cleanest example of public enterprise the world has ever seen. It is time to provide a smashing answer for those cynical men who say that a democracy cannot be honest and efficient. If you will help, this can be done. I therefore hope you will watch the work in every corner of this Nation."

Does anybody wonder that the thinking citizen of this country takes with a grain of salt the demands of the New Dealers in the face of what has happened in Pennsylvania following this insincere statement by the President himself. In line with the very demand of President Roosevelt for the eternal vigilance of the people, this Senate instituted an investigation of the Works Progress Administration. The Committee called on President Roosevelt's own Secretary of Labor to furnish it with information. The Committee subpoenaed those in Pennsylvania handling the program and what happened? Did President Roosevelt welcome this investigation? Did Miss Perkins or Mr. Hopkins cooperate with this Committee? Has any information been furnished the taxpayers? You all know the answers. All the big guns of the Administration in Washington were turned on Harrisburg to block this investigation. The Administration itself, in other words, employed the eternal vigilance of which the President spoke to prevent the light of day from shining on the facts of the Works Progress Administration in Pennsylvania. Not only in Pennsylvania but in Washington has the Administration blocked an investigation of this arm of the Federal Government. From time immemorial it has been the inalienable right of the people under a democratic government to have complete knowledge of how its money is being spent. The accounts of every school district are audited and advertised by local auditors. The accounts of every Board of Township Supervisors has the same public scrutiny. How long would a county or municipal administration be permitted to function who said to its citizens "No. You shall not know what is being done with your taxes. This is our money. We will spend it as we please. If we wish to use it to build up a political machine, it is none of your business." The answer to it all will be in the ballot box next November.

Never before in the history of this country has money wrested from the people in taxes been turned over to individuals without the necessity of accounting and with the sole direction that it be used to perpetuate the control of a ruthless political machine.

We are accused of delay, Mr. President. Two weeks ago we passed a bill bringing the Mothers' Assistance Act in line with the Federal statutes. We provided for a nonpartisan board to administer these funds for this most worthy object. No right thinking person will dispute that with the evidence of the political use of relief funds in Pennsylvania by other agencies, we are justified in seeing to it that the dependent mothers of this State shall not be compelled to sell their inalienable right of suffrage for bread. It is reported that Mr. David L. Lawrence, the Democratic State Chairman, has issued orders to the Democratic members of the Conference Committee now holding this bill, that nothing short of the appointment

of all members of the Board by the Governor should be accepted by them. Mr. President, if the Federal funds for the relief of the distressed mothers in Pennsylvania are lost to them, the blame must be laid at the door of the present New Deal machine in this State.

I submit, Mr. President, that the Republican members of the Senate and House have already accomplished much for the taxpayers of Pennsylvania at this Special Session. I submit, that if there has been any delay in concluding this Extraordinary Session the delay is due solely to the Administration and their failure to furnish this Legislature with the facts upon which it can intelligently act. We would, indeed, be derelict in our duties as representatives of the people of this State if we blindly imposed on our people one cent in unnecessary taxes. I venture to suggest that there is not one member on the Democratic side of this Senate who believes for one minute that even $55,000,000 is necessary. There is no one in the Senate who does not know that with the proper functioning of the Works Progress Administration and the proper investigation of the cases on direct relief, we would be required to levy nothing more than a nominal amount of new taxes

SPECIAL ORDER OF BUSINESS

The PRESIDENT. The hour of 9:30 having arrived the Chair lays before the Senate the following report of the Committee on Executive Nominations, which was made special order of business for this time:

Mr. COYNE, from the Committee on Executive Nominations re-reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

MEMBERS OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE TEACHERS COLLEGE

J. Buell Snyder, Perryopolis, from March 2, 1936, for a term of four years, and until his successor is qualified.

Ephraim S. Tyler, Point Merion, from March 3, 1936, for the term of four years, and until his successor is qualified.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent

A motion was made by Mr. SONES,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations reported from Committee on June 23rd.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, I rise not to attempt to influence the vote of my colleagues for or against the adoption of the committee's report on these Executive appointments.

For weeks, during this Extraordinary Session, we have heard the condemnation of all practices that inject the hand of party spirit into the various agencies of our government.

We have, with patience, and with a receptive frame of mind, endeavored to extend ourselves beyond the pale of partisan spirit in an honest effort to keep unsullied our conception of the proper way to come to grips with measures that deal, like these nominations, with matters of the highest concern to our people.

We have endeavored to gauge our utterances with a due regard to the limitations accepted as legitimate within the structure of the Constitution and the rules and courtesies of parliamentary bodies. When we felt the Constitution forbade certain measures, we raised our voice in protest, and then acquitted the obligation of our oath by voting against the measure. In this regard, let me say that the sinister or public motives that prompt a member of this Senate to vote for or against a measure are proper subjects of inquiry for other members of the same Senate. For example, if the gentleman from "X" has come to the positive evidence that the gentleman from "Y" has surrendered his speech and vote to the service of a master other than the people of this Commonwealth, it is the sworn duty of the gentleman from "X" to promptly and publicly expose the gentleman from "Y" on the floor of this Senate; or, if the gentleman from "X" is reliably informed that the gentleman from "Y" is studiously deceiving the people by conveniently straddling vital measures, it is the sworn duty of the gentleman from "X" to similarly expose the gentleman from "Y". The art of thimbler rigging should be left to the circus lover while that of straddling should be left to the jockey of the race track whose success largely depends upon his ability to straddle conveniently one way or the other as the occasion requires.

I make these utterances on the occasion of this special order of the day because the vote that shall affirmatively or negatively grant the consent and approval of this Senate to these Executive nominations will attest the sincerity of our position in matters that have previously merited our attention.

I shall not be different in this matter than I have been in previous matters. I shall not permit the childish threats of timorous men to deter me in my resolute hobby to call a spade a spade, whether it be on the floor of this Senate or elsewhere.

The knowledge of the Constitution, the obligation of the oath which makes us members of this body and the mandate of the people whom we represent, all unite to repel the prevalent attitude of many members of this Senate that newly elected members are subject to a probationary period of schooling under the accepted masters of oxcart philosophies before assuming the constitutional prerogatives and obligations imposed by the oath.

No, Mr. President, the childish threats of timorous men shall not deter me. Nor will I submit to probationary schooling under masters of the old order.

In the consideration of the Executive nominations now before us as well as in all other functions of this Senate, I intend to be guided by a desire to speak and vote, not as a ward of any other member of this Senate, but as a full-fledged member whose primary loyalty is to the people and their public institutions.

Last week, when these nominations were reported nega-

tively by the committee, it became my duty to advise all my colleagues upon certain reasons which I regarded as substantial and justifying the report of the committee. At that time some of my colleagues held the notion that the nominations should be recommitted to the Committee and His Excellency, the Governor, should be permitted to reconsider them. This notion was embodied into a motion regularly adopted and the nominations returned to the Committee. This course was gentlemanly and a credit to the dignity and courtesy required of this parliamentary body to the Chief Executive of the Commonwealth. The conduct of the chairman of that committee, however, who, without cause or reason, and in direct rebellion against the deliberations of this Senate, hurled the nominations back on the floor of the Senate without a meeting of his committee, may be regarded ungentlemanly and discreditable to the dignity and courtesy of this Senate.

Congressman J. Buell Snyder and Ephraim S. Tyler are both respected and substantial citizens of my county. While the former is a member of Congress the latter is a receiver for a number of closed Federal banks. Both these gentlemen are of the same political faith as myself. If I was amenable to unbridle partison spirit, I would close my eyes when a door is opened through which my brand of partisan politics could enter to enlarge the field of political patronage. But, this I shall not do. To vote for these nominations is to nullify all the efforts of this body to, at least, guard against the possibility of partisan politics in the school system of our Commonwealth. In addition to this nullification, the confirmation of these nominations may place us in the hypocritical position of first consenting and approving appointments of this character and then condemning His Excellency for making them. If this Senate did not retain its confirming power of appointments of this character for the purpose of checking the creation of conditions similar to those alleged to exist at Indiana State Teachers' College than were it not proper for this Senate to fully surrender the appointive power to the Chief Executive and hold him to the full degree of responsibility?

If the appointment of a member of this Senate or House of Representatives to a board of trustees of any of our State Teachers' Colleges is fraught with the danger of partisian politics, I cannot, in my mind, note the difference between a State Senator, a member of the House or a member of Congress. If any difference exists, it should weigh heavier against the Congressman because he may not have an immediate responsibility to the people of the community where the college is situated.

Both these gentlemen are exposed to partisan political pressure by reason of their present connections. I do not intend to be a big enough fool to think that men in politics will not utilize political avenues to sustain their political life.

I will vote against the confirmation of Congressman J. Buell Snyder because I think a Congressman should be subject to the same rule that renders ineligible members of the General Assembly. And I will vote against the confirmation of Ephraim S. Tyler because I know that receivers of closed banks, like many other political appointees under this or other Administrations, are constantly exposed to the possibility of partisan politics in the discharge of their duties.

Mr. COYNE. Mr. President, in answer to the Senator from Fayette, I explained as the Chairman of the Committee last Tuesday why we returned these nomination to the Senate after the roll call. We have done that o the advice of the Senator from Fayette. The majority o the Senate here did not want that, they wanted then sent back to the Committee, for the purpose of havin him or somebody else go to the Governor to withdra the names. The members of that body, the Committee did not feel that we should be used by him or any othe member of the Senate for the purpose of forcing the Gov ernor to withdraw those names. Personally I have noth ing against these two men, neither did my colleagues o the Committee. Whatever we have done we have done o the advice of the Senator from Fayette, and when th Senate did not want that, we purposely reported then out with a favorable recommendation for the Senate t act on them. Whatever they do will be satisfactory t the committee.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the pro visions of the Constitution, and were as follows, viz:

YEAS—41

Aron,	Harvey,	Owlett,	Scott,
Batchelor,	Homsher,	Pierson,	Shapiro,
Baumer,	Howell,	Prince,	Sones,
Bean,	Huffman,	Pytko,	Sordoni,
Buckman,	Kahle,	Rankin,	Staudenmeier,
Chapman,	Lanius,	Reed,	Thompson,
Coyne,	Mallery,	(Dauphin)	(Westmoreland
Ealy,	McClure,	Rice,	Trainer,
Frey,	McCreesh,	Roberts,	Woodward,
Graff,	McGinnis,	Ruth,	Ziesenheim,
Harris,	Miller,	Salus,	

NAYS—5

Cavalcante,	Law,	Rodgers,	Rupp,
Gelder,			

Present and not voting Reed (Washington).

Two-thirds of all the Senators having voted "aye" th question was determined in the affirmative.

Ordered, That the Governor be informed accordingly

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question o personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr Shapiro, will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, last Monday or Tuesday when I questioned the Senator from Allegheny, Mr. Coyne, regarding the subject matter upon which we had just voted, he made the gratuitous remark that the request to withhold the names came from the Senator from Fayette, Mr. Cavalcante, a "regular Democrat"; and to-night the Senator from Tioga, Mr. Owlett, in discussing a statement, the reason for which I tried to find during the reading, also offered the gratuitous remark that I had attempted to explain that there was no connection between WPA and SERB. He also stated that no information had been furnished to the members of the Senate regarding the amount of money necessary for relief. It is for the purpose of answering both those statements that I exercised my rights under personal privilege

I should say, with regard to the Senator from Alle-

gheny, Mr. Coyne, that if he will have just a little patience I think I will be a regular Democrat. And if the rest of the members of the Senate will hearken unto what they have been doing—the Republican members, I think they will find there will be a great many more regular Democrats here at the next session. And there is a real reason why I am what my friend might call an irregular Republican, and a candidate now on the Democratic ticket,—in spite of the fact that for over twenty-five years I have been a regular Republican in the true sense of the word.

The reason lies in the record of this Senate—by the actions not recorded and thoses actions recorded in the Senate History. In the Senate History books you will find that on the 14th of January the first day under which we were permitted to introduce legislation, legislation was introduced in this Senate by Republican Senators covering every plank in the Republican platform. That legislation was drafted by a committee of five, of which I was one, and every bill that was introduced into this Senate was introduced with the consent of the so-called leaders of the Republican Party. Those bills covered every phase of social legislation which was discussed and you will look at the record you will find that those bills, promised by the Republicans in their platform, and if in the major portion, lie still in the same committees to which they were then committed—dead now.

And you will find that I am called an irregular Republican because when those same bills were introduced by Democratic Senators into the Senate and not acted upon I voted in favor of the discharge of the Committees that held them; and I did so because for years, in my private life and in my professional life, I have considered that a promise is a promise and that a word is a word and must be kept, and I see no reason why it should be different in political life. I was elected on a platform which promised these things. The Republicans protested that that was their promise, and they would not expect me or any other decent citizen elected to any office—and I consider this a high office—to do otherwise than I did,—and if that be treason, I challenge them to make the most of it.

I come from a people who have been too much oppressed not to realize that the election to an office of this kind is a privilege and an honor; and I do not propose by any act of mine to cast discredit upon a country which gives me that privilege; and I want to say now that I have watched, for ten years before I came into this Senate, the actions of the Senators here—for ten years back, and it was always my hope to be a member of this body, I always felt that it was an honor. And I say that I have watched the actions of the Republican Party for the last ten years, and the actions of the Senate for the last few sessions, and I have hearkened back with pleasure to the Senate of ten years ago, when the Senate was active and the party was behaving well, but I do not have such great pleasure in thinking over the last four years of this Senate's sessions.

I say, when the Senate of Pennsylvania convenes for purpose—when the Senators are elected—they have a serious task; and using these halls, in times like this, for political purposes is a violation of the obligation which we took when we were sworn in as members of the Senate.

My answer to the second gentleman is this: I never stated there was no connection between the WPA and SERB; I never dealt with anything but facts and figures, of which I had some information and upon which I had made some inquiry, and I gave those facts and figures with no statement that they were true but with the suggestion that I had received them from certain sources, the evidence of which I offered to the members of the Senate. I have for four years offered any information or help I could give to the members of the Senate, because I believe it was my duty. I came here with information which the Governor had received—from others, of course —which he transmitted to this Senate, and it was to the effect that we needed $71,000,000. The base of the information, the source of the information, was presented to every member of this body. I mentioned it, and it sounded reasonable to me, and I was willing to go along on this basis until other facts and figures were presented. Up until the present time I have not heard one single fact or figure from the other side of this Senate to warrant us in saying that so many dollars, instead of $71,000,000, is necessary; and when the Governor of this Commonwealth, after a trip to Washington—whatever his reason for it may be—came back and said that as a result of his investigation and his activities he finds that only $55,000,000 is necessary, then he is critisized for the fact that he first stated that $71,000,000 would be necessary, and he believed that was the amount; and the Republicans claimed the credit for saving $16,000,000, which was never spent and for which no revenue bills were enacted. And the Governor of Pennsylvania is criticised, and the President's words are used to further the criticism.

I said a year ago, when I was a Republican Senator, that the Governor was not my candidate but he was my Governor; that the President of the United States was not my candidate, but he was my President, and that I did not propose by any word or act of mine to insult or criticize or have disrespect from the high office which either of those two gentlemen occupied.

It is our duty to deal with the problem that is before us, and these gentlemen on the Republican side of this Senate have asked for time to investigate and find out how much is needed. No one in this Chamber has ever heard from the Republicans who have been investigating—whether it be WPA or Trenton, New Jersey, or the SERB or any other source of information—no one has yet heard them say,—you don't need $70,000,000, you don't need $50,000,000, you don't need $30,000,000, you don't need $20,000,000, you don't need $10,000,000 or $5,000,000; the only thing my friend has said is that we need only a nominal sum; and to the members of the Senate, particularly the Republican members, I repeat what I said last week—I challenge these members of the Senate to have the courage of their convictions, if they have them, and vote the nominal sum, and put themselves on record and say, "We won't vote another dollar," and then go home and let the people say whether they are right or chastise them for it .

I have great respect, as I have said, for every individual member of this Senate, but I repeat that when they become a Republican caucus they lose their individuality and the humaneness that goes along with individuals, and when they do that they cannot expect any other kind of a reaction than they are getting.

The Republican Party was a great party, but it has gone—because of the kind of conduct we have witnessed for the past ten years and the kind of speeches we have

listened to for the past ten weeks in this session. Penrose and Quay would turn in their graves if they saw the kind of leadership is running the Republican Party today,—consisting of what would not amount to ward healers in their time.

They talk about chiseling in WPA. If the wishes of my friends, the Republican Senators, are gratified, the man who occupies my seat—we can talk about Republican chiselers—occupies a position in one office, his wife in another city office, his son in another county office, and some sons-in-laws in another office; and if that is not chiseling, then I do not know what the use of a chisel is. And it is because of that kind of leadership and because of that kind of conduct that I have felt it to be my duty to perform my duty regardless of party; and I did not care then and I do not care today what label a bill bears, whether it be the name of a Republican or of a Democrat, or of any one else, if it is a good bill and if the people whom I represent are entitled to the benefits of it, I will vote for it, party or no party; and I serve notice on all parties now that they can take the most of it if that be treason. That has been my conduct for four years and I am willing to stand criticism. And that is my answer to the gentleman from Allegheny,—that if he will have the patience, I will be a regular Democrat, and, along with me, we will have a lot more regular Democrats—who will be better than irregular Republicans.

Mr. PYTKO. Mr. President, I desire to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will be very glad to.

Mr. PYKTO. Mr. President, I gather that the Senator from Tioga, Mr. Owlett, knows I am a member of the Conference Committee wherein reposes the Mothers' Assistance Bill, known as the Brancato Bill.

Mr. OWLETT. Mr. President, I believe I do know that fact.

Mr. PYTKO. Mr. President, will the Senator from Tioga kindly tell me whence comes the information that Dave Lawrence, or any man, had issued orders to the Democratic members of that committee, or any member of that committee, that a certain attitude should be assumed by those members?

Mr. OWLETT. Mr. President, one of the members of the committee told me that some suggestion was made by one of the Democratic members of this committee that the three-three-three arrangement now in the bill should be changed so that the Governor would appoint the members of the Board; and I understand that the Democratic members of the committee thereupon proceeded over to the place from whence comes the orders, and were told to stick for the whole seven or none.

Now, if that information is not correct, why, I think the Senate will be glad to be informed. That is the information that one of the members, Republican members, of the Committee received.

Mr. PYTKO. Mr. President, in other words, some member of the Committee told some other member of the Committee, which other member of the Committee told the Senator from Tioga that those orders were issued. It is rather nebulous, is it not? Just like the two cars in a garage, of which you had spoken last year.

Mr. OWLETT. Mr. President, of course I assume that no Republican member of the Committee was present when the order was given by Mr. Lawrence, so the information could not come at first hand.

Mr. PYTKO. Mr. President, and gentlemen of the Senate. I am a member of that Committee, and I have certain opinions regarding the administration of the Mothers' Assistance Fund, which neither Mr. Lawrence nor any man connected with this administration can change. Long before I had an opportunity of even approaching Mr. Lawrence, or of being approached by him, I had made my attitude known in the Committee on State Government, and during our discussion of the amendments in that Committee the Republican membership had expressed a fear that the present administration is going to throw the administration of Mothers' Assistance into the mire of politics, and therefore they decided to amend the bill so that the Governor would not have the sole appointive power. In their pristine purity they feared that after three years an administrative agency of this State which had been pure and free from politics was now to be made a political football. I do not accuse my Republican colleagues of political dishonesty, but I do believe that their faith in political honesty is shaky. At the outset their contention was that the appointive power should be ripped from the hands of the Governor and placed in some other county of arrangement. They suggested the Common Pleas Courts and the County department. They expressed the fear that the present administration was throwing the administration of Mothers' Assistance into politics; and at the same time they had the brazen effrontery of suggesting the County Commissioners to appoint the personnel, or a portion of the personnel of those Boards. Where in the State can you find a body of men more susceptible to political suggestion than County Commissioners? I just wonder whether the gentlemen who made that suggestion did not keep their ears open to political expediency, and their eyes open to the political exigency of the element that might be served by giving these agencies the power of appointment. I just wonder whether the guilt of making an effort to throw these Boards into the political arena does not rest with the gentlemen to the left in this Chamber.

To give you an idea what your own Republican members think of this bill, there is on foot now a plan to throw Mothers' Assistance into the political arena, I would like to quote you now from the Washington Observer, a Republican organ, and it is reprinted in the Harrisburg Patriot, another Republican organ,—for I take it that any newspaper which quotes a newspaper professing a different political belief is the same belief as the newspaper that is being quoted. I know why the laughter.

From the Washington Observer I quote: "A special session of the Kansas Legislature has been called by Gov. Alf M. Landon to enact laws which will enable that State to benefit from the Federal social security program. The Legislature which will meet July 7th will also submit to the voters in the fall constitutional amendments to permit the establishment of a social program as a State agency.

"Here is a suggestion to the Republican leadership in Pennsylvania. The Republican platform adopted at the Cleveland Convention calls for effective relief of the unemployed and other social reforms.

"There has been before the present Special Session of the Legislature a number of measures designed to permit this State to share in the Federal social legislation pro-

gram. Most of the bills have passed the House, but only a few have been approved by the Senate.

"Just now that body is holding up the Mothers' Assstance law by insisting on a revision of the make up of the Board. It has amended the House bill to increase the members from seven, now appointed by the Governor, to nine, providing for three to be appointed by the Governor, three by the Common Pleas Court of the Counties and three by the County Commissioners. The House refuses to accept the amendment.

"The present set-up of the Mothers' Assistance Boards was made by a Republican Administration and has been a satisfactory arrangement for a period of over twenty years. The Republican leaders have made no complaint of politics when the Boards were all Republicans, nor was there any objection offered when Governor Pinchot ousted several Boards named by Governor Sproul and Governor Fisher replaced many Boards named by Governor Pinchot.

"The political argument carries little weight The Senate, if it is wise, will not disturb the present plan which has been proven to work well. Anyway, why disturb it now when Governor is in the middle of his Administration and cannot succeed himself?"

That is from the Washington Observer, a Republican organ. Furthermore, to point out the foolishness of the argument advanced, that the present appointive power should be ripped out a new appointive power should be set up, I would like to point out to you gentlemen that if there is politics played by the Boards appointed by the Governor, you have one appointive agency to hold responsible; but if you divide the appointive power among three agencies you will not be able to place the blame on any one when Mothers' Assistance is drawn into the political arena.

I challenge the Republican members of this Senate to say that politics is not being played by them in their effort to tear out the present appointive power. They know well enough that the County Commissioners, political masters as they are, will keep their eyes open to political appointments rather than look for women who have given us such good service on the Mothers' Assistance Boards of this State.

QUESTION OF PERSONAL PRIVILEGE

Mr. McCLURE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Delaware, Mr. McClure, will state his question of personal privilege.

Mr. McCLURE. Mr. President, I listened with great interest to the Senator from Philadelphia, Mr. Shapiro. I believe that it is my duty as Chairman of the Finance Committee to inform him of the activities of that committee. Last week we called Mr. de Schweinitz before us to gather from him some very necessary facts which were required by the Committee for us to know before we could arrive at an amount of money which is necessary to appropriate for relief. At the conclusion of that session, the members of the Committee, both Republicans and Democrats alike, thought that it would be proper to invite Mr. Edward Jones to come before the Committee this afternoon. He was invited but declined our invitation. We waited for more than half an hour for him, after which time I called him on the telephone. He informed me that he would not come before the committee, but he would reply to any communication sent to him by the committee. The Finance Committee was in session for three hours this afternoon and will continue their deliberations just as soon as time can be had. The Finance Committee has no differences at present. The Republican members and Democratic members alike are making an honest effort to determine the amount of money necessary for relief. The members of the Committee are not like the Senator from Philadelphia, Mr. Shapiro. We want facts, we are not willing to take the word of anyone. We want to know how much money is necessary, because we realize that when that amount is determined it will be necessary for us to pass tax bills in the Senate to provide funds, and Republican and Democratic members of that Committee are hoping that the tax bills passed will not be in great amount. These differences of opinion concerning the amount of money for relief did not originate in the Finance Committee. We came here and were advised that the sum of $70.-000,000, was necessary for relief; we were later advised that $63,000,000. was necessary. I have not yet had time to read the report but I understand Mr. de Schweinitz says that $55,000,000. is necessary.

Mr. Edward Jones informed us that if proper cooperation is had with SERB that the relief rolls can be substantially reduced. We want to know how much these relief rolls can be substantially reduced. We want to know what cooperation is necessary between SERB and the WPA. When we determine these facts, it will probably be my duty as Chairman of the Committee to stand on the floor and inform not only the Senator from Philadelphia, Mr. Shapiro, and the members of this Senate, but the State as a whole of the sum necessary to be appropriated.

QUESTION OF PERSONAL PRIVILEGE

Mr. McGINNIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. McGinnis, will state his question of personal privilege.

Mr. McGINNIS. Mr. President, I wish to correct the Senator from Tioga, Mr. Owlett, when he made the statement that Gertrude Ely was getting a salary of $6000 a year; I am informed it is $5000 a year. I might also state that Gertrude Ely is head of The Women's Voters' League of Pennsylvania, and, of course, they are brilliant women, and she must be a good organizer to be the head of that organization and worth $5000.

We have heard here every Monday a harangue on the payrolls of Pennsylvania. It seems to be the only concern of the Republican side of this Senate that somehow, someway there are some Democrats getting on the payroll. At the beginning of this Extra Session there was a resolution offered to investigate WPA. We came here to raise money for the poor, for relief; but instead of going at that there was a resolution offered immediately to investigate WPA.

Now, the Federal Act provides that ten per cent of those employed on WPA can be picked by the Administration. In other words, ten per cent of them could have been picked, and properly so, by the Democratic Administration, in sympathy with the National Administration. It so provides in the Act, and under that provision 29,000 Democrats could have been picked in Pennsylvania to supervise WPA. Instead of doing that, what was done? Eight thousand were taken off the relief rolls,

8000 more were picked—if you want to call them Democrats, let us call them Democrats—but in stead of picking 29,000, as I think the Republican Party would have done if they had had charge of WPA, only 8000 were picked; and the other 8000 were taken off the relief rolls. Now, as to party affiliations of those 16,000 only 60% of them are Democrats; 40% are Republicans or belong to other parties.

Let me give you some more figures on the payrolls of Pennsylvania. There are 19,000—or were, when this Administration took hold—19,000 on the payrolls. The Emergency Relief, at its peak—I am giving the peak figures; there may be a variation of 1000 from the peak figures—there were 14,000 administering Emergency Relief. That makes a total of 33,000 on Pinchot's Emergency Relief and in the executive departments of the State Government of Pennsylvania.

Now, assuming there are 16,000 administering WPA, that make a total of 49,000 on the public payroll of Pennsylvania and of that 49,000 today 12,000 are hold-overs in the executive department,—12,000; 14,000 are hold-overs in the Emergency Relief. The Emergency Relief was not touched—not one of them, not even the Administrator,—or, at least, he was left as a Republican; so we had the same 14,000, without a single one of them being touched, something I am sure the Republican Party would never have done had they had charge of the WPA in Pennsylvania.

Then, of the 16,000 administering the WPA of Pennsylvania, 40% being not Democrats—perhaps not all Republicans— only 60% of the 16,000 are Democrats. So, assuming the other 40% are Republicans, or not registered, not in politics, makes the total today on the payrolls of Pennsylvania 32,400 Republicans.

On the payrolls of Pennsylvania today, after a year and a half of Democratic Administration, we have in the Executive Department only 7000 Democrats, and in WPA 8600, or only a total of about 15,000 or 16,000 as against 32,000 Republicans on the payrolls in Pennsylvania today. Does that look as thought we were scuttling the payrolls? Does that look as though this Administration was playing politics with poverty, or with the administration of affairs in this State? And yet if the president of one of our colleges is not re-hired there is an investigation started, and today I got figures from the Department of Education in this State and they show there has been no change in the Department of Instruction, in this Department of Education, except what was normal in the Department of Education; and yet, from what you hear from the other side, you would think we were scuttling our schools and our hospitals.

The same cry went up about the hospitals—"Oh, don't use the hospitals, don't play politics with the hospitals!" And yet Mr. Pennington has found it to be rotten to the core, found them to be fire traps, found one hospital in Shamokin where the superintendent was drawing $10,000, and found that he and his family were holding one-third of the positions in the hospital,—and the children were sleeping three in a bed. And yet to listen to our friends on the other side you would think we were scuttling the payrolls, and that WPA was doing nothing; but just let me tell you, I just got tonight from the paper what they are doing in Allegheny County. The WPA has built 25 miles of main highways in the County of Allegheny. It has sloped and drained one hundred miles of secondary roads. It has laid 26 miles of sewers in 28 different communities in Allegheny County. It has improve 17 playgrounds and athletic fields and 18 school properties. It has surveyed the property lines of 24 school grounds. It has made a study of school finances in Allegheny County. It has done emergency work during and after the March flood. Had it not been for WPA in Pennsylvania, after the flood, I say to you many of the communities would not be out of it yet. I just read the other day that 90,000 seats had been possible for school children in Pennsylvania through WPA.

And so, ladies and gentlemen, and Mr. President, it is about time that we quit talking here about payrolls, in view of these figures, and get down to the question that we came here for—to find out what was necessary to feed the poor and the downtrodden of Pennsylvania.

Mr. OWLETT. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. McGinnis.

The PRESIDENT. Will the Senator from Allegheny, Mr. McGinnis, permit himself to be interrogated?

Mr. McGINNIS. Mr. President, I will.

Mr. OWLETT. Mr. President, I should like to ask the Senator from Allegheny, Mr. McGinnis, from whom he obtained the information he has just given us.

Mr. McGINNIS. Mr. President, I have a number of these figures from the Personnel Department.

Mr. OWLETT. Mr. President, I would like to ask the gentleman whether they were furnished him by Mr. Jones.

Mr. McGINNIS. Mr. President, I also received some figures from Mr. Jones as far as the WPA was concerned.

Mr. OWLETT. Mr. President, do I understand he obtained the WPA figures from the payrolls of the WPA or from Mr. Jones?

Mr. McGINNIS. Mr. President, from Mr. Jones.

Mr. OWLETT. Mr. President, apparently the Senator from Allegheny is more successful than the Senate Investigating Committee was in getting information from Mr. Jones. I am wondering whether the Senator from Allegheny, Mr. McGinnis, could not obtain for us, so we could check his figures, a list of all the predesignates appointed on WPA projects, together with their salaries and addresses. I would like to ask the Senator if he could get that for us?

Mr. McGINNIS. Mr. President, I am sure I could not get that. I do not know what good it could do even if it were furnished.

Mr. OWLETT. Mr. President, I would like to ask tne Senator from Allegheny whether he checked the lists to see how many of these so-called Republicans had been compelled to register over when they got their WPA jobs?

Mr. McGINNIS. Well, of course, Mr. President, that is politics.

Mr. CAVALCANTE. Mr. President, I desire to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will.

Mr. CAVALCANTE. Mr. President, I would like to ask the Senator from Tioga in what way can that assist this Senate in ascertaining how much relief money is needed.

Mr. OWLETT. Mr. President, that question can very easily be answered. Many of these $5000 and $3600 salaries—in many cases where the people are brought over from other States into Pennsylvania, for the purpose of

having their personal friends here, I think it would be very enlightening to find out about these, because it would show the people of Pennsylvania that if this money were allocated to people on relief and not used to give jobs to switched-over Republican precinct leaders, we would have a much smaller relief roll in Pennsylvania.

Mr. CAVALCANTE. Mr. President, has the Senator from Tioga attempted in a gentlemanly manner tried to obtain that information from Mr. Jones in person?

Mr. OWLETT. Mr. President, in answer to the Senator's question, the Committee made some very earnest attempts to obtain this information from not only Mr. Jones but from Miss Perkins, Miss Frances Perkins, Secretary of Labor, and from every other source we thought from which we thought we might elicit this information, and we continued until Mr. Dickinson, the Deputy Attorney General from Washington, and four, eight or ten other attorneys brought up here, and the Federal Court issued a restraining order against us. We are waiting now until the Federal Court will loosen our hands and will permit us to go after this information in our own way.

That is why, Mr. President, I asked the gentleman from Allegheny whether he could get that information for us, as he was not on this investigating committee and he is very successful thus far in getting information from WPA.

Mr. CAVALCANTE. Mr. President, the Senator from Tioga would do a lot better if he would not try to evade my question, which was, did he in a gentlemanly manner seek to obtain this information from Mr. Jones in person?

Mr. OWLETT. Mr. President, I thought I made my answer clear. I was at the meeting of the Committee on Finance today—came down to Harrisburg early, so that I would be here at the meeting and see Mr. Jones, who was expected to be at the meeting. At the meeting there were present not only Republican members of the Committee, but Democratic members as well,—and Mr. Jones would not appear before us.

Mr. CAVALCANTE. Mr. President, still that does not answer my question—whether the gentleman from Tioga, himself, personally, in a gentlemanly manner, as he says the gentleman from Allegheny asked for that information.

Mr. OWLETT. Mr. President, after Mr. Jones signed a bill in equity for an injunction against our Committee, I certainly did not intend to go to Mr. Jones and ask him for any information.

Mr. CAVALCANTE. Well, Mr. President, did the gentleman from Tioga ask for it before the bill in equity was signed by Mr. Jones?

Mr. OWLETT. Mr. President, I have explained that we asked for it in various different ways from Mr. Jones and from any number of other employes in Mr. Jones' department. At the time of the first meeting we had in Philadelphia we went to a Mr. Sullivan, an attorney in Philadelphia, who told us he had been employed by Mr. Jones to protect his interests, so he would not get in hot water; and we went to Mr. Sullivan—Senator Bean and Senator Scott and I—to his office, and we were told that he had advised Mr. Jones not to give us any information.

Mr. GELDER. Mr. President, the Senator from Fayette, Mr. Cavalcante, has been very persistent about finding out whether or not the Senator from Tioga, Mr. Owlett, has in a gentlemanly manner asked Mr. Jones to get this list. I would say that at a meeting of the Appropriations Committee, attended by the Senator from Fayette, and, if my recollection is correct, a motion was made by one of the Senators and seconded by the Senator from Fayette, requesting the Chairman of the Appropriations Committee to write to Mr. Jones for certain information. This was on May 19th, before the so-called Owlett Committee was formed. The Chairman of the Senate Appropriations Committee wrote to Mr. Jones, as follows:

Harrisburg, Penna., May 19, 1936.

"Hon. Edward N. Jones,
Works Progress Administrator,
47 North Cameron Street,
Harrisburg, Pennsylvania.

"My dear Mr. Jones:

"Members of the Senate Committee on Appropriations would be glad if you could meet with the Committee today at 1:00 P. M. Eastern Standard Time, in the Senate Caucus Room. The Committee is desirous of obtaining information as to the names, addresses, work performed, and salary of persons employed in relief and WPA.

"I would be very glad if you could let me know at your earliest convenience if you could be present today and if not, would you suggest when you could meet with us.

Very truly yours,

FREDERICK T. GELDER."

We had a reply from Mr. Jones in which he says:

"This will acknowledge your request as Acting Chairman of the Senate Committee on Appropriations for 'information as to the names, addresses, work performed and salary of persons employed in WPA.'" And he says, "In conclusion, let me assure your Committee that WPA in Pennsylvania would welcome an impartial inquiry, but WPA in Pennsylvania cannot and will not be tried by a fixed jury."

However, Mr. President, we failed to receive the information, and I want to assure the Senator from Fayette that he tried to frame the request so that it would be courteous, as well as definite.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

APPROVAL OF SENATE BILL No. 14

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 25 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 14, Printer's No. 11, entitled, "An Act providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons providing for the recovery of moneys expended for assistance in certain cases prohibiting political activity by employes of the board providing substitute provisions in case Federal grants for old age assstance shall fail for any reason providing penalties and repealing inconsistent acts."

GEORGE H. EARLE.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

REAPPOINTMENT OF JOSEPH FIELL AS COMMISSIONER OF DEEDS OF PENNSYLVANIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 29, 1936.

To the Honorable, the Senate of the Commnwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the reappointment of Joseph Fiell, 140 Cedar Street, New York City, as Commissioner of Deeds for Pennsylvania with residence in New York City, for a term of five years to compute from July 7, 1936.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 29, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a Notary Public, for a term of four years to compute from the date set opposite his name:

YORK COUNTY

M. M. Grove, York, July 6, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 29, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Edward H. Byrom, 435 Diamond St., Pittsburgh.
James H. Cowan, Oakmont.
H. de S. Kennedy, 1045 Union Trust Bldg., Pittsburgh.
Chas. F. McClintock, McKees Rocks.
Harold G. Whitaker, Dravosburg.

BLAIR COUNTY

Miss Marie C. Muri, Altoona.

DAUPHIN COUNTY

Miss Miriam R. Gunderman, Harrisburg.
James P. Sowers, Harrisburg.

DELAWARE COUNTY

Garrett C. McCarter, Upper Darby.

NORTHAMPTON COUNTY

Miss Mildred A. Ben Venuti, Northampton.

NORTHUMBERLAND COUNTY

Miss Maude E. Rubright, Mount Carmel.

PHILADELPHIA COUNTY

Mrs. Irene Butts, 1722 N. 22d St., Philadelphia.
Miss Ida Damerau, 2230 E. Allegheny Ave., Philadelphia.
Jules Hertz, 2417 E. York St., Philadelphia.
Warren H. Koch, 1212 Vine St., Philadelphia.
Mrs. Irene Stott, 814 Crozer Bldg., 1420 Chestnut St., Philadelphia.

SCHUYLKILL COUNTY

John H. Heffner, Tamaqua.
Roy J. Zimmerman, Pine Grove.

VENANGO COUNTY

Miss Genevieve Snyder, Oil City.

GEORGE H. EARLE.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 143, (Senate Bill No. 98), entitled:

An Act to provide revenue by prohibiting the employment of miners in the bituminous mines, unless certificated after examination by a miners' examining board and the payment of certain fees; providing for the appointment of such boards, and defining their powers and duties; and providing penalties.

Which was committed to the Committee on Judiciary Special.

TIME OF NEXT MEETING

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, June 29, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, July sixth at nine o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening, July sixth at nine o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION GRANTING THE USE OF SENATE CHAMBER FOR PUBLIC HEARING

Mr. COYNE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, June 29, 1936.

Resolved, That the Senate of Pennsylvania grant permission to the Insurance Committee for the use of the Senate Chamber for a public hearing on House Bill No. 55 on Wednesday afternoon, July 1, 1936, at 2:00 o'clock Eastern Standard Time.

SENATE EDUCATION COMMITTEE TO INVESTIGATE STATE-AIDED EDUCATIONAL INSTITUTIONS

Mr. GRAFF. Mr. President, I move that the Senate do now proceed to the consideration of Senate Resolution No. 3, Printer's number 19.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

The resolution was read as follows:

In the Senate, June 3, 1936.

Whereas, Reports have reached members of the Senate

that active attempts are being made to interfere with the orderly management of educational institutions which have been receiving financial assistance from the people of this Commonwealth and notably the Indiana State Teachers College and

Whereas, These attempts are construed as merely the beginning of systematic efforts to debauch the educational system of Pennsylvania long distinguished for attainments made possible by complete freedom from political restraint and

Whereas, The selection of executives instructors teachers and employes of State Teachers Colleges of this Commonwealth has from the very beginning been free from partisan political consideration to the great benefit of the educational system and

Whereas, Dictation of the appointment of members of a faculty of a State Teachers College is only one step from dictation of what shall be taught bringing forcibly to the attention of every resident of Pennsylvania a threatened menace to the free public school system heretofore so sacredly safeguarded therefore be it

Resolved by the Senate of Pennsylvania that the President pro tempore shall appoint a sub-committee of five members of the Committee on Education who are hereby directed to conduct immediately a searching investigation of the situation in order that members of the Senate may be informed of the truth of the reports and the extent and character of the abuses alleged and be it further

Resolved that the sub-committee of the Committee on Education shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before it and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases be it further

Resolved, That the sub-committee of the Committee on Education shall report as speedily as possible to the Senate now in Extraordinary Session the results of its inquiry.

Mr. GRAFF. Mr. President, I move the adoption of the resolution.

Mr. PRINCE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. REED (Washington). Mr. President, it is with reluctance that I arise tonight when we are so tardy with the program that has to do with the issues of the Governor's Call, but there seems to me, coiled up inside of this resolution such grave and serious possibilities that I believe it is my duty to express myself thereon. This resolution had a peculiar origin in this Senate. It was offered on a certain day and shortly after the call went out to the Committee on Education to consider the resolution. At the same time there were many bills and many resolutions bearing directly on the issues of the Governor in the Call lying in the Senate Committees untouched and not considered. Now, this resolution, when I first read it, had certain specifications contained therein relating to two schools of learning in the Commonwealth, one my good old alma mater, the University of Pittsburgh, and the other the Indiana State Teachers' College, but shortly thereafter, sometime thereafter, the University of Pittsburgh was dropped from the resolution and then it began to appear to me that this was not a resolution to investigate institutions, it was a resolution to investigate personalities.

A short time ago, Mr. President, two members of this body rose and in positive terms criticized another member of this Senate for certain remarks which they claimed were not proper under the circumstances, and now tonight we bring out upon the floor of this Senate a resolution which I repeat seems to deal in personalities, and one of the persons, I regret to say, that is mentioned in certain evidence that has arisen since the introduction of this resolution is no other than a high and honorable member of this body, that is, Senator Bennett, of Indiana County, and that is borne out by a copy of a newspaper published out in Indiana County the Indiana County, and, on the headlines of that paper, Mr. President,—I think every member of this Senate had one placed upon his desk—appeared "Bennett Fights," and then if we read down, certain questions are put to Senator Bennett and the answers would appear to be very serious and very obvious. Mr. President, I repeat that this resolution will not do anybody in this Senate, in my opinion, any good. It is going to raise serious disputes over certain propositions in this resolution, and as set out in this Indiana County newspaper. I regret very much, and I notice that Senator Bennett is not in this Chamber, and if we start out to investigate every instance in this State where some public official happens unfortunately to be let out of his position, then I say we are going to get into very serious difficulty and create dissension and discord and disunion among our members, and, Mr. President if this resolution were conceived and fostered at the beginning by such information as is contained in this paper against Senator Bennett, then I would not want to see this fight when it has warmed up to a proper investigation.

Mr. President, I believe in all seriousness that it is a dangerous resolution, it has to do with personalities. It is not a resolution that intends to help or protect our institutions; if it were, I would be in hearty accord with the resolution, but as I see it, it is going to bring injury and harm upon a decent and law-abiding gentleman and upon Honorable Edward Bennett, of Indiana County, and I repeat, Mr. President, that I am against an investiagtion of this nature, and I believe it is the duty of this Senate to vote this resolution down.

Mr. GRAFF. Mr. President I have listened with a great deal of interest to what the Senator from Washington has just stated. I wish to make it perfectly clear that there is no intention on my part, or anyone else who is interested in this resolution, to do anything that in any way would reflect upon Senator Bennett, or in any way do anything that would meet with his disapproval. The Senator from Indiana told me some few weeks ago that he was in favor of this resolution. I am sure that it is farthest from my thought to do anything that in any way would injure any member of this body. I am certain that the Senator from Washington, Mr. Reed, has been very much misinformed if he is laboring under the delusion that I am attempting in any manner, shape or form to injure Senator Bennett.

This resolution aims to bring about fair, thorough and impartial investigation of the persistent rumors and charges that there is political interference at the State Teachers College at Indiana. Now I am sure that every member of this body who has a State Teachers College located within his district, knows that such rumors are flying thick and fast as to political interference in these

institutions, in spite of the fact that the Attorney General has given out the statement that politics does not enter into this situation in Indiana at all. I am satisfied that there is plenty of evidence that will change the minds of the people of this Commonwealth who are disposed, if they are not told to believe that statement made on several occasions in the press.

A number of organizations have been after me very persistently for sometime to introduce this resolution, among them, I might mention the Kiwanis Club of Indiana, the County Grange of Indiana, the Chamber of Commerce, the Alumni Association of State Teachers College representing some ten thousand alumni, the senior class, the faculty, and other individuals, and I have simply been bombarded almost continually for months to introduce this resolution.

I am not attempting to condemn in any manner, I simply want the proof on that and I am satisfied countless other individuals over this State do, and I see no reason why anyone who wants to be fair and square has anything to fear. The only individual to whom this resolution may be dangerous, as the Senator from Washington has said, are those who have been and are guilty of political rottenness and corruption. Anybody who is fair and square and above board has nothing to fear. I will not ask that a special committee be appointed, but rather that a sub-committee of five members of the Committee on Education. As far as I am concerned it is, as I said, to be a fair and square and impartial investigation. Again I say that I see no reason why anyone can object to an investigation of this kind. If everything is all right and above board I should think they would welcome such an investigation, but throughout the State, the length and breadth of it, these reports are continuous and persistent that there is political corruption in practically all of our State Teachers Colleges, and I hope, therefore, the Senate will pass this resolution and that we may go ahead and bring this out into the light and find exactly what the condition is in Indiana.

Mr. REED (Washington). Mr. President, at the first meeting of the Committee on Education Mr. Bennett fought violently against the consideration of this resolution. I was not present at the second meeting of the Committee. I know from the first meeting that he was strongly against the consideration of this resolution by the Senate. Mr. President, I would ask the Senator from Armstrong whether that is not right?

Mr. CAVALCANTE. Mr. President, I disagree with the Senator from Armstrong that there is no just reason why anyone should vote against this resolution. I say that in the light of what has already happened here this evening, the stamp of approval that the injection of politics has been subscribed to by the vote of the Senate and if the majority of the members of this Senate want politics in the administration of State Teachers Colleges, that is a good reason for voting against the resolution.

Mr. McGINNIS. Mr. President, I recall the other night Senator Bennett made a speech on this floor and read a letter that I think he had written to the paper in his home town, which indicated very clearly that all this was an old fight between ex-Senator Fisher and Senator Bennett, and if you read the papers that were thrown on our desks here—I have three of them on my desk—just read the headlines and you will see incidentally, that this school was reeking in politics under Governor Fisher and under the previous administration, and I say to you, Mr. President, it is a splendid thing if that man is out of that school. Any man that will cause so much trouble in the community between two such men as Senator Bennett and ex-Governor Fisher and stir a community up so that it is seething and flaming in the papers, I say, Mr. President, if we fan it more here we will arraign neighbor against neighbor after the flame has died down and these men that have caused so much trouble in past administrations, I say it is time for the Senate of Pennsyvania to keep its nose out of it.

Mr. GRAFF. Mr. President, I do not want to inflict myself upon this Senate much longer. However, I do simply want to make this statement, that what may or may not have appeared in the Indiana paper, or any other paper, I have nothing to do with, I have no power to regulate that and I am not concerned with it.

In answer to the statement that the Senator from Indiana, Mr. Bennett, opposed this resolution at the first meeting of the Committee on Education, that is correct. Later on, after the meeting, he came to my desk we talked the matter over and he said I am with you one hundred per cent on it. I simply want to make these few statements and correct the impression that Senator Bennett is opposed to the resolution.

Mr. LAW. Mr. President, there is another point that I do not like about this resolution in its language, and that is that in view of all this that was said back and forth, the resolution in the third "Whereas" clause, attempts to throw a cloak of purity around the past performances of this gentleman in Indiana. If it were a general resolution to investigate politics from the beginning of the institution or for sometime past I would be glad to vote for it, but I cannot vote for it in its present form,

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and Mr. PYTKO and were as follows, viz:

YEAS—30

Aron,	Graff,	Pierson,	Shapiro,
Batchelor,	Harris,	Prince,	Sordoni,
Bean,	Harvey,	Rankin,	Staudenmeier,
Buckman,	Homsher,	Reed,	Thompson,
Chapman,	Howell,	(Dauphin)	(Westmoreland)
Coyne,	Mallery,	Rodgers,	Trainer,
Ealy,	McClure,	Salus,	Woodward,
Gelder,	Owlett,	Scott,	Ziesenheim,

NAYS—17

Baumer,	Lanius,	Pytko,	Roberts,
Cavalcante,	Law,	Reed,	Rupp,
Frey,	McCreesh,	(Washington)	Ruth,
Huffman,	McGinnis,	Rice,	Sones,
Kahle,	Miller,		

So the question was determined in the affirmative.

BUDGET SECRETARY REQUESTED TO FURNISH SENATE LIST OF DEPARTMENTAL EMPLOYES ON PER DIEM BASIS.

Mr. REED (Dauphin). Mr. President, I move that the Senate do now proceed to the consideration of Senate Resolution No. 5, Printer's No. 20.

Mr. GRAFF. Mr. President, I second the motion.

The motion was agreed to.

The resolution was read as follows:

In the Senate, June 22, 1936.

Whereas, It is common report that numerous persons have been appointed to departmental positions in various departments of the State Government under the Governor on a per diem basis and are now enjoying such employment on such a basis and that many of these per diem employes have been connected with the State Government service for months and

Whereas, It is to the best interest of the people of Pennsylvania that such a practice should cease and that employes now on a per diem basis either should be placed on regular salary or be dismissed therefore be it

Resolved By the Senate of Pennsylvania that the Budget Secretary is hereby requested to inform the Senate at the earliest possible moment the number names and addresses of persons on the departmental payrolls on June fifteen one thousand and nine hundred thirty-six on the per diem basis (other than persons customarily employed on a per diem basis like those in field work) and the amount of such per diem pay according to the departments in which such persons are employed and be it further

Resolved That it is the opinion of the Senate of Pennsylvania that employment of persons on a per diem basis except in the case of emergency should be discontinued as speedily as possible.

Mr. REED (Dauphin). Mr. President, I move the adoption of the resolution.

Mr. THOMPSON (Westmoreland). Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LAW. Mr. President, I would like to interrogate the Senator from Dauphin, Mr. Reed.

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated?

Mr. REED (Dauphin). Mr. President, I will.

Mr. LAW. Mr. President, I would like to ask the Senator from Dauphin, Mr. Reed, if this resolution, in its language, includes the employment of per diem employes in other departments not under the Governor, the Auditor General's and State Treasurer's offices also.

Mr. REED (Dauphin). Mr. President, I think we will be very glad to have that information.

Mr. LAW. Mr. President, the reason I asked the question is that it is not in the original request, although later it asks for information as to all departments.

Mr. REED (Dauphin). The Senator from Mercer can read just as well as I can. I take it that all the departments of the State Government are included.

Mr. LAW. Mr. President, will the Senator from Dauphin, be willing to have an additional resolution if he finds it is not so considered.

Mr. REED (Dauphin). Mr. President, I will be very glad to.

Mr. CAVALCANTE. Mr. President, I wish to interrogate the Senator from Dauphin, Mr. Reed.

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated?

Mr. REED (Dauphin). Mr. President, I will.

Mr. CAVALCANTE. Mr. President, will the Senator from Dauphin, Mr. Reed, agree to an amendment to this resolution, striking out on line 3 the words "under the Governor," the last three words.

Mr. REED (Dauphin). Mr. President, I have no objection to that.

Mr. CAVALCANTE. Mr. President, I move to amend the resolution on page 1, line 3, by striking out after the word "government" the words "under the Governor."

Mr. REED (Dauphin). Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the resolution as amended?

Mr. McGINNIS. Mr. President, I would like to interrogate the Senator from Dauphin, Mr. Reed.

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated?

Mr. REED (Dauphin). Mr. President, I will.

Mr. McGINNIS. Mr. President, this resolution reads "resolved by the Senate of Pennsylvania that the Budget Secretary is hereby requested to inform the Senate." Does the Senator from Dauphin believe that the Budget Secretary can get the information from the Auditor General's office and State Treasurer's office?

Mr. REED (Dauphin). Mr. President, I do not see why he could not.

Mr. McGINNIS. Mr. President, I have been informed that he cannot.

Mr. REED (Dauphin). Mr. President, I do not think that is a very serious objection. If he cannot give it, and the Senator from Allegheny, Mr. McGinnis, wants that particular information, I would be very glad to aid the Senator in securing it.

Mr. McGINNIS. Mr. President, not unless the entire Senate wants it, I am not particular about it.

And the question recurring,

Will the Senate agree to the resolution as amended?

It was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. McCLURE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. Will the Senator fom Delaware, Mr. McClure, state his question of personal privilege?

Mr. McCLURE. I believe, Mr. President, we would rather not hear any more about the WPA tonight, but there seems to be a great desire here for information. I have here an editorial which appeared in the New York Herald Tribune, on Thursday, June 25th, which I intended handing to my colleague from Tioga, so that he could better understand the reason why he was unable to secure information from Administrator Hopkins, of the WPA, but I now believe it would be well to read this editorial, so that every member of the Senate can be more informed. It is headed "High-handed Harry":

HIGH-HANDED HARRY

That public works are of public concern is a proposition so obvious that no one, prior to 9:31 a. m. on June 13, 1936, had reason even to formulate the principle, let alone question it. But at that hour and minute of that day and year was filed F. R. Doc. 912, published in the Federal Register of June 16, under the heading of "General Letter No. 36" addressed to "All State Works Progress Administrators," which by implication proclaims a philosophy utterly at variance with the proposition above stated.

To all of his many minions Administrator Hopkins has issued the stringent warning that under no circumstances must they disclose any information or furnish any papers or documents about anything connected with the Works Progress Administration except to persons having official business with that organization. Furthermore, "in all cases where a WPA official or employee is requested to

testify in regard to matters of an official or confidential character, knowledge of which was acquired in his official capacity, he shall respectfully decline to answer." Even if the courts intervene he is directed to state that the matter is privileged and cannot be disclosed without specific approval from the Federal Administrator.

Ostensibly, of course, this is to co-ordinate and centralize the giving out of information to the public. But in actual practice it is a muzzle of the tightest sort, and can only have the effect of still further embarrassing the efforts of the public to learn the unbiased truth about the waste, extravagance and inefficiency of the Administration's public works program. Already so many instances are locally reported of utterly unjustifiable use of public funds and of the increasing injection of politics into the whole relief administration that common sense would suggest a policy of complete frankness and openness. But Mr. Hopkin's repressive order takes the opposite course. It seeks still further to hide from the public what the public has every right to know. Worse, even, it smacks of the dictatorial spirit—of the desire to manacle government hirelings—not in the interest of the public but so as to help cover up the mistakes of stubborn officials.

The most that can be said in Mr. Hopkins' behalf is that this spirit did not originate with him. It has been obvious in all types of New Dealers, from the President down to the least of the "happy hot dogs." Its base is bitter resentment of criticism and a determination to stifle it by means fair or foul. Mr. Hopkin's latest attempt shows scant confidence either in his own personnel or in the American people from whom he seems so eager to hide what his hirelings are doing.

RESOLUTION RELATIVE TO REAPPOINTMENT OF SENATORIAL DISTRICTS

Mr. HARRIS offered the following resolution, which was twice read:

Whereas, The Constitution makes it mandatory that after each decennial census that there be a reapportionment of Senatorial Districts into fifty senatorial districts of compact and continguous territory as nearly equal in population as may be, and each district shall be entitled to elect one Senator. Each county containing one or more ratios or population shall be entitled to one Senator for each ratio, and to an additional Senator for a surplus of population exceeding three-fifths of a ratio, but no county shall form a separate district unless it shall contain four-fifths of a ratio, except where the adjoining counties are each entitled to one or more Senators, when such county may be assigned a Senator on less than a ratio, and no county shall be entitled to separate representation exceeding one-sixth of the whole number of Senators. No ward, borough or township shall be divided in the formation of a district. The Senatorial ratio shall be ascertained by dividing the whole population of the State by the number fifty. And

Whereas, This provision has been ignored by the Legislature and

Whereas, Several attempts have been made to have this mandate carried out, therefore

Be It Resolved, That the President Pro Tem appoint a committee of six (6) members of the Senate and five (5) citizens of Pennsylvania and the purpose of this committee will be to make a survey of the State and to recommend to the next session of the Legislature a comprehensive plan of reapportionment to provide for fifty (50) senatorial districts in conformity with Article II, section XVI of the Constitution.

Mr. HARRIS. Mr. President, I ask unanimous consent that Rule 39 which requires that resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the Resolution just read.

The PRESIDENT. Is there objection.

Mr. BUCKMAN. Mr. President, I object.

The PRESIDENT. The Chair hears objection and the resolution is referred to the Committee on Legislative Apportionment.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I would like to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will be glad to.

Mr. SHAPIRO. Mr. President, the Senator from Delaware read an editorial from the Herald Tribune. In order that we may be fully informed, I would like to inquire if he knows the publisher of that paper.

Mr. McCLURE. Mr. President, I do not know who the publishers are.

Mr. SHAPIRO. Mr. President, I suggest that he might look and try to find the name of Ogden Mills as the publisher of the paper.

Mr. McCLURE. Mr. President, if Mr. Ogden Mills is the owner of the paper, I heartily approve of the article in it.

RESOLUTION REQUESTING PUBLIC SERVICE COMMISSION TO INVESTIGATE STREET CAR FARES FOR SCHOOL CHILDREN IN PHILADELPHIA

Mr. McCREESH offered the following resolution, which was twice read, considered and agreed to:

Whereas, The cost of transportation of pupils to the school districts in the City of Philadelphia is a matter of grave concern to its citizens and it is believed that it is far greater than the circumstances require, therefore, be it

Resolved (if the House of Representatives concur), That the Public Service Commission of Pennsylvania is hereby requested to make an investigation through its existing facilities with the view of ascertaining whether on the basis of valuation and income or on any other basis the street railway companies operating in the City of Philadelphia may be required to issue tickets for school pupils only at a rate not to exceed twenty-five cents (25c) per week.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

QUESTION OF PERSONAL PRIVILEGE

Mr. McCLURE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Delaware, Mr. McClure, will state his question of personal privilege.

Mr. McCLURE. Mr. President, I have examined the New York Herald Tribune, at the request of the Senator from Philadelphia, Mr. Shapiro, and find he is confused, as he usually is. Ogden Reid is the President, Howard Davis, Second Vice-President, Robert Cresswell, Treasurer.

Mr. SHAPIRO. Mr. President, of course, my friend was not confused, but when he says that I am confused, I am beginning to believe that they are all getting rather confused. What I said to the Senator from Delaware was that if he would examine the paper he would find it is published by the Reid family, of which Ogden Mills is a member. He is only confirming my statement.

QUESTION OF PERSONAL PRIVILEGE

Mr. HARRIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his question of personal privilege.

Mr. HARRIS. Mr. President, since the resolution I presented was objected to by the Senator from Bucks, Mr. Buckman, with whom I have disagreed very frequently, I desire to say that I find I am Chairman of the Legislative Apportionment Committee, and I will guarantee that this resolution will receive a respectful hearing.

The PRESIDENT. The Chair so understood when the resolution was referred to that Committee.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

ACTION DEFERRED ON CALENDAR

Mr. HUFFMAN. Mr. President, because of the lateness of the hour, I move that all of the bills on the Calendar go over until tomorrow.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11 o'clock.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:52 P. M. until tomorrow morning, June 30, 1936, at 11 o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 29, 1936

The House met at 9:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend MARSHALL L. SHEPPARD, a member of the House, offered the following prayer:

Dear Lord and Father of all mankind, we pray Thee that Thou will forgive us for our many failures and shortcomings. As we gather here at the beginning of this week's session, we pray Thee that we may have the heightened sense of our responsibilities to the people of this Commonwealth and to God. Guide us in all of our deliberations. Bless, we pray Thee, those members of our families and friends whom we have left behind.

Bless the Speaker of this House and all of his aides, and may all that we say and do here be done with an eye single to The glory. We present these petitions in the Master's Name and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, June 24, 1936.

The Clerk proceeded to read the Journal of Wednesday, June 24, 1936, when, on motion of Mr. HAGERTY the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 8. (HOUSE BILL No. 155).

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

COMMUNICATIONS

The SPEAKER laid before the House the following communication which was read by the Clerk.

EMERGENCY RELIEF

A communication and resolution from the Workers Alliance of America, Bethlehem, urging passage of House Bill No. 108 and suggesting amendments.

Referred to the Committee on Appropriations.

LEAVES OF ABSENCE

Mr. Kinney asked and obtained leave of absence for Mr. VAN ALLSBURG for this week's sessions on account of death in the family.

Mr. ARNOLD asked and obtained leave of absence for himself for the remainder of the week after to-night's session.

Mr. Sloan asked and obtained leave of absence for Mr. STEWART for this week's session on account of illness.

Mr. SHREINER asked and obtained leave of absence for himself for the remainder of the week after to-night's session.

Mr. Forrest asked and obtained leave of absence for Mr. PETERS for this week's sessions.

Mr. Reynolds asked and obtained leave of absence for Mr. JACKSON for this week's session on account of death in the family.

Mr. Finnerty asked and obtained leave of absence for Mr. OMINSKY for to-night's session.

REPORTS FROM COMMITTEES

Mr. SIMON, from the Committee on Rules, reported as amended, House Resolution No. 29.

Mr. EBERHARTER, from the Committe on Rules, reported as committed, House Resolution No. 31.

RESOLUTION

THANKS EXTENDED TO THE MAYOR OF PHILADELPHIA

Mr. WITKIN asked and obtained unanimous consent to offer a resolution which was twice read as follows:

In the House of Representatives, June 29, 1936.

Whereas, The Democratic party held its Presidential Convention in Philadelphia, the city of homes, known for its hospitality; and

Whereas, Mayor S. Davis Wilson of the City of Phila-

delphia was most instrumental in having the convention meet in that city, and gave unsparingly of his time, ability and energy in making the convention a success; and

Whereas, The visitors and delegates to the National Convention were most pleasantly received; and

Whereas, Mayor S. Davis Wilson, his official family and citizens of Philadelphia, all cooperated in a real way to make all the delegates and visitors satisfied with their visits; and

Whereas, The police arrangements, superintended by His Honor, the Mayor, were most perfect from start to finish; and

Whereas, Mayor S. Davis Wilson, by reason of his efficiency, aggressiveness and ability, has materially helped the City of Philadelphia to be known throughout the length and breadth of the Commonwealth of Pennsylvania and the United States of America and all its possessions, for its generosity, hospitality and efficient management; and

Whereas, His action enures to the credit of the city of Philadelphia and the Commonwealth of Pennsylvania; therefore be it

Resolved, That the General Assembly extends its congratulations and thanks to the Honorable S. Davis Wilson, Mayor of the City of Philadelphia, for the official arrangements which were made to entertain the Democratic National convention, and for the able and efficient way in which they were carried into execution under his leadership.

Resolved, That a copy of this resolution be transmitted to the Mayor of the City of Philadelphia by the Chief Clerk of this House.

On the question,

Will the House adopt the resolution?

Mr. COHEN. Mr. Speaker and members of the House, I shall ask the Democratic members to vote for this resolution. I believe that the thanks of the Governor of this Commonwealth and the Democratic leader of the city of Philadelphia have already been extended to his Honor, the Mayor, but I feel that it is most proper that we should join in unanimous thanks to the mayor of the great city of Philadelphia for the wonderful manner in which he handled the crowds at the great Democratic Convention.

Mr. WITKIN. Mr. Speaker, and members of the House, I want to thank the gentleman from York for his very complimentary remarks in honor of the best mayor Philadelphia ever had, who stands over there on my right.

The SPEAKER. The Chair wishes to thank the gentleman from Philadelphia for calling the attention of the House to the fact that the Mayor of the City of Philadelphia is in the hall of the House.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

APPOINTMENT OF COMMITTEE

The SPEAKER. The Chair appoints as a Committee to escort the Mayor of Philadelphia to the rostrum the gentleman from Philadelphia Mr. Witkin, and the gentleman from York Mr. Cohen.

REMARKS BY HONORABLE S. DAVIS WILSON

Honorable S. DAVIS WILSON. Mr. Speaker and members of the General Assembly, this is indeed a surprise, a pleasant surprise. I very deeply appreciate the unusual courtesy in passing this resolution. However, I merely did what I know Jack Kelly would have done if he had been elected Mayor, and as a matter of fact it was Jack Kelly who helped me all the way through to do the things that were done in the city of Philadelphia during the Convention. He and I worked together, hand in hand, to show not only the state of Pennsylvania but the entire country what a wonderful city Pennsylvania has in Philadelphia. I feel that we have spread good will all over the country, good will which will react to the benefit of the entire Commonwealth as well as the city of Philadelphia.

Of course, you know I am not a politician, but I think Senator Penrose, when the city charter for Philadelphia was prepared many years ago, must have had in mind that some day I might be Mayor of the City of Philadelphia, because he was good enough to have inserted in that document that the Mayor of Philadelphia should not be active in politics. I am thankful to him, because it leaves me entirely free to give all my time and attention to the administration of the important duties of my office for the benefit of all of the people of Philadelphia, the two million people, without regard to their political affiliations.

The SPEAKER. The Chair wishes to thank his Honor, the Mayor of the city of Philadelphia for his remarks to the House of Representatives.

QUESTION OF PERSONAL PRIVILEGE

Mr. BERNHARD. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BERNHARD. Mr. Speaker and members of the House, page 681 of the Legislative Journal of last Monday, June 22, on the next to the last line on that page reads as follows: written by Dr. Shifferstine of Lansford, Pennsylvania." This should have read "written by Dr. Pounder of Lansford, Pennsylvania."

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

STATEMENT BY MR. TROUT

Mr. TROUT asked and obtained unanimous consent to make the following statement:

Mr. TROUT. Mr. Speaker and members of the House, there have been numerous proposals made in this body which violate an obligation assumed by the State. I refer to those tampering with motor taxes; the taxes which have already have been collected and deposited in the motor fund, as well as motor taxes proposed for purposes other than roads. I feel that we must assume a position on these proposals, which we can justify to our constituents. I, for one, am taking the stand that existing loans from the motor fund must be repaid promptly, and that further attempts to unload general burdens upon the motorist must be defeated.

From the inception of state highway activities in 1903, through the Sproul reorganization of 1911, and the further reorganization of 1921, until a short time ago, one basic principal guided highway construction. It was followed by such men as Bigelow, Sproul, Sadler and Fisher. It is simple, namely: a road must be built to last, and as Sadler expressed it, a road must begin somewhere and end somewhere. It must be built with an eye to future traffic.

Upon that principal our primary and secondary road systems were administered and built up. Upon that prin-

cipal state aid was furnished for secondary roads. Township reward was provided to give fair and equitable assistance on strictly local roads. Roads were built which kept maintenance requirements at a low figure.

Throughout this same period one fundamental principle was followed in the collection of special taxes from motorists; namely, the creation of a trust fund for road improvements. From the inauguration of the automobile license fee in 1905, through the enactments of the various gasoline taxes, the two bond issues and the drivers licenses, it was agreed by the motorists who willingly accepted these special taxes, and the legislatures which enacted the laws, that the proceeds were to be held in trust for highway improvements.

Because of adherence to these principles and to wise administrative policies, our highway system grew in an orderly manner until, in 1930, it included 13,765 miles of primary and secondary roads, together with 2,127 bridges. Adequate and low maintenance surfacing had been placed upon a large percentage of the system.

In 1931 came the first change in the orderly development of state highways when 20,156 miles of township roads were added to the system. In 1934 came the first deviation from the fundamentals of highway or motor taxation, with the borrowing of $5,140,000 from the motor fund. A serious deviation because a large portion of this loan still remains unpaid.

Further additions were made during 1933 and 1935, when 3,079 miles of roads, 994 miles of streets and 8,240 bridges were placed upon the State system.

During the past five years a total of 24,297 miles of roads and streets, with 8,240 bridges, have been added to our State system. In addition, heavy allocations have been made to some 46,000 miles of strictly local roads; property damage has been assumed by the State in many cases. A tremendous financial burden has thus been placed upon motor taxes.

In spite of the overwhelming increase of the responsibilities of the highway department, the violation of the principle of motor taxation has continued. During the 1935 session of the legislature, $4,200,000 was borrowed from the motor fund. A one-cent gasoline tax for relief was imposed upon motorists. In February of this year, $5,000,000 more was transferred. During the present session, $5,216,211 more has been borrowed. To date, a total of $17,556,211 is due the motor fund. I repeat—$17,556,211—some of it outstanding for two years.

The principles of motor taxation have been violated not only in the overdue loans, but by the collection of $12,000,000 of gas tax for relief.

I call your attention to the fact that up to the beginning of this session every special fund had been repaid except the motor fund.

Inactive funds have received repayments totalling $15,700,000. The motor fund received during the same period a payment of only $2,000,000, which was followed almost immediately by borrowing for general purposes $5,000,000.

The motor fund provides employment for thousands of men on the roads and in the plants producing road materials. Properly expended, it reduces the tremendous loss of life and property in motor accidents. Yet that fund has been discriminated against, and the results are already apparent to anyone who travels our highways.

It is time, I say, to recognize our obligation to the motorists, to use motor taxes for the motorist's benefit and the employment of men upon worthwhile work. Every honest and upright American, able to work, wants a job—not a dole. Let's be honest with the motorist and give the laboring man a chance to keep his self respect.

If we do not need all of the income from motor taxes—that is gasoline tax and license fees—let's give them back to the motorist where they belong, and then levy general relief taxes which affect all taxpayers equally.

But let's be sure we're right before the state highways or their finances are further tampered with. Let me call these facts to your attention.

Since 1930 road and street mileage equalling the circumference of the globe has been added to the state system. Maintaining this tremendous mileage of dirt and low-cost roads will take $22,000,000. Repair and reconstruction of over 8,000 bridges has been turned over to the State Highway Department in the same period. Floods, frosts and winter snows have added $20,000,000 to maintenance costs. Snow removal alone cost $4,000,000 last year. Yet, in the same period $17,556,000 has been withheld from the motor fund. A one cent gasoline tax for relief bringing in $12,000,000 per year, has been saddled upon the motorist.

I say it would be better to use this money for sorely-needed highway improvements, giving employment through contractors, gravel, stone and cement plants, rather than to depend upon inefficient untrained WPA workers for highway betterments.

Unpaid loans from the motor fund total $17,556,000; add to this the gasoline tax of one cent paid for relief during the first year of the present biennium and the same tax continued for the second year of the biennium and to be paid into the General Fund makes a total of $24,000,000 in gas taxes, making a total diversion of funds of $41,500,000, which should have gone into the immediate construction and improvement of highways.

I ask you to pause for a moment and consider the employment this amount of money would provide. I ask you to consider the needs of our highways, the danger spots, narrow bridges and rough roads you see on every drive.

Our highway system is faced with two sinister threats. On one hand there is the tremendous and growing cost of thousands of miles low low-type construction which must be kept in repair. On the other hand is the gradual reduction in available road money, either through direct diversion to other purposes or by temporary loans. Highway ruin lies behind each condition.

Until these threats are removed, the investment of years is endangered. Motor taxes are collected as a trust fund for highway improvements. With ninety-one cents out of every highway construction dollar going to wages and salaries they provide the best known form of work relief. Every day newspapers record fatal motor accidents caused by dangerous road conditions. Let's keep the road funds where they belong—on the roads—and make a real contribution toward solving the whole problem.

Mr. Speaker and members of the House, in conclusion let me say, I have no connection directly or indirectly with certain interests in this Commonwealth that have been attacked on the floor of this House. As I stated before on the floor of the House, I am not in sympathy with the rise and fall of the price of gasoline. I am not opposed to a

tax on gasoline for other purposes than the construction and maintenance of highways, for any other reason than that it is breaking faith with the motorists of this Commonwealth, and let me further state that neither myself nor any other member of the House can justify to his constituents any support for increased gasoline tax or diversion of motor funds for any other purpose except for that for which they were originally intended.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 105, entitled:

An Act to provide revenue by authorizing the Pennsylvania Liquor Control Board to issue package retailers' licenses for the sale of malt and brewed beverages in limited quantities for consumption off the premises where sold; imposing license and filing fees, and providing for the collection and distribution thereof; regulating and restraining the traffic in malt and brewed beverages by such licensees, and restricting the use, ownership and interest in licensed places; imposing duties upon the courts of quarter sessions and the Department of Justice; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. VANSICKLE. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for further study and amendment.

On the question,

Will the House agree to the motion?

Mr. HOLSTROM. Mr. Speaker and members of the House, I arise to oppose this, what I might term facetious, motion in view of the fact that this bill has been in front of all the members of the House for at least a month, printed in pink. It came out of the Committee on Law and Order, which Committee I hold in the highest regard. I feel that the members of that committee knew what they were doing when they brought the bill out on the floor of the House. We have held a public hearing on the bill, have listened to both sides of the story, and I would say let us have the courage of our convictions and either vote "yes" or "no" on this bill when it comes up at its third reading, which is the proper time. I, therefore, ask the members of this House to vote "no" on this motion and I ask for a roll call.

Mr. VANSICKLE. Mr. Speaker and members of the House, bfore we have the courage of our convictions and vote "yes" or "no" on this bill, we should see that the bill is in proper form and proper shape in order that we may intelligently vote "yes" or "no".

May I briefly call to the attention of the members of this House the fact that there are many errors in the bill at the present time. There are a vast number of amendments to be presented in connection with this bill, and in order that the time of the House may be saved from the consideration of these matters, the proper place to consider the bill is in committee. I, therefore, ask the members of this House to vote in favor of the recommission of this bill.

Mr. HOLSTROM. Mr. Speaker and members of the House, I just want to say one short word on this motion. When this bill reaches second reading, I shall be very happy and very glad to entertain any amendments that will improve this bill.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. HOLSTROM and Mr. CHERVENAK.

Mr. VANSICKLE. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—125

Achterman,	Decker,	Linderman,	Schropp,
Alexander,	Dent,	Long,	Serrill,
Allen,	Diehl,	Longaker,	Shugarts,
Altenburg,	Dilley,	Male,	Siegel,
Andrews,	Downey, J. J.,	McDermott,	Simon,
Anthony,	Duffort,	McElroy,	Simpson,
Arnold,	Falkenstein,	McHenry,	Sloan,
Atkins,	Flynn,	McKinney,	Snyder, F. E.,
Aukerman,	Forrest,	Mentzer,	Sowers,
Baker, F. T.,	Gerard,	Merrell,	Sproul,
Baker, J. J.,	Gillette,	Moomaw,	Stank,
Baldi,	Habbyshaw,	Moore,	Stone,
Barnhardt,	Haberlen,	Moran,	Stott,
Beadman,	Hagerty,	Moul,	Surface,
Bernhard,	Haluska,	Murrin,	Sweeney,
Boose,	Hamilton, F. P.	Nagel,	Tronzo,
Boyd, R.,	Harmuth,	Nothnagle,	Trout,
Boyer,	Hartman,	Panton,	Tumelty,
Bradley,	Hefferon,	Parks,	Turner,
Brennan,	Hermansen,	Patterson, C.,	VanSickle,
Brown, H. S.,	Hetrick,	Patterson, J. W.,	Wall,
Brownfield,	Hindman,	Pearson,	Welliver,
Brumbaugh,	Hirsch,	Perry,	Welsh,
Cannon,	Hoffner,	Pfaff,	Westrick,
Carr,	Holland,	Piole,	White,
Carson,	Kelder,	Powers,	Winner,
Chervenak,	Kelso,	Reising,	Wood,
Coakley,	Kenney,	Robinson,	Woodside,
Cochran,	Kilroy,	Rooney,	Yeakel,
Coleman,	Klingler,	Scanlon,	Yourishin,
Condon,	Kobelak,	Schaeffer,	Furman,
Coolahan,	LaRue,	Schrock,	

NAYS—48

Baine,	Finnerty,	McCreary,	Schwab,
Baumberg,	Fitch,	Melchiorre,	Shaw,
Brancato,	Flanagan,	Mooney,	Shepard,
Brown, J. E.,	Flinchbaugh,	O'Keefe,	Shortz,
Cohen,	Gates,	O'Neill,	Shreiner,
Cooper,	Hamilton, R. S.,	Phillips,	Stevens,
Cordier,	Holstrom	Rhys,	Sumney,
Davies,	Hoopes,	Rinn,	Tahl,
Denning,	Horst,	Roan,	Terry,
Downey, G. E.,	Kane,	Root,	Wasserman,
Eberharter,	Kinney,	Royer,	Weidemann,
Erne,	Lynch,	Ruffennach,	Witkin,
Ferko,	Mason,	Sarraff,	

So the question was determined in the affirmative and the motion was agreed too.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 138, entitled:

An Act limiting the hours of employment and providing penalties for the violation thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. YOURISHIN. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor for the purpose of further study and amendment.

The motion was agreed to.

epresentatives of the Commonwealth of Pennsylvania
n General Assembly met and it is hereby enacted by
ne authority of the same That any city of the first class
ay when authorized by ordinance duly adopted by the
ouncil of such city sell from time to time at public sale
elinquent registered tax anticipation certificates repre-
enting all or such parts of the registered delinquent
axes due to such city as may be determined in such
rdinance The said certificates shall be in such form
nd in such denominations as shall be prescribed by said
rdinance and may be for an undivided interest in the
elinquent registered taxes due such city or for desig-
ated parts or units thereof Such parts or units shall be
sted in separate schedules which same shall include a
tatement of the locations of the properties and the years
nd amounts of delinquent registered taxes due upon
ach of said properties and the moneys realized from
ne parts or units of the registered delinquent taxes shall
e segregated for the retirement of the certificate or cer-
ificates issued against said parts or units The said cer-
ificates shall be executed and signed by the mayor of
id city and shall bear interest at a rate not exceeding
ve per cent per annum until they shall be paid to the
older or holders thereof as hereinafter provided Any
uch city issuing said certificates shall proceed to col-
ct the said delinquent registered taxes as provided by law
he proceeds of the collection of the delinquent registered
axes against which such certificates may be drawn shall
e set apart in the city treasury as a special fund for
ne retirement of such certificates and may be invested
n bonds of the said city the Government of the United
tates or the State of Pennsylvania as directed by ordi-
ance and neither the amounts of delinquent taxes so
ollected nor the interest nor principal of such invest-
ents shall be used for any other purpose until a suf-
cient amount thereof has been collected to retire all of
ne certificates sold which are based on said delinquent
egistered taxes or such designated part or unit thereof
When and as the receipts of delinquent taxes contained
n the schedule against which such certificates shall have
een issued shall together with the accretions thereon
ggregate the total amount of such certificates together
ith any unpaid interest thereon said certificates shall
e paid in full and surrendered to the city At the option
f any such city appropriations from current or other
unds except for debt service may be utilized for the
urpose of aiding in or hastening the retirement of such
ertificates or any of them

Section 2 Upon the authorization by ordinance of the
ale of delinquent registered tax anticipation certificates
s hereinabove provided the mayor the city solicitor and
ne city controller or any two of them may make and
ransmit to the city council an estimate of the amount
hich may reasonably be expected to be realized from
ne sale thereof during the current calendar year and
ne council of such city shall thereupon have authority
o appropriate for the current or other purposes of said
ity in addition to other appropriations the amount so
stimated as reasonably expected to be realizable there-
om during such year Should the actual receipts from
uch sale or sales be greater than the sum or sums so
stimated the excess sums so realized may also be made
ne subject of additional appropriation Provided how-
ver That the power to make such additional appropria-
ons as herein conferred shall extend only to the excess
f such estimate or actual receipts above the amount of
stimated receipts from delinquent taxes which shall
ave theretofore been made a basis for the current appro-
riations in the financial program of such city for such
ear

Section 3 The council in passing such authorization
rdinance shall have the power to regulate and prescribe
ne method of public sale of such delinquent registered
ax anticipation certificates the amount thereof which
hall be offered for sale the minimum or upset price or
rices which are to be accepted therefor the times and
ethods of public advertisement of such sales the regis-
ered delinquent taxes on the specific property or prop-
rties which shall form the basis for the issuing of the
articular certificates so authorized to be sold the form
f such certificates and the authorization of re-sale of

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 153, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such monies may be expended, and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments, and ratifying, confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 154, entitled:

An Act ratifying, confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund, and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 136, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine be amended by adding thereto the following section

Section 17 In addition to the purposes stated in article nine section four of this Constitution the State may be authorized to issue bonds to the amount of forty-two millions of dollars ($42,000,000) for the acquisition of lands and buildings and the construction and improvement of State owned buildings and the equipment thereof for the care and maintenance of penal offenders delinquents mental defectives epileptics persons mentally diseased and tuberculous patients

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 123, as follows:

An Act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes of funds realized or estimated to be collectible from the sale thereof

Section 1 Be it enacted by the Senate and House of

any portion of any issue which may not be fully sold at the original sale thereof and such other incidental matters details and requirements as may be deemed by the said council proper adequate and desirable for that purpose

Section 4 All acts or parts of acts inconsistent herewith to the extent of such inconsistency be and the same are hereby repealed

On the the question,

Will the House agree to the bill on third reading?

BILL PASSED OVER

Mr. EBERHARTER. Mr. Speaker, at the request of the sponsor of this bill I ask that the bill be passed over in its order.

The SPEAKER. The bill will be passed over in its order.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 110

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 25, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 110, Printer's No. 108, entitled, "An Act providing that no person shall be denied refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate and providing penalties."

GEORGE H. EARLE.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION No. 33

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution No. 33, authorizing the Governor and the fiscal officers to transfer to the General Fund the sum of one million dollars ($1,000,000) from the Liquor License Fund for the balance of June 1936 and a further sum of one million dollars ($1,000,000) from the Liquid Fuels Tax Fund to apply on any requirements for relief for the month of July 1936; making available to the State Emrgency Relief Board the aggregate sum of two million dollars ($2,000,000) for unemployment relief purposes as set forth above; and pledging the General Assembly to enact appropriate legislation at this session.

GEORGE H. EARLE.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 17, 45, 52 and 53

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 17, Printer's No. 132, entitled, "An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act."

House Bill No. 45, Printer's No. 137, entitled "An Act validating certain proceedings and elections of political subdivisions had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled 'An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' and the amendments and supplements thereto and validating bonds or other security issued or authorized to be issued in pursuance of such proceedings and elections."

House Bill No. 52, Printer's No. 75, entitled "An Act providing for the reduction of interest rates upon outstanding callable bonds of the Commonwealth under certain conditions in lieu of the redemption thereof and defining the powers and duties of the Governor the Auditor General the State Treasurer and the duly authorized loan and transfer agent of the Commonwealth relation thereto."

House Bill No. 53, Printer's No. 136, entitled "An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania Series "D" for the purpose of refunding redeeming and retiring said Series "D" authorizing the exchange of bonds of said Series "D" for those issued hereunder defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation."

GEORGE H. EARLE.

BILL ON SECOND READING

Mr. PARKS. Mr. Speaker, I ask unanimous consent of the House to call up out of order House Bill No. 63, Printer's No. 151, on page 2, of today's calendar, bills on second reading.

The SPEAKER. Will the House give its unanimous consent to call up the bill at this time? Are there objections?

Mr. EBERHARTER. Mr. Speaker, I object to the consideration of this bill at this time.

Mr. WITKIN. Mr. Speaker, may I interrogate the gentleman from Allegheny, Mr. Eberharter.

The SPEAKER. Will the gentleman from Allegheny, Mr. Eberharter, permit himself to be interrogated?

Mr. EBERHARTER. Mr. Speaker, I will.

Mr. WITKIN. Mr. Speaker, in view of the fact that the gentleman from Blair, Mr. Parks, happened not to be in his seat when bills on second reading were called, will the gentleman from Allegheny not agree to withdraw his objection, so that he at least can call up the bill, and then, of course, any action that he may wish to take will be entirely within his prerogative. But it seems to me,

that the courtesy, if I may make the statement, while I am asking the question, should be given to the gentleman who happened to be at the back of the House when bills on second reading were called.

Mr. EBERHARTER. Mr. Speaker, in answed to the gentleman from Philadelphia, my reason for objecting to the consideration of this bill at this time was for the simple reason I want to show the sponsor of the bill the courtesy of informing him that there was some sentiment on this side of the House that the bill should be referred back to committee, and I wanted the opportunity to confer with the sponsor of the bill before that motion was made. However, if the gentleman himself personally would request me to withdraw my objection, I would be very glad to do so.

The SPEAKER. The objection has been withdrawn, and consent to call the bill out of order is granted.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 63, as follows:

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred and five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the dispositon of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring extra fees for the assignment of special registration plates

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred and five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors streets cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encubrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

Section 501 Registration Plates to be Furnished by Department

(a) The department shall furnish to every owner whose motor vehicle is registered and for each registration applied for by a manufacturer jobber or dealer in motor vehicles trailers or semi-trailers two registration plates and to every owner of a registered trailer semi-trailer motorcycle or bicycle with motor attached and for each registration applied for by a manufacturer jobber or dealer in motorcycles or bicycles with motor attached one registration plate

(b) Every registration plate shall have displayed upon it the registration number assigned to the vehicle the name of the Commonwealth which may be abbreviated the year number for which it is issued and any other identification the department may deem necessary The required letters and numerals on such plate or plates shall be not more than five (5) inches in height to be plainly legible from a distance of one hundred (100) feet during daylight except that the required letters and figures on motorcycle motorcycle dealer and bicycle with motor attached plates shall be not more than three and one-half (3½) inches in height

(c) Registration plates shall be assigned to each vehicle registered except official vehicle in the order in which applications for registration are received but the department may assign special plates if application is made therefor upon blanks furnished by the department and upon the payment of an extra fee as follows ten ($10.00) dollars for any plates in series A to Z AA to ZZ 1 to 999 A1 to Z99 and AA1 to ZZ9 five ($5.00) dollars for any plates in series A100 to Z999 AA10 to ZZ99 and 1000 to 9999 Where two persons apply for the same special plates the department shall issue the same to the person first applying therefor No plates in the above series shall be issued except upon application and the payment of the extra fee herein specified Whenever any person has been assigned a special plate as herein provided such person shall be entitled to the same special plates for the following year upon payment of the specified fee provided application accompanied by the fee specified is received in the Department of Revenue prior to the tenth day of December of the year preceding the year for which tags are desired.

[(c)] (d) It shall be unlawful to display on any vehicle an altered defaced or forged registration plate or for any person or any employe of the department to assign to any person any such special registration plate prior to January first of the year for which issued unless application has been made therefor and the extra fee paid as provided in clause (c) of this section

Penalty Any person violating any of the provisions of sub-section [(c)] (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 2 One dollar for each special license fee collected under the provisions of this act shall be deducted for departmental overhead expenses and shall be paid into the Motor License Fund All other moneys collected under the provisions of this act shall be paid to the State Veterans Commission through the State Emergency Relief Board and be used for the payment of the expenses of said commission and for the purpose of providing necessities of life or other assistance to needy Pennsylvania veterans or their dependents and for such purposes are hereby specifically appropriated to the State Emergency Relief Board

Section 3 This act shall be in force for registration plates issued for the calendar year one thousand nine hundred and thirty-seven and each year thereafter

And said bill having been read at legth the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT

Mr. EBERHARTER. Mr. Speaker, I move you that this bill be recommitted to the Judiciary General Committee for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. PARKS. Mr. Speaker and members of the House, this bill has been in committee for a sufficient length of time for careful consideration, and I can see no reason why it should be sent back to committee at this time, as a sufficient length of time has been given in committee for consideration of the bill.

Mr. AUCKERMAN. Mr. Speaker and members of the House, I might say that this particular bill was in the Highways Committee for quite some time, was thoroughly and honestly considered in the Highways Committee, was reported out on the floor of the House as a good bill, and I see no reason for recommittment of the bill at this time.

Mr. EBERHARTER. Mr. Speaker and members of the House, there was some question as to whether or not this bill was constitutional, and it was felt that the Committee on Judiciary General should have the opportunity of studying its provisions before it is voted on by the members of this House. That is the reason for making the motion to recommit.

Mr. WITKIN. Mr. Speaker and members of the House, I very frankly state that I am not thoroughly familiar with the provisions of this bill, but I do want to call the House's attention to the fact that his bill was introduced and referred to the Committee on Highways on May 12th. It stayed in that Committee until June 23d. There was ample opportunity for the Committee on Highways to refer it to any other committee, if it so desired. There was also ample opportunity for the gentleman from Allegheny, Mr. Eberharter, to appear before the Highways Committee and make that request. The bill lay in committee from the 12th of May to June 23d, and having been reported out of that committee, I can see no reason for sending it back, because it certainly has been before the House for a sufficient length of time to have ample consideration, and I will ask the members of the House to vote down the motion to send it back to committee. Let us meet the issue when a bill comes up.

Mr. EBERHARTER. Mr. Speaker and members of the House, I will have to admit, as the gentleman from Philadelphia admitted on his own behalf, that I am not very familiar with the provisions of this bill. However, it seems to me the way the bill is drawn that it provides special privileges to certain persons, and for that reason it is unconstitutional. It scarcely can be considered as a measure which would provide revenue, and so for that reason the suggestion was made that the bill be recommitted to a committee to study it in that aspect. If the gentleman who sponsored the bill, or any person who is in favor of it, will state on the floor of the House that he has an opinion, either from the Legislative Reference Bureau or from the Attorney General's Office that this bill comes within the call and is likely to be declared constitutional, I will very gladly withdraw my motion to recommit.

Mr. WEISS. Mr. Speaker and members of the House, I agree with the statement made by the gentleman from Blair, Mr. Aukerman, and if the Chairman of the Highways Committee were here he would agree with the minority leader of this House that this bill has been in committee for practically a month, and I think there is a diversity of opinion as to whether this bill is constitutional or not. It has been reported out and I think that this body should have the right at least to vote on this bill and let the Attorney General determine later whether it is constitutional or not. Due to the fact that there is a diversity of opinion, I ask the membership on this side of the House to vote down this motion.

Mr. WITKIN. Mr. Speaker and members of the House, I will endeavor to answer the gentleman from Allegheny, Mr. Eberharter, when he states he is unfamiliar with the bill, I do want to call your attention to section 2, that apparently provides that the moneys collected under this bill shall be paid to the State's Veteran's Commission, through the State Emergency Relief Board. Page 5 of the bill, section 2, states that the money shall be used for the payment of the expenses of the Commission and to provide the necessities of life or other assistance to the needy Pennsylvania veterans or their dependents, and it therefore seems to me to come clearly within the call. At least, we are not saying that it does or does not when we pass it on to the Attorney General for his action.

MOTION TO RECOMMIT WITHDRAWN

Mr. EBERHARTER. Mr. Speaker and members of the House, in view of the fact that we can obtain an opinion within a day or so from either the Attorney General or the Legislative Reference Bureau, and that the bill can be then considered on third reading, I will withdraw the motion to recommit to the Committee on Judiciary General.

REPORT FROM COMMITTEE

Mr. BURKE, from the Committee on Cities, reported as committed, House Bill No. 151 (Senate Bill No. 67), entitled:

An Act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof.

BILL ON FIRST READING

Mr. BURKE asked and obtained unanimous consent to have House Bill No. 151, Senate Bill No. 67 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 151 (Senate Bill No. 67), entitled:

An Act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair has been requested by the Chief Clerk to announce that the mileage checks of the members are ready and can be obtained at the Chief Clerk's Office.

ANNOUNCEMENT

The following announcement was read by the Clerk:

To the Honorable Members of the Legislature,
Commonwealth of Pennsylvania.

The Works Progress Administration cordially invites you to attend the exhibition of its activities being held in the Farm Show Building, Harrisburg, from 10:00 A. M. until 10:00 P. M., Monday and Tuesday, June 29th and 30th.

Tuesday, June 30th, is "Pennsylvania State Day." This day's program will honor officials of the Commonwealth. The Honorable George H. Earle, Governor of the Commonwealth, will be the Speaker of the evening. Works Progress Administration officials from Washington also will be on the program.

Your attendance is especially invited at this time. Reservations for members of your honorable body will be held until 8:00 P. M. in the Arena where the speeches will be given and the program of music and entertainment will be held.

ADJOURNMENT

Mr. WOODSIDE. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12:00 o'clock noon.

The motion was agreed to, and (at 10:35 P. M.) the House adjourned until Tuesday, June 30, 1936 at 12:00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., TUESDAY, JUNE 30, 1936. No. 26.

SENATE

TUESDAY, JUNE 30, 1936

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Teach us, O God, the true meaning of prayer, so that our petitions may be freed from cold formality. To pray is to talk with Thee; to say things to Thee and then wait for Thee to say things to us. Prayer is asking Thee for blessings and thanking Thee for benefits bestowed. Prayer, O God, implies such real and abiding trust in Thee and love for Thee as to assure us that every prayer is answered even though our specific petitions are not granted.

Make us men of prayer, O Lord—men who submit their plans and aspirations to One who is all-wise, all-loving and all-sympathetic. May those who enact laws to govern our State receive from Thee the commandments which they hand down to our people, as Moses received the tablet of stone from the summit of Sinai and declared them to Israel. Bless and guide this Senate in its labors, we ask in the name of the Saviour of mankind. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 30, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Wm. H. Dalzell, 1318 Crafton Blvd., Pittsburgh.

BLAIR COUNTY

Mrs. Arda Rose Carberry, Hollidaysburg.

CARBON COUNTY

Miss Evelyn F. Gabert, Lehighton.

DELAWARE COUNTY

William Rosen, Upper Darby.

MONTGOMERY COUNTY

James I. Jellett, Jenkintown.

WASHINGTON COUNTY

Miss Elizabeth McBurney, Washington.

GEORGE H. EARLE

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 30, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry E. Martens, of Gouldsboro, Lackawanna County, for appointment as Justice of the Peace in the Township of Covington, Lackawanna County, vice George E. Ames, deceased, until the first Monday in January, 1938, to compute from the date of confirmation.

GEORGE H. EARLE.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with a favorable recommendation, the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania;
Governor's Office, Harrisburg, June 29, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a Notary Public, for a term of four years to compute from the date set opposite his name:

YORK COUNTY

M. M. Grove, York, July 6, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 29, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Edward H. Byrom, 435 Diamond St., Pittsburgh.
James H. Cowan, Oakmont.
H. de S. Kennedy, 1045 Union Trust Bldg., Pittsburgh.
Chas. F. McClintock, McKees Rocks.
Harold G. Whitaker, Dravosburg.

BLAIR COUNTY

Miss Marie C. Muri, Altoona.

DAUPHIN COUNTY

Miss Miriam R. Gunderman, Harrisburg.
James P. Sowers, Harrisburg.

DELAWARE COUNTY

Garrett C. McCarter, Upper Darby.

NORTHAMPTON COUNTY

Miss Mildred A. Ben Venuti, Northampton.

NORTHUMBERLAND COUNTY

Miss Maude E. Rubright, Mount Carmel.

PHILADELPHIA COUNTY

Mrs. Irene Butts, 1722 N. 22d St., Philadelphia.
Miss Ida Damerau, 2230 E. Allegheny Ave., Philadelphia.
Jules Hertz, 2417 E. York St., Philadelphia.
Warren H. Koch, 1212 Vine St., Philadelphia.
Mrs. Irene Stott, 814 Crozer Bldg., 1420 Chestnut St., Philadelphia.

SCHUYLKILL COUNTY

John H. Heffner, Tamaqua.
Roy J. Zimmerman, Pine Grove.

VENANGO COUNTY

Miss Genevieve Snyder, Oil City.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Sordoni,
Cavalcante	Lanius,	(Dauphin)	Staudenmeier,
Chapman,	Law,	Reed,	Thompson,
Coyne,	Mallery,	(Washington)	(Centre)
Daly,	McClure,	Rice,	Thompson,
Frey,	McCreesh,	Roberts,	(Westmoreland)
Gelder,	McGinnis,	Rodgers,	Trainer,
Graff,	Miller,	Rupp,	Woodward,
Harris,	Owlett,	Ruth,	Ziesenheim.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 99, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief and expenses; defining the purposes for which such moneys may be expended; prescribing the powers and duties of the State Emergency Relief Board and certain State officers and departments, county officers, poor directors and courts of common pleas; creating county assistance boards, and prescribing their powers and duties; and prescribing penalties.

Which was committed to the Committee on Appropriations.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED (Dauphin). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Dauphin, Mr. Reed, will state his question of personal privilege.

Mr. REED (Dauphin). Mr. President, the first paragraph of the Democratic National Platform of 1936 proclaims:

> "We hold this truth to be self-evident—That the test of a representative government is its ability to promote the safety and happiness of the people."

This Special Session of the Legislature was convened because the New Deal Administration at Washington has failed to achieve this fundamental object of government. This fact is proven by the Goodrich Report, submitted to Governor Earle on May 4th, which says:

> "The total number of persons at present receiving public assistance and relief from nine types of assistance in Pennsylvania, reaches the staggering total of at least 1,850,000, or nearly one fifth of the total population of the State."

After three long years of New Deal experimentation and failure; after three long years of confiscatory federal taxation; after three long years of reckless federal spending, equaling the total amount expended by the first twenty-six Presidents of the United States during the first one hundred and sixteen years of our national history; the net result of accomplishment toward attaining the "more abundant life," and of securing the safety and happiness of the people of Pennsylvania is 1,850,000 Pennsylvania men, women and children in need of governmental aid.

According to the Goodrich Report, of this 1,850,000 1,645,000 come under the classification, "Assistance to

ıe unemployed," and this figure of 1,650,000 is further roken down into two groups as follows:

"State Emergency Relief Administration 624,000; Federal Works Progress Administration (net number of persons in relief cases closed because of jobs on this program) 1,021,000."

It is manifest, therefore, that the group under State mergency Relief Administration, numbering 624,000, :presents the employables of Pennsylvania the group to hich President Roosevelt referred when he said:

"With them the problem is different and the responsibility is different. This group was the victim of a nation wide depression caused by conditions which were not local but national. The Federal Government is the only governmental agency with sufficient power and credit to meet this situation. We have assumed this task and we shall not shrink from it in the future."

We may overlook the inaccuracy of the President in scribing the industrial depression which set in during 29 as only nation wide, because every one knows that was world wide. We may likewise overlook for the oment the President's lack of candor in ignoring the vious fact that, while in many nations recovery was hieved shortly after 1933, by reason of the devasting fect of New Deal Policies, recovery in America has been markably delayed. I have quoted from the President prove that it was on behalf of the vast army of the employed throughout the nation, numbering 624,000 in nnsylvania, that President Roosevelt made his promise d pledge that employables would be taken off direct ief and given work before January, 1936. Furthermore, solemnly pledged that having assumed this task he uld not shrink from it in the future.

Can it be that repudiation of a promise to extend aid the victims of a nation wide depression and to cast em adrift and cooly wash his hands of any responsibil- for their continued well being, is President Roose- lt's idea of the practical application of his much her- ed governmental policy of the "good neighbor?"

On last Saturday evening when speaking in Philadel- a, President Roosevelt admitted that:

"Governments can err—Presidents do make mistakes—but the immortal Dante tells us that divine justice weighs the sins of the cold-blooded and the sins of the warm-hearted in different scales."

We wonder in what scales divine justice will weigh sins of an administration which with over a billion lars in the federal treasury appropriated for relief to several states and unexpended up to this time, re- es to grant aid to 624,000 Pennsylvanians, the victims a nation wide depression?

When, by reason of President Roosevelt's repudiation his promises, Pennsylvania relief funds reached the ishing point during the month of May, five practical rces of revenue were open to Governor Earle, as fol- s:

First. To secure additional federal grants. Because of provision of the Emergency Relief Appropriation Act 1935, the Federal Emergency Relief Act of 1933 was tinued in force to June 30, 1936. It has been possible President Roosevelt, up to the present moment, to nt additional relief to the several states in whatever portion he chooses. A determined effort should have n made by Governor Earle, by United States Senator fey and by Democratic State Chairman Lawrence, to secure further grants from Washington in order to relieve the overburdened taxpayers of Pennsylvania of the necessity of further taxation. Let me repeat and emphasize that, today, June 30, 1936, is the deadline, according to the Emergency Relief Appropriation Act of 1935, for federal grants for direct relief. By letter, Republican Senators advised the Governor of the fact that June 30, 1936, is the deadline and the membership of this Senate and as well the taxpayers of Pennsylvania will await with interest Governor Earle's answer to the question "What efforts have you made, or what efforts will you make, prior to June 30, 1936, to secure further federal relief grants for Pennsylvania, to the end that Pennsylvania may have a more equitable proportion of Federal relief funds, and to the further end that unnecessary taxes may not be levied upon the people of Pennsylvania?"

Second. To secure $25,000,000 in additional funds to which SERA is justly entitled from the following sources: $15,000,000, the balance owing to SERA from FERA under Harry Hopkins' agreement to carry the relief load of Pennsylvania above $60,000,000 during the fiscal year ending May 31, 1936; and the $10,000,000 advanced by SERA to WPA workers, a sum which we feel certain would have been promptly returned had Governor Earle made a timely request to his friend and political ally, Mr. Edward N. Jones.

Third. To compel SERA, which since January, 1935, has been completely under the control of the Guffey-Lawrence-Earle political machine, to reduce relief costs and expenditures and to cooperate with WPA; instead of adopting the extravagant relief program advocated by Mr. de Schweinitz and the Goodrich Commission.

Fourth. To compel WPA to fulfill the purpose of its existence, as defined by President Roosevelt, of putting to work all employables upon relief rolls.

Fifth. To compel economies in government, thereby diverting large sums of money to the unemployed, now used in maintaining useless bureaus and padded payrolls.

Has Governor Earle made any attempt to solve Pennsylvania's relief problem through any of these five obvious solutions? We have not heard of any. With a callous disregard of the economic structure of Pennsylvania, with a wilful contempt for the overburdened taxpayers of this State, he proclaimed $70,991,000 as the minimum amount to be provided for in new taxes for relief to February, 1937, and proclaimed this to be the only solution. In this ultimatum, he had the backing of Mr. de Schweinitz and the Goodrich Commission.

In the light of subsequent events we now read with wonder the statement of Governor Earle, made less than two months ago, that

"The estimate of unemployment relief funds made by Karl de Schweinitz, State Emergency Relief Director, is based upon a minimum amount to provide for comfort and decency. You can reduce it only by causing great suffering to the unfortunate men, women and children on our relief rolls and the more you reduce it the more they will suffer."

But Governor Earle has since stated that after a conference with United States Senator Guffey and State WPA Director Edward N. Jones, concessions had been secured from the Federal Government which will permit the employment of 30,000 persons now on relief rolls, and that there will be no suffering caused to the men, women and children on relief rolls, if the Senate lops off $16,000,000 from the tax bills so gaily and eagerly passed by the

Democratic membership of the House of Representatives.

But the final blow to the exorbitant claims of Governor Earle, Mr. de Schweinitz and the Goodrich Commission came from one in high favor with the Guffey-Lawrence-Earle machine, from WPA Director Edward N. Jones himself, when he publicly said:

> "The direct relief rolls in Pennsylvania can be substantially reduced and even cleared of all except the unemployables in a very short time, if there were some state organization that would consistently cooperate with WPA."

I heartily concur in Mr. Jones's conclusino that proper cooperation of SERA with WPA would have caused a reduction in relief rolls and would thereby have considerably reduced the amount needed for unemployment relief. When making that statement, Mr. Jones merely reiterated a charge which I made upon the floor of this Senate on May 12th. At that time I said:

> "I think a second mighty important thing we all want to know is why, only 54 days from the time when every dollar of WPA money was to have done its promised work of taking every employable off direct relief, only 25% of this State's allotment as of December 31st, last, have been put in circulation among those needing WPA work in this state. * * * Relief in Pennsylvania has provided soft berths for welfare workers upon a scale never before dreamed of, and all hands are doing everything possible to keep Relief at a peak and thus retain their jobs. In effect, if not actually, they are saying to the people on Relief: 'Stay with us and you won't have to work. True, WPA pays more, but we are constantly raising our standards, and soon we will have you up to WPA. Stay on Relief.' The Governor seems to be with them. I think we should ask him to tell us all about that."

I am glad that Mr. Jones has sustained my proposition that a proper administration of SERA would have so reduced relief rolls that additional taxes would not now be necessary.

But I cannot agree with other conclusions contained in Mr. Jones's letter; neither can I permit them to go unanswered. Mr. Jones argues that the present controversy over relief in this Legislature is "A sham battle" between "two Republican subsidiaries of big business." When Mr. Jones assumes that SERA is an organization controlled and administered by Republicans, he makes an assertion which defies human credulity. Mr. Jones ought to have knowledge of the fact that during the regular session of 1935, when the Bill introduced by the distinguished Senator from Beaver, Mr. Batchelor, was before the Senate, a bill which ripped SERA out of existence and placed relief back in the poor boards of Pennsylvania, that twenty-eight Republican Senators voted for the measure and seventeen Democratic Senators voted against it. Mr. Jones, also ought to have knowledge of the fact that since January, 1935, SERA has been controlled and dominated by three distinguished Democrats, Governor Earle, Lieutenant Governor Kennedy, and Speaker Sarig, who was succeeded upon his lamented death by Speaker Furman. These distinguished Democrats may affirm or deny at their convenience, whether they are controlling a Republican relief organization.

They may, at their convenience, affirm or deny the charge of Mr. Jones that under their administration of SERA, "those actually getting socked are the WPA and the Democratic party."

Likewise I trust that either Governor Earle, or Lieutenant Governor Kennedy or Speaker Furman or Mr. de Schweinitz or the Goodrich Commission will answe the charge of Mr. Jones that "the people of Pennsylvani must not forget that the estimates for direct relief ar the estimates furnished by a Republican staffed organi zation," and that "what is taking place in the special ses sion actually is but a sham battle, both sides intent onl on discrediting WPA and through it, the administratio of Franklin Roosevelt."

I am certain that Mr. Jones will find little support i the Senate for his suggestion that the State Departmen of Welfare take over the functions of SERA. That ver suggestion shows the political character of Mr. Jones' letter. Every one knows that relief handled by the De partment of Welfare would be as political as is the pres ent administration of WPA. The words which the im mortal Dante saw over the portals of the lower region "All hope abandon, ye who enter here," will be discerne by every Republican applicant for relief to be over th portals of the Department of Welfare, exactly as the sam words have been discerned by every needy Republica who has sought work relief from WPA.

Almost nineteen hundred years ago a certain Roma Emperor was accused by his subjects of having wilfull caused a fire which raged for days in the "Eternal City; a fire which resulted in great loss of property and untol suffering. When confronted with that charge, the Roma Emperor replied that the fire was caused by the Chris tians. And now, in the year 1936, with an exhibitio of consummate gall never exceeded since the days o Nero, Mr. Jones would have the people of Pennsylvani believe that the relief crisis in Pennsylvania has bee caused by the Republican party.

Let me assure Mr. Jones that the Republican membe of the Senate of Pennsylvania are interested in two thing and in two things alone; first, that no man, woman o child in Pennsylvania shall go hungry, and, secondly tha the overburdened taxpayers of Pennsylvania shall b relieved as far as possible from further taxation. Sinc January, 1935, SERA has been as much a Democrati organization as is WPA. In the battle now raging be tween WPA and SERA it is immaterial which is th pot and which is the kettle, because we know that the both are black. This controversy between SERA an WPA is actually a battle between two Democratic group because SERA and WPA alike are dominated by th Guffey-Lawrence-Earle political machine. Denied th right to investigate WPA as we have been by interferenc from Washington and by a Court decree, in the equit suit brought by Mr. Jones, we have no intention of pullin Mr. Jones's chestnuts out of the fire by investigating SERA All that we can do is await detailed information fro Governor Earle. Almost two weeks have passed sinc Governor Earle received a letter from five Senators, rep resenting the Republican membership of this body. W have had no answer to our six questions. Likewise o the charges of Mr. Jones, the Governor is strangely silen

The Chief Executive has promised to make two hun dred and one speeches on behalf of President Roosevel in the sixty-seven counties of Pennsylvania. I hope tha he will use one of these speeches to answer the si questions put to him by the Republican members of th Senate, and particularly that he will tell the people o Pennsylvania why he is using the SERA to hamstrin

WPA in order to discredit President Roosevelt's Administration.

Mr. THOMPSON (Centre). Mr. President, I desire to interrogate the Senator from Dauphin, Mr. Reed.

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated?

Mr. REED (Dauphin). Mr. President, with pleasure.

Mr. THOMPSON (Centre). Mr. President, the Senator from Dauphin is a member, is he not, of the Committee appointed under authority of Resolution No. 9 to investigate WPA?

Mr. REED (Dauphin). Mr. President, I am.

Mr. THOMPSON (Centre). Mr. President, and one of the attacks in the resolution now pending is against the constitutionality of the entire WPA organization; is that not correct?

Mr. REED (Dauphin). Mr. President, I did not recall that that was in the resolution—as to constitutionality. I may be wrong; I have not read it recently.

Mr. THOMPSON (Centre). Mr. President, in the litigation that is now pending in the Federal Court, and in the answer of the Committee, is not the constitutionality of WPA itself attacked?

Mr. REED (Dauphin). Mr. President, I have not carefully read the brief of counsel for the investigating committee; and I will say frankly that I am not equal to answering the Senator—whether it is a fact or not.

Mr. CAVALCANTE. Mr. President, I desire to further interrogate the Senator from Dauphin, Mr. Reed.

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated further?

Mr. REED (Dauphin). Mr. President, I will.

Mr. CAVALCANTE. Mr. President, does the Senator from Dauphin, Mr. Reed, believe in the Federal levy of taxes for the relief of the nation's unemployed?

Mr. REED (Dauphin). Mr. President, I have never objected to the levying of taxes. Neither do I object to the policies of President Roosevelt.

Mr. CAVALCANTE. Mr. President, does the Senator from Dauphin believe in the levying of State taxes for the relief of the State's unemployed?

Mr. REED (Dauphin). Mr. President, I believe in the levying of taxes if taxes are necessary.

Mr. McGINNIS. Mr. President, I desire to interrogate the Senator from Dauphin, Mr. Reed.

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated?

Mr. REED (Dauphin). Mr. President, I will.

Mr. McGINNIS. Mr. President, in view of the answer by the Senator from Dauphin, that he believes in the levying of taxes if taxes are necessary, I desire to ask the Senator, if he believes these taxes should be levied to relieve the poor, what plan he has to offer as to how it should be administered.

Mr. REED (Dauphin). Mr. President, the Senator from Allegheny, Mr. McGinnis, means what?

Mr. McGINNIS. Mr. President, after the taxes are levied and collected, how would the Senator from Dauphin have them administered for relief in Pennsylvania?

Mr. REED (Dauphin). Mr. President, I have always believed that the only constitutional way to take care of relief in Pennsylvania is by appropriations to some agency for allocation among the Poor Boards, as was done in the first Talbot bill. If that is impossible, then I believe—that is, if it is impossible to secure sufficient funds—then I believe some other local agency should be set up for their administration.

Mr. McGINNIS. Mr. President, of course, then, the Senator from Dauphin knows that practically two-thirds of the Poor Boards in Pennsylvania are Republicans; is that not correct?

Mr. REED (Dauphin). Mr. President, I cannot tell the gentleman the number.

Mr. McGINNIS. Mr. President, does the Senator from Dauphin doubt it?

Mr. REED (Dauphin). Mr. President, the Senator from Allegheny says that two-thirds are Republican?

Mr. McGINNIS. Mr. President, yes.

Mr. REED (Dauphin). Mr. President, I did not believe that it was as high as that. It may be correct. I do not know the figure; I never investigated it.

Mr. McGINNIS. Mr. President, will the Senator from Dauphin admit that the majority of the Poor Boards in Pennsylvania are Republicans?

Mr. REED (Dauphin). Mr. President, I believe that is correct.

Mr. McGINNIS. Mr. President, it is, then, the policy of the Senator from Dauphin to have this money, after it is collected, turned over to these Republican local boards for distribution to the poor?

Mr. REED (Dauphin). Mr. President, I believe it should be turned over to the local boards because I believe it is the only constitutional way it could be done.

Mr. McGINNIS. Mr. President, the Senator from Dauphin believes, then, that that would be an improvement over the present system of distribution?

Mr. REED (Dauphin). Mr. President, I certainly do.

BILL RECOMMITTED

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 50, on third reading, entitled:

An Act to limit the amount of moneys allocated to and expended in counties by the State Emergency Relief Board for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with the care of the poor for the maintenance of unemployable residents and requiring such political subdivisions to make certain reports

be recommitted to the Committee on State Government.

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WOODWARD. Mr. President, in moving to recommit Senate Bill No. 50, I wish to state that I am in sympathy with Senator Thompson's bill, and that I would like to explain my motive in moving to recommit it, and also have an opportunity to make a few remarks. Having taken the vow never to rise to a question of personal privilege or to offer a resolution, the only chance I have is in making a motion of this kind. I regret the emptiness of the galleries.

Yesterday was Monday—wash day, when several of us hung out our family wash. The Senator from Philadelphia, Mr. Shapiro, had exposed a hair shirt, and there were other washes hung out; Mr. Jones's wash was there, —I think Mr. Jones had nothing left but his shirt. Well, the family wash was exhibited on Monday, and the wash was put out for the pleasure and interest of the galleries,

Today is ironing day, which is a very quiet day in this legislative laundry, when we try to iron out difficulties with very few spectators. I am rising especially to say something about Mr. Jones—if you understand whom I mean.

I had the privilege yesterday of a heart-to-heart talk with Mr. Jones on the relief situation, and I think perhaps, Mr. President, you will be interested, and all the members of the Senate will be interested, in knowing what conclusion we reached, and that I may have as much influence as the Senator from Allegheny, Mr. McGinnis, in determining Mr. Jones's policy.

I took with me, as a bodyguard, the Senator from Monroe, Mr. Huffman; and the proceedings were entirely peaceful. I read a letter to Mr. Jones—tried to be complimentary—reading as follows; "Dear Mr. Jones: You are quite the important man in Pennsylvania relief. SERB has 173,000 cases on direct relief. Six per cent of these are unemployables. If, therefore, you do a little mathematics and multiply by six, you get 10,000. You subtract that from 173,000 and you get 163,000 now on SERB relief. Can you, and will you, take over these men? If you can and will do so, we can and will adjust our tax bill against our constitutients, Democrats and Republicans alike, and close this extra session—to the relief of all concerned, including ourselves. Therefore, Mr. Jones, allow me to suggest that for the good of the Commonwealth we discard every personal equation involved in WPA versus SERB, that we forget at this critical time our political strategy, and that we sincerely try to get together to serve Pennsylvania first and foremost. Therefore, how soon can you take over the 163,000 employables now on direct relief?"

Well now, Mr. Jones rang the bell and asked for a copy of his release of a week ago—Sunday, June 21st—and he marked, himself, this paragraph: "Weeks ago SERA"—that is confusing—"SERB was told that an investigation by WPA had indicated that there were over 50,000 WPA cases that could be exchanged for larger family units on direct relief, with the resultant saving to the taxpayer of Pennsylvania of $2,500,000 per month; but SERA was not interested."

Now, when I returned to the Capitol I went into the gentleman's retiring room and got this piece of paper, and made this little calculation—and I am not a certified public accountant—I have got one heading "Single Men"—but, first, I should say, I think, that Mr. Jones explains to me—I mean, he made a direct offer, and Senator Huffman was there and he heard it, that he could save us $1,100,000 a month if he will do—that is to say, if we can can make SERB do what he suggests.

That is the reason I am speaking this morning. I think it is worth saving—$1,100,000 a month. The proposition is, an exchange of married men with single men. A single man on direct relief gets something like $4.00.

POINT OF ORDER

Mr. THOMPSON (Centre). Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Centre, Mr. Thompson, will state his point of order.

Mr. THOMPSON (Centre). Mr. President, I do not think the Senator from Philadelphia, Mr. Woodward, is speaking about anything that is before us.

The PRESIDENT. The point of order of the Senator from Centre, Mr. Thompson, is not sustained. The Chai believes that the Senator from Philadelphia is speakin on the bill that is before us.

Mr. WOODWARD. Mr. President, I am speaking a briefly as possible; I have not made any reference t Emperor Nero, and I am getting along as fast as I ca If you will allow me, I will be only a few minutes mor

Well, the proposition is an exchange—that Mr. Jone will take Mr. de Schweinitz's married men, 25,000 o them, and put them on WPA. They cost—the marrie men cost $15.00 a week; the single men cost only $4.00 week; and Mr. Jones proposes to trade 25,000 singl men for 25,000 married men, and then Washington ha to pay for the married men and Harrisburg has to pa for the single men.

Now, this calculation seems to be perfectly correct—if you multiply 25,000 single men by $4.00 a week, yo get $100,000; and if you multiply one week by four weeks calling that a month, you get $400,000. If you multiply 25,000 married men by $15.00 a week, you get $375,000 and if you multiply that by four weeks you get $1,500,000 from which you get, by subtracting the $400,000 $1,100,000 to be saved the taxpayers of Pennsylvania i we adopt Mr. Jones' suggestion.

Now then, we cannot take Mr. de Schweinitz by th scruff of the neck or the seat of the breeches and mak him do this, but—and now here is the important part the reason I am recommitting Senator Thompson's bill I did not wish it to interfere with this idea, and I asked Mr. Fertig to prepare a bill which I introduced thi morning, and in Section 9 it reads, "As soon as practic able after their appointment, each County Assistance Board shall, from time to time, transfer all employable married men from the relief rolls for employment unde the Works Progress Administration, in exchange for a like number of unmarried men who are at such time em ployed under the Works Progress Administration, and shall forthwith grant relief to such unmarried men s exchanged."

Now, that is the modus operandi and the reason I am recommitting Senator Thompson's bill is, I was afraid the bill would interfere with that arrangement. Otherwise I am for his bill.

Mr. CAVALCANTE. Mr. President, the Senator from Philadelphia, Mr. Woodward, has surely laid the foundation for a most pertinent question, and that question is this: How did the 25,000 single men get over in the WPA in preference to the 25,000 married men? I hope that if this bill is recommitted, that the committee that will receive it will try in its able way to answer that question.

The PRESIDENT. The Senators will conform their discussions to the motion to recommit.

Mr. THOMPSON (Centre). Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. Woodward.

The PRESIDENT. Will the Senator from Philadelphia Mr. Woodward, permit himself to be interrogated?

Mr. WOODWARD. Mr. President, yes.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Philadelphia appreciate the purpose o Senate Bill No. 50?

Mr. WOODWARD. Mr. President, well, not altogether.

Mr. THOMPSON (Centre). Mr. President, has the Senator from Philadelphia read the bill?

Mr. WOODWARD. Mr. President, I am looking forward to reading it tonight.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Philadelphia realize that there are some counties in this State where a large proportion of the unemployed are maintained by the SERB, and that the SERB refuses to maintain any unemployables in by far the largest group of counties in this State?

Mr. WOODWARD. Mr. President, I am sorry I did not know that, but I would be very happy to discuss it in the committee in this little room here.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Philadelphia realize that the purpose of this bill is to prevent the SERB from contributing * * *

Mr. HARRIS. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his point of order.

Mr. HARRIS. Mr. President, my point of order is that a motion to recommit is not debatable.

The PRESIDENT. The point of order is sustained. The Senators will kindly conform their remarks to the motion before the Senate.

Mr. THOMPSON (Centre). Mr. President, I do not believe that my interrogation is in the nature of a debate.

The PRESIDENT. The Chair is of the opinion that the remarks were in the nature of debate.

And the question recurring.

Will the Senate agree to the motion?

The yeas and nays were required by Mr. THOMPSON (Centre) and Mr. FREY and were as follows, viz:

YEAS—30

Aron,	Gelder,	McGinnis,	Salus,
Batchelor,	Graff,	Miller,	Shapiro,
Bean,	Harris,	Owlett,	Sordoni,
Buckman,	Harvey,	Prince,	Thompson,
Cavalcante,	Homsher,	Rankin,	(Westmoreland)
Chapman,	Howell,	Reed,	Trainer,
Coyne,	Mallery,	(Dauphin)	Woodward,
Ealy,	McClure,	Rupp,	Ziesenheim,

NAYS—16

Baumer,	Law,	Rice,	Staudenmeier,
Frey,	McCreesh,	Roberts,	Thompson,
Huffman,	Pytko,	Rodgers,	(Centre)
Kahle,	Reed,	Ruth,	
Lanius,	(Washington)	Sones,	

So the question was determined in the affirmative.

Mr. BUCKMAN. Mr. President, I move to reconsider the vote by which Senate Bill No. 4, entitled:

A Joint Resolution proposing an amendment to section one article eight of the Constitution of the Commonwealth of Pennsylvania

was defeated on June 24th.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "no."

Mr. GELDER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GELDER. Mr. President, I voted "no."

On the question,

Will the Senate agree to the motion?

Mr. BUCKMAN. Mr. President, for the information of the Senate, I would say that this is a constitutional amendment offered by Dr. Woodward, relating to the qualification of electors, where the payment of taxes is required as a qualification for voting. I make this explanation in order that the Senate may know what this bill is about.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SHAPIRO. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his question of parliamentary inquiry.

Mr. SHAPIRO. Mr. President, the question is how long after a bill has been acted upon may a motion be made to reconsider.

The PRESIDENT. The Chair informs the Senator from Philadelphia, Mr. Shapiro, that the bill was defeated on June 24th.

Mr. BUCKMAN. Mr. President, five legislative days may intervene.

Mr. SHAPIRO. Mr. President, I should like to hear the Rule read.

Rule 16 was read as follows: "When a question has been once made and carried in the affirmative or negative, it shall be in order for any two members of the majority, or when the Senate has been equally divided, or a bill shall have failed to pass, by reason of not having a constitutional majority, for any two who voted in the negative to move the reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after a bill, resolution, report, amendment, or motion, upon which the vote was taken, shall have gone out of the possession of the Senate; nor shall any motion for reconsideration be in order unless made on the same day on which the vote was taken, or within the next five days of actual session of the Senate thereafter; and such motion shall take precedence of all other questions, except a motion to adjourn, and no member shall speak on the question more than once, or for a longer time than five minutes."

The yeas and nays were required by Mr. CAVALCANTE, and Mr. FREY and were as follows, viz:

YEAS—25

Batchelor,	Harvey,	Owlett,	Sordoni,
Bean,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Reed,	(Westmoreland)
Chapman,	Huffman,	(Dauphin)	Trainer,
Ealy,	Kahle,	Rupp,	Woodward,
Gelder,	Law,	Salus,	Ziesenheim,
Graff,	Mallery,	Sones,	

NAYS—23

Aron,	McClure,	Rankin,	Ruth,
Baumer,	McCreesh,	Reed,	Scott,
Cavalcante,	McGinnis,	(Washington)	Shapiro,
Coyne,	Miller,	Rice,	Staudenmeier,
Frey,	Prince,	Roberts,	Thompson,
Harris,	Pytko,	Rodgers,	(Centre)
Lanius,			

So the question was determined in the affirmative.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. CAVALCANTE. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his question of parliamentary inquiry.

Mr. CAVALCANTE. Mr. President, does not this motion require a constitutional majority?

The PRESIDENT. The Chair informs the Senator from Fayette, Mr. Cavalcante, that it requires only a simple majority of the Senate members present.

And the question recurring,
Will the Senate agree to the motion?
The motion was agreed to.
And the question recurring,
Shall the bill pass finally?

BILL POSTPONED

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 4, on final passage, be postponed for the present.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 64 (House Bill No. 109), entitled:

An Act to authorize and empower municipalities and townships separately or jointly to erect dykes river bank protection or flood control works within or without their territorial limits and to expend moneys and incur indebtedness for such purposes.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Aron,	Harvey,	Prince,	Scott,
Batchelor,	Homsher,	Pytko,	Shapiro,
Baumer,	Howell,	Rankin,	Sones,
Bean,	Huffman,	Reed,	Sordoni,
Buckman,	Kahle,	(Dauphin)	Staudenmeier,
Cavalcante,	Lanius,	Reed,	Thompson,
Chapman,	Law,	(Washington)	(Centre)
Coyne,	Mallery,	Rice,	Thompson,
Ealy,	McClure,	Roberts,	(Westmoreland)
Frey,	McCreesh,	Rodgers,	Trainer,
Gelder,	McGinnis,	Rupp,	Woodward,
Graff,	Miller,	Ruth,	Ziesenheim,
Harris,	Owlett,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 69 (House Bill No. 76), entitled:

An Act to amend section eight of the act, approved the nineteenth day of January, one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three—one thousand nine hundred thirty-four, Pamphlet Laws, two hundred eighty-six), entitled "An act making appropriations out of The State Stores Fund to the State Emergency Relief Board for direct relief, work relief, and expenses, including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments," by imposing a time limit within which counties, cities, boroughs, incorporated towns, townships, school districts and poor districts may obtain reimbursement for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Sordoni,
Cavalcante,	Lanius,	(Dauphin)	Staudenmeier,
Chapman,	Law,	Reed,	Thompson,
Coyne,	Mallery,	(Washington)	(Centre)
Ealy,	McClure,	Rice,	Thompson,
Frey,	McCreesh,	Roberts,	(Westmoreland)
Gelder,	McGinnis,	Rodgers,	Trainer,
Graff,	Miller,	Rupp,	Woodward,
Harris,	Owlett,	Ruth,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 74, entitled:

A Joint Resolution proposing an amendment to article eighth section one of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. RUTH. Mr. President, and members of the Senate, from what I have learned since I am a member of this body, I am somewhat fearful to start out so early in the session to speak, I have no dirty linen to wash; I have some ironing to do, and I feel that since I have been elected to represent a quarter of a million people of the State of Pennsylvania, I should at least bring their thought before the Senate on this bill. I believe that this bill is bad from the standpoint that in our county all our voters pay taxes, and all taxes go to the municipal treasurer from which the loans and interest on loans are paid. If this bill should become a law, then only the real estate owner would be permitted to vote on municipal indebtedness, and every voter would have to pay taxes on it, therefore, it would be taxation without representation. Furthermore, I am committed to the idea of reducing the real estate tax burden, and placing a large proportion of the real estate taxes upon other forms for taxation, and I am sincerely convinced that within this next biennium that is going to take place. Therefore, a minority of the people of the municipality would be entitled to vote on municipal loans, and the majority, who would

not be entitled to vote, would have to pay the taxes; therefore, I feel that we should vote this bill down.

BILL OVER IN ORDER

Mr. ZIESENHEIM. Mr. President, a suggestion has been made to me regarding amendments to this bill, which I believe would improve the bill, and for that reason I ask unanimous consent that it go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. ARON. Mr. President, I ask unaminous consent that Senate Bill No. 76, on third reading, entitled:

An Act to authorize the Board of Revision of Taxes in cities of the first class to classify the real estate situated therein so as to discriminate between those parcels employed exclusively for manufacturing purposes and other real estate in such cities and to provide for carrying such classification into effect

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. MALLERY. Mr. President, I move that Senate Bill No. 83 (House Bill No. 46), on third reading, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protections along the Delaware River at Matamoras and Milford Pike County

be recommitted to the Committee on Appropriations.

Mr. STAUDENMEIER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 84 (House Bill No. 60), entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public nonsectarian libraries Pennsylvania State Library public nonsectarian libraries and public school libraries damaged or destroyed by flood and providing procedure to ascertain the amount of damage

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I move that this bill be recommitted to the Committee on Appropriations for further study and amendment.

Mr. COYNE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I want to state to the members of the Senate that the reason for the motion is that in the Appropriations Committee we were told that this was a method to replace books of learning which had been damaged by the flood, in various public libraries, and that this money would be used for the expense of binding and the restoration of these books, and unless these books were bound immediately and cared for, there were some that could not be saved and would be entirely destroyed. As I read the bill, I see nothing in this bill that relates to books except for the fact that most of them are personal property, but under this bill chairs, wall paper, and so forth could be repaired by any library institution. There is nothing in the bill about books, and for that reason, and in view of the fact that most of us voted this bill out on the proposition that it was for the care, re-establishment and repurchase of new books, I ask that it be recommitted so that it be restored for the purpose for which it was voted out by the committee.

Mr. SONES. Mr. President, I can see no good reason why this bill should be recommitted to the Committee on Appropriations. It was brought up in the committee, carefully considered, and it is a very simple bill. It makes an appropriation of $100,000. to the Department of Education. The Act provides that the Trustees of various institutions make up a list of their losses and submit it to the Department of Education, which makes a thorough and complete survey of their list, certifies it to the State Council of Education, and they arrive at the conclusion how much each institution is to receive. If we have any confidence in our educational department, we ought to have confidence that they will do the right thing and award money to the institution where it belongs, and, therefore, I oppose its recommitment to the Committee.

Mr. SHAPIRO. Mr. President, I have no objection to voting for a bill which does not concern my particular district, because, as I have frequently stated, I believe that I am Senator from all the districts in Pennsylvania, not for any particular district; but I would without hesitation vote for a bill of this kind in view of the flood situation we have had, but I call attention to the fact that I am going to vote against this bill because the members of the Senate seem to feel that there is no merit in the proposition. I suggest to them that I think they do not realize that this bill will come back and haunt them. There is nothing in the Call which warrants the passage of this bill, appropriating $125,000, or $100,000; as amended—the bill I have before me does not have the Senate amendments in it—"for the purpose of replacing real estate," because that is what this bill reads. Money is appropriated to the Department of Public Instruction for the purpose of rehabilitating real and personal property of three public libraries, damaged or destroyed by floods in this Commonwealth during the year 1936. There is nothing in this bill which gives the Department of Public Instruction authority to award money, the amount appropriated, to rehabilitate real estate property, and the only jurisdiction the Department of Instruction has over the funds is to see that the estimates suggested are proper, and it seems to me that the Senate, which is engaged in haggling in questions on relief, and in awarding a million dollars for relief, should not, with a wave of the hand, appropriate $100,000 to do something about which there is not sufficient information before the Senate and also to go beyond any intent or purpose of the Call, and I shall vote against the bill.

Mr. OWLETT. Mr. President, I will read paragraph 2 of the Call:

"Authorizing the Commonwealth and its various political subdivisions and their agencies or instrumentalities, either together, alone, or in cooperation with the Unted States Government, or any agency or instrumentality thereof, to extend relief to the victims of the recent calamitous floods, including the rehabilitation of property damaged or destroyed and the restoration of the flooded territories to a wholesome and sanitary condition."

It does not confirm itself to personal property as distinguished from real property.

Now, Mr. President, in my district there were no libraries damaged by the flood, but I know that throughout Pennsylvania many libraries have suffered serious damage, and it seems to me that the libraries of the State are educational institutions for the various people of the State. It seems to me that we should support this bill.

And the question recurring,

Will the Senate agree to the motion

It was not agreed to.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Sones,
Bean,	Huffman,	Rankin,	Sordoni,
Buckman,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Frey,	McGreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Rupp,	Ziesenheim,
Harris,	Owlett,	Ruth,	

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

RECONSIDERATION OF MOTION RECOMMITTING SENATE BILL No. 83

Mr. MALLERY. Mr. President, I move to reconsider the vote by which Senate Bill No. 83 (House Bill No. 46), entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protection along the Delaware River at Matamoras and Milford, Pike County

was recommitted to the Committee on Appropriations.

Mr. STAUDENMEIER. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the motion?

It was not agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 83 (House Bill No. 46), entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protections along the Delaware River at Matamoras and Milford Pike County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Sordoni,
Cavalcante,	Lanius,	(Dauphin)	Staudenmeier,
Chapman,	Law,	Reed,	Thompson,
Coyne,	Mallery,	(Washington)	(Centre)
Ealy,	McClure,	Rice,	Thompson,
Frey,	McGreesh,	Roberts,	(Westmoreland)
Gelder,	McGinnis,	Rodgers,	Trainer,
Graff,	Miller,	Rupp,	Woodward,
Harris,	Owlett,	Ruth,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON FINAL PASSAGE

Mr. BUCKMAN. Mr. President, I move that the Senate do now resume consideration of Senate Bill No. 4, postponed for the present, entitled:

A Joint Resolution proposing an amendment to section one, article eight of the Constitution of the Commonwealth of Pennsylvania.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. McGINNIS. Mr. President, I have the greatest respect for the sponsor of this bill but not for the purpose of the bill. The argument, of course, for the bill is that to be a good citizen you ought to pay tax. I will say to you that in this state, as well as in every other state, the tenant pays all the tax. Every owner of property figures out his tax and the return on his investment and after he figures that out he figures his rent. I will admit that in the time of depression that may not hold good, but in the long run, on the whole the tenant pays all the taxes. Then too in this state we have, for instance in Allegheny County, the City of Pittsburgh at least, permanent registration, so that if a voter who is registered can

vote forever after if he votes every year. If he ceases to vote for two years then he has to go back and register. That has been working in the City of Pittsburgh, and if this bill is passed it will throw an additional burden on the Registration Commissioners and the Election Board, and there will be an additional qualification. A man comes to vote on permanent registration in the City of Pittsburgh they will have to check up and see if he has paid taxes in those two years. But the real vicious thing about this bill is this: it is not intended to raise revenue, it never did raise any revenue to amount to anything, when we did have the bill on the books, but it allows a splendid method for the machines to acquire and own voters. I am thoroughly convinced that that is the purpose of this bill. In the City of Pittsburgh and the City of Philadelphia, and I assume the City of Scranton, especially in the thickly populated centers, it has been the custom under the old bill, for the machine to go around in the different districts and find out the poor that did not pay any tax and get a list and go down to the City Treasurer and County Treasurer's office and some man that has money pays the tax for those people. They then go back election day and say go down and vote here is your receipt to vote, we paid the tax for you, you ought to go down and vote for us."

Now that applies to any machine, I am not complaining about the Republican party, because it has been in power in Pennsylvania so long, I say to you that the temptation is so great that any party that will be in power long enough will use that same effort.

Mr. President, therefore, I feel that this bill should be defeated for those reasons, that it goes on the theory that a man who does not own real estate does not pay tax, Secondly, because the effect of it would be to allow the machine to pay the tax for a certain voter, throwing restrictions around him, so that he will not be able to vote unless some politician who has worked ahead of time goes around through all these districts, and therefore owns the voter on election day.

Mr. BUCKMAN. Mr. President, I had always understood that the Democratic party was the party in favor of taxation. Surely in the session of 1935, and during this Special Session, they have been the party that has been putting the taxes on the people. Here is a tax that would probably amount to fifty cents a head, they are not willing to put this tax on the people. Furthermore, I call the attention of the Senate to the fact that this is not a bill that will place directly any tax on the people, but a proposed amendment to the Constitution. It would have to pass this session both Houses, the Democratic House as well as this Republican Senate, and would then have to be passed by another session and then would be referred to the people for their final decision as to whether or not they want to amend the Constitution in this particular. In other words, this is the first step for referendum. This is not a bill to place a tax on anyone as it stands now, it is a referendum to the sovereign people of Pennsylvania to say whether or not they want to adopt this amendment, and I have always understood that the Democratic party, as well as some of our more independent Republicans, were very strong for referendum. I have not always been so strong for it myself, but I am for this bill and independent thinking Senators, whether they are Democrats or whether they are Republicans, cannot justify, in my judgment, a vote against this bill at this time, and I, therefore, hope that the bill will pass the Senate today and will go to the House, and the Democrats over there, who are in absolute and uncontradicted control, will see the light of day, pass this and let the sovereign people of Pennsylvania say whether or not they want to put this twenty-five cents or fifty cents tax on the people.

Mr. WOODWARD. Mr. President, I regret to find my distinguished colleague from Allegheny, Mr. McGinnis, guilty of what is called obsolescence. If he does not know I will have to instruct him that the Democratic party has become Hamiltonians, that they have deserted Thomas Jefferson, but he does not seem to know that. They no longer are going to have Jefferson County in Pennsylvania and Missouri is going to change the name of its capital from Jefferson City to Hamilton City. I am invited, and perhaps you are, to the home of Thomas Jefferson in Monticello on the Fourth of July, to hear President Roosevelt explain how the Democratic party happen to have given up entirely their ancient god, Thomas Jefferson. This bill is a Hamiltonian measure, and, therefore, all Democrats in the New Deal ought to vote for it.

Mr. McGINNIS. Mr. President, I would like to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, with much pleasure.

Mr. McGINNIS. Mr. President, I understand this provision in the Constitution was repealed under the Pinchot Administration, I would like to inquire of the Senator from Bucks how he voted on that bill.

Mr. BUCKMAN. Mr. President, does the Senator from Allegheny Mr. McGinnis, mean how I voted at the polls or on the floor of this Senate?

Mr. McGINNIS. Mr. President, I would certainly not ask how the Senator voted at the polls.

Mr. BUCKMAN. Mr. President, if that were the case I would give an appropriate answer. If the Senator from Allegheny, Mr. McGinnis, wants to know how I voted when this resolution came before the Senate on two occasions, my best recollection is that I voted against the repeal. That is my best recollection.

Mr. McGINNIS. Mr. President, does the Senator from Bucks, Mr. Buckman, have any positive recollection?

Mr. BUCKMAN. Mr. President, when the Senator from Allegheny, Mr. McGinnis, considers that we vote at least twenty-five hundred times at each session and I have been here over a quarter of a century, I would not want to be positive.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Aron,	Graff,	Mallery,	Sones,
Batchelor,	Harvey,	Owlett,	Sordoni,
Bean,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Reed,	(Westmoreland)
Chapman,	Huffman,	(Dauphin)	Woodward,
Ealy,	Lanius,	Rupp,	Ziesenheim,
Gelder,	Law,	Salus,	

NAYS—23

Baumer,	McCreesh,	Reed,	Scott,
Cavalcante,	McGinnis,	(Washington)	Shapiro,
Coyne,	Miller,	Rice,	Staudenmeier,
Frey,	Prince,	Roberts,	Thompson,
Harris,	Pytko,	Rodgers,	(Centre)
Kahle,	Rankin,	Ruth,	Trainer,
McClure,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that Senate Bill No. 87, on second reading, entitled:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class, school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL INTRODUCED

Mr. LAW. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LAW read in place and presented to the Chair Senate Bill No. 100, entitled:

An Act to amend section nine of the act, approved the fourteenth day of June, one thousand nine hundred and thirty-five (P. L. 341), entitled "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; making an appropriation; and providing penalties," by providing that the tax imposed by said act shall be in addition to the mercantile license tax imposed upon the business of selling cigarettes.

Which was committed to the Committee on Finance.

REPORTS FROM COMMITTEES

Mr. FREY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. It there objection? The Chair hears none.

Mr. FREY, from the Committee on Municipal Government reported as committed, Senate Bill No. 97 (House Bill No. 149), entitled:

An Act to amend an act, approved the fourth day of June, one thousand nine hundred and thirty-six (Act No. 3, entitled "An act abating certain tax penalties and interest of county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof," by adding thereto a new section to be known as section six and one-tenth; providing for the compensation of delinquent tax collectors, their employes and expenses for the collection of delinquent taxes in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes.

RECESS

Mr. STAUDENMEIER. Mr. President, I move that the Senate do now take a recess for ten minutes for the purpose of having a meeting of the Judiciary Special committee.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 95 (House Bill No. 91), entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes levees and river bank protections along the Delaware River at Morrisville Borough Bucks County.

Mr. HARRIS. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 98 (House Bill No. 143), entitled:

An Act to provide revenue by prohibiting the employment of miners in the bituminous coal mines, unless certificated after examination by a miners' examining board and the payment of certain fees; providing for the appointment of such boards, and defining their powers and duties; and providing penalties.

RECESS

Mr. HARRIS. Mr. President, I move that the Senate do now take a recess until five o'clock this evening.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agree to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

MEMORIAL SERVICES ON THE DEATH OF HONORABLE JAMES E. NORTON LATE SENATOR FROM THE ELEVENTH DISTRICT

The Senate met at two-thirty P. M.

The LIEUTENANT-GOVERNOR (Honorable Thomas Kennedy) in the Chair.

The PRESIDENT. This being the time fixed by resolution for holding memorial services on the death of Honorable James E. Norton, late Senator from the Eleventh District, the Senate will be in order and will be opened with prayer by the Chaplain.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

O Lord, our God, the relationships established by Thy Providence among men mean much to us all. In the home, in our varied fields of human activity and by social intermingling we are brought together and come to know, to trust, and even to love each other. Some of the men

whom we meet on life's highway, by their personalities and sterling characters, bind themselves to us with bands of steel. Such a man was the member of the Senate of Pennsylvania in whose memory this service is being held.

How familiar was his figure in this Chamber; how faithful was he to every duty imposed upon him; how patiently he bore the burdens incident to public office, whether here or in his other fields of social and fraternal activity.

His passing from our midst leaves in the ranks of this legislative body a vacancy which will long be keenly felt. His co-Senators stand before Thee today, O God, with bowed heads and sorrowful hearts. Comfort as Thou alone canst comfort his bereaved companion and every member of his family. Enable them to say, as sorrow sweeps over their souls, "Thy will be done."

Strengthen him who has succeeded to his legislative responsibilities so that he may worthily follow his honored predecessor.

Lead us all by Thy hand until we reach the end of our earthly pilgrimage. Then guide us through the Valley of the Shadow and over the turbulent River of Death to the peaceful shore on the other side, where we hope to meet our brother and to look upon Thy face, O God. May this hope become so strong an assurance to each of us that we may be comforted in this hour of sad remembrance and be able to say:

"There is no death,
What seems so is transition;
This life of mortal breath
Is but the suburb of the life Elysian
Whose portal we call death."

We make this petition in the name of Jesus Christ, our Lord, who sent the Comforter to abide in our midst to sustain us in such an hour as this. Amen.

Whereas, the Honorable James Edward Norton, member of the Senate of Pennsylvania from the Eleventh District, in the full strength of his manhood, and at the zenith of his career as a public official and fraternal leader, was suddenly called to his eternal reward on December 9, 1935, thereby completing a career which in all likelihood would have risen to still greater heights.

Whereas, the Commonwealth of Pennsylvania, and this Senate has lost, through his death, the services of a conscientious public servant, an advisor who had the best interests of the citizenry at heart, a man who was loved and trusted by his fellow Senators, as well as his constituents in the Eleventh District, because of his clean and Christian manhood,

Therefore, be it Resolved, That the Senate of Pennsylvania give formal expression of the deep loss it has sustained, through his death, and, be it further

Resolved, that the sincere sympathy of the members of this Senate be extended to the bereaved members of his family, and be it

Resolved, that these resolutions be spread upon the minutes of the Senate, and a copy thereof, properly engrossed and attested, be forwarded to the family.

FRANK W. RUTH, Chairman
CHARLES H. EALY
CHARLES W. STAUDENMEIER
FRANK J. HARRIS
WARREN R. ROBERTS

On the question,

Will the Senate agree to the motion?

Mr. RUTH. Mr. President, Gentlemen of the Senate and Friends:

Senator James E. Norton was a native son of Berks County, the District which he represented in this Honorable Body for almost sixteen years. He was of sturdy pioneer stock, born in Reading, Pa. on February 23, 1872, a son of James H. Norton and wife Adelaide nee Albright. His father was a pioneer in railroad circles, and an early executive for the Philadelphia and Reading R. R. Company, he established the express office system for this carrier.

On his parental side, he is a descendant of representaives who played an important part in the Revolutionary War and the War of 1812. His grandfather, James Norton, was a veteran of the latter struggle and took an active and keen interest in the affairs of his surroundings. Through his mother he was a descendant of Aaron Albright, who during the middle portion of the 19th Century was surveyor of Berks County.

His chief virtue was in his moral influence and Christian manhood. Senator Norton took an active interest in Church work and taught a large class of men in the Olivet Presbyterian Sunday School. Perhaps the Olivet Boys Club was his greatest delight and interest. Founded by Wm. McCormick for the boys who needed recreation and help, this Club grew into one of the most helpful institutions in Reading. Senator Norton considered the members "his boys" and was always willing to help them in any way possible. He served as the Treasurer of this Club for many years until his death. He was a Charter member and Trustee of the Olivet Presbyterian Church.

While he was on a business trip to Boston, Mass., death came to him suddenly on December 9, 1935, but it did not meet him unprepared, for all his life had been a preparation, so living here as to deserve a higher and better life. Our friend has gone, and his untimely taking reminds me of these words:

Death takes us unawares
And stays our hurrying feet,
The great design unfinished lies
Our lives are incomplete.

Mr. President, I look upon that man who thus passed beyond the veil as a fortunate individual. I see nothing to desire in length of years—in the years that come when the strength fails, when the vigor departs, when a man becomes more or less of an onlooker by the roadside, past whom the great active procession runs and leaps.

For myself, I would prefer to die as he died, before the first touch of age, before the first disappointment that must come when one realizes the failure of power—to go out at the summit and amid the successes of victorious life, to die in the harness, when all men looking on, regret the loss.

He has gone beyond, we of the Christian faith believe, to a future of added usefulness, where the power and strength he has laid down here will be taken on again under better conditions, to be used in greater fields of usefulness than is possible in this temporary existence of ours.

After all, to die a Christian's death should be the great purpose of every man. Honors and riches and all else desired by mortal man shall perish away with generations and be forgotten amid the centuries, but the soul that has put its trust in the Conqueror of death, the Redeemer of the world, shall live forever. Whenever human intellect has existed there has been an earnest desire, a silent prayer, for immortality—for an eternity of existence.

We peer into the impenetrable shadow, but we do not

see; we listen in the infinite silence and there is no sound; but the cable of human hope stretches from shore to shore. Over it we whisper our messages of love to those who have gone before, and with the ear of faith wait the answer to our prayers.

The kindness and mercy of an all-wise Creator has answered that universal prayer, and so, in accordance with the blessed doctrines of the New Testament and his faith in them, we believe that the spirit of our friend is destined to eternal happiness. As we have by his death been reminded that Father Time is ever ready with his scythe to strike us down, let us take the solemn lesson ever impressed upon us and renew our devotion to the best principals of every great and worthy existence, right and justice to all and by all, strict performance of duty amid all temptations, and never-failing kindness and charity to all of God's creatures. Then may we, Mr. President, when the dread summons calls us from loved ones into unknown darkness, go not alone—terrible thought, alone —but be, as we believe our friend was, accompanied by the Prince of Peace, whose mercy, love and sacrifice are sufficient for us and shall ever bless us.

Senator Norton was born in Reading, Feb. 23, 1872, son of James H. and Adelaide (Albright) Norton. On his paternal side he is a descendent of representatives who played an important part in the Revolutionary War and the War of 1812. His grandfather, James Norton was a veteran of the latter struggle and took keen and active interest in the affairs of his surroundings. James H. Norton his father, was a pioneer in railroad circles and as an early executive for the Philadelphia & Reading R R. established the express office system for this carrier. Through his mother he was a descendant of Aaron Albright, who during the middle portion of the 19th century, was surveyor for Berks Co.

Senator Norton received a general education in the Public Schools of Reading, graduating from the Boys High School June 28, 1887, in the role of class orator.

For some years he was manager of the Coleman Printing House which later was known as the Norton Printing House. He entered the insurance field in 1913 and maintained a General Insurance Business until the time of his death. He was widely known in Insurance circles and was Chairman of the Senate Insurance Committee.

In 1916 Senator Norton was appointed Coroner of Berks County by Governor Martin G. Brumbaugh. He served in this capacity until Jan. 1, 1918. During this period he was asked to serve as a member of the District Board for Division No. 3 of the War Dept. Eastern Judicial District of Penna. On this body which functioned during the World War he served during 1917 and 1918, until it was abolished at the conclusion of the war.

In November, 1918, he became the Republican Candidate for the House of Representatives and won by a substantial majority. In 1920 he was elected as Senator, the first Republican to serve in the Senate from Berks County. He was elected four consecutive terms and at the time of his death was finishing the 16th year as a member of that body.

Mr. Norton took an active interest in church work and taught a large class of men in the Olivet Presbyterian Sunday School. Perhaps the Olivet Boys Club was his greatest delight and interest. Founded by Wm. McCormick for the boys who needed recreation and help, this Club grew into one of the most helpful institutions in Reading. Mr. Norton considered the members "his boys" and was always willing to help them in any way possible. He served as the treasurer of this club for many years and was holding that office at the time of his death. He was a Charter member of the Olivet Presbyterian Church and a trustee.

Senator Norton was widely known in Fraternal circles. He was a member of Lodge 62 Free and Accepted Masons, Excelsior Chapter 237 Royal Arch Masons; Reading Sovereign Consistory, Ancient Accepted Scottish Rite in which he held the 32nd degree.

He was a member of Friendship Commandery No. 247 Knights of Malta, a trustee of Wyomissing Council 1584 Royal Arcanum, was past Grand Regent for the State of Penna. and from 1933 to 1935, was Supreme Regent of the Royal Arcanum for the United States and Canada. In 1935 when his term expired as Supreme Regent, he was elected Supreme Treasurer of the Royal Arcanum with offices in Boston.

Senator Norton was married twice. His first wife was Fannie M. Coleman daughter of William N. Coleman a well known business man of Reading Pa. To this union was born three children: James C. Norton who served in the U. S. Marine Corp. as 1st Lieut. in China during the World War, now a business man of Erie, Pa.

Paul R. Norton, graduate of Princeton and Oxford Universities now a member of the Faculty of Princeton.

Ruth Virginia, graduate of Wellesley College, a teacher in the Junior High Schools of Reading.

In 1933, Senator Norton was married to Mrs. Mattie T. Raudenbush, daughter of Isaac F. Thompson, of Coatesville, and widow of Dr. Charles H. Raudenbush, who survives him.

Senator Norton died very suddenly in Boston on December 9, 1935.

Mr. EALY. Mr. President, when last the Senate met in a similar session a little over a year ago, one of those who spoke in memory of our deceased associate was Senator Norton. How little did any of us know or suspect that he would be the next one called from service in this body.

Only a few days before he died, I had the privilege of sitting with him here at Harrisburg in a meeting of a special committee of this Legislature. To me he seemed to be in his usual health and bodily vigor. I had no foreboding of what was so soon to happen and I was most deeply shocked and grieved when the news came of his sudden and untimely death.

When I first came to the Senate, ten years ago, Senator Norton was here—an important member. His voice was seldom heard in debate on the floor but he had a full grasp of the many perplexing questions presented to us and his views on controversial subjects were definite and positive. These he would never compromise for political expediency. He believed that he owed it to those who had elected him and to the State to exercise his best judgment and not to be swayed by passing fancies or ideas that seemed to have temporary popular support. He was intellectually honest and his constituency must have recognized his ability and integrity in returning him repeatedly to this body.

Here in the Senate he was known as a solid and sub-

stantial member who could be depended upon to do the right thing according to the best of his knowledge and judgment. He was not shallow as a dashing brook but rather deep and broad as a quietly flowing river.

Conscientious public service seldom receives its full reward except in the knowledge and satisfaction one has of a duty faithfully performed. Senator Norton might well have rejoiced in that respect. But I feel that perhaps we have been somewhat remiss in that we did not during his stay among us more frequently and strongly express to him the deep appreciation which we all felt for his sterling worth and character.

The biography of Senator Norton which now comes to us shows that he took a leading part for many years in all kinds of civic, fraternal and religious activities in his home community and elsewhere. This is in keeping with the man as we knew him.

With our finite minds and limited knowledge we can not pierce the future. Many believe that over yonder there will be work to perform. Tasks will be allotted to all in accordance with their several abilities. If that be true Senator Norton will be charged with important duties for which he will be most splendidly equipped.

To us who remain, he, although dead "yet speaketh." His life and work here will be to us an example and inspiration to carry on the work with the loftiest motives and purposes and for the best interests of all the people of the Commonwealth.

Service in the State Senate these last years has been arduous but a recompense comes to me through the association with the men who have filled these halls during this period. Though I should live many years after retirement from this Senate, I shall not forget the days spent in their company. Among them all, I shall ever remember that true citizen and statesman, Senator James E. Norton.

Mr. STAUDENMEIER. Mr. President, we meet here today united in a common sentiment and a common sorrow. I am reminded of the words of the French essayist Montaigne, who one time stated that he sometimes liked to wrap himself up in the memory of his father. So may be said of us today that we are gathered here for the purpose of wrapping ourselves up in the memory of Senator Norton. We could very well show our honor to him by wetting his grave with our tears, but it seems to me that we could pay a greater honor by considering here, during these brief moments, some of the outstanding qualifications of the man.

Senator Ruth very aptly said that Senator Norton had a high sense of justice. It seems to me that no finer thing could be said of anybody than that he had a high sense of justice; and in Senator Norton that sense of Justice was developed to the nth degree. Addison, in one of his essays, says, "Justice is the greatest and most God-like of all virtues." And Edmund Burke, in his speech on American Conciliation, said, "Justice is the greatest friend of mankind."

Senator Norton's example, his inspiration, his statesmanship, his very method of conducting himself, all those did not go to the grave; they are beyond the reach of rust and decay, but they are a part of Senator Norton. And I could not help thinking of the words of our Chaplain here, who said Senator Norton would be a light to us in the other world; and it just reminds me of a little poem which I think is apropos here today:

An old man going a lone highway,
Came at the evening cold and gray,
To a chasm vast and deep and wide.
The old man crossed in the twilight dim,
The sullen streams had no fear for him;
But he turned when safe on the other side,
And built a bridge to span the tide.

"Old man," said a fellow pilgrim near,
"You are wasting your time with building here,
You never again will pass this way,
Your journey will end with the closing day;
You have crossed the chasm deep and wide,
Why build you this bridge at eventide?"
The builder lifted his old gray head,
"Good friend, in the way that I've come," he said,
"There followeth after me today
A youth whose feet must pass this way;
This stream that has been as naught to me,
To the fair-haired youth might a pitfall be.
He, too, must cross in the twilight dim.
Good friend, I am building the bridge for him."

I think that Senator Norton, during the many years he spent in this Senate, built a bridge for the Senators who are here today, and for the Senators that are to come.

In conclusion, the only thing I can think to say—and I believe it is true—is that the very winds that are blowing over his grave are blowing, and will continue to blow, the requiem Requiscat en Pace,—May He Rest in Peace.

Mr. ROBERTS. Mr. President,

A flash of the lightning, a break of the wave,
Man passeth from life to his rest in the grave.

With like suddeness the many friends of the late Senator James E. Norton were saddened at his untimely passing. We knew Senator Norton as an honest Christian Citizen.

He moved in the even tenor of his way with a kindly word for all with whom he came in contact. My first meeting with the Senator was many years ago when he addressed a men's meeting at the Presbyterian Church in Bethlehem. At that time I was impressed with his keen interest in the brotherhood of man and the development of Christian citizenship.

In this noble effort he never faltered. And at this time when we meet to honor his memory is it not a fitting tribute to his own devotion that we urge a more general activity in religious, civic and social life. The glory of our past and the hope of our future centers entirely on the individual efforts of the individual citizen. Let us be inspired to take time out of our busy lives to unselfishly support all that seeks to move effectively "Do unto others as you would have them do unto you."

In no better way can we honor the memory of our departed friend. That Senator Norton had the confidence of the people of his district is best demonstrated by his continuous public service in a county of opposite political faith to his own. To be loved and respected by those who know us best is a far greater honor than the possession of accumulated wealth. James E. Norton will ever be remembered for his humble kindly spirit as demonstrated in his Christian, family, social and civic life.

Mr. HARRIS. Mr. President, members of the family, and friends of the late Senator Norton: The last time we saw Senator Norton, the most of us, at least, was in this very Chamber, when we all wanted to bid him bon voyage on the trip he was making. He was smiling and happy, and I believe that every member in this body bid him good-bye and wished him a safe journey. He was a popular man, and as was said here today, his popularity was shown by the fact that he was repeatedly elected to

this body in a district which at times the opposition party controlled. He was a man of fine courage not a courage that was demonstrated by flamboyant actions or words, but a quiet courage, a courage of his convictions, that when he knew he was right he had the courage to stand by a principle. He had ability, a splendid ability, as had been demonstrated during his life and during his many terms in this body. He made a success in business. He was a fine legislator. He handled the committee of which he was Chairman with great ability. He was a man whom we might say was a steady man, a man whose feet were on the ground at all times. He knew exactly what to do at the right time.

And then he had a fine human side, a fine understanding of the problems of those who were less fortunate than he, and he gained this human side not only because he had it naturally, but because of his contact with men. He was a fraternal man, a man who liked to meet people, and knew that this was an education in itself; and he made friends wherever he went.

Now, in these days of economic depression, many of us when we make an inventory of our assets try to decide how much we have in material wealth, and I wonder if we do not stress that side of life too strongly. If we should not add to our assets the friendships we have made, the contacts we have made that were pleasing and wholesome, and they to my mind are more valuable than any material wealth we may gain—and if we measure Senator Norton's wealth by his friends, we can certainly call him a millionaire. He had a host of friends and he made them because of his splendid character and his courteous manners and when he left here he left with a smile, and then we were all shocked to hear of his sudden death—he passed away in almost a second.

To the family of the deceased, of course, it is a great shock. Some of the older members here can recall and would know that I can realize more than most people what a shock that would be, because it was in this building that my late brother passed away. But I wonder sometime if grief is not selfish. We grieve for ourselves, we grieve because we have lost something that is fine, a friend or a relative, but when death comes so suddenly as it did to Senator Norton, it does this for the departed: He doesn't have to go through many weeks and months of pain and illness; he is taken away in the prime of life, right in the happiness of life, with none of the long lingering illness that comes to some of us, and after all, when one is prepared, if we are ready to go, if we are ready to face our Maker, it is not a finer way to go, not from those left after, but for the departed? And his was a peaceful death, so that while the family may feel the shock, we should bear in mind that the one who has passed away was saved much suffering. And Jimmie Norton was such a cheerful man; wherever he went there was a smile and a happy handclasp, and you know that I think the best proof of his popularity was the way we all saluted him. I never heard anyone call him Senator Norton, or James Norton; we all addressed him as Jimmie Norton, and I think that is evidence of his popularity. You know we sometimes wonder why men in the prime of life, with everything to live for, are taken away, but it is not for us to question. It is the work of God. We simply have to bow our heads in submission and say "Thy will be done."

And the question recurring,

Will the Senate agree to the resolution?

The yea and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Sordoni,
Cavalcante,	Lanius,	(Dauphin)	Staudenmeier,
Chapman,	Law,	Reed,	Thompson,
Coyne,	Mallery,	(Washington)	(Centre)
Ealy,	McClure,	Rice,	Thompson,
Frey,	McCreesh,	Roberts,	(Westmoreland)
Gelder,	McGinnis,	Rodgers,	Trainer,
Graff,	Miller,	Rupp,	Woodward,
Harris,	Owlett,	Ruth,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

ADJOURNMENT

Mr. RUTH. Mr. President, I move that the memorial session of the Senate do now adjourn.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, July sixth at nine o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening, July sixth at nine o'clock Eastern Standard Time.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 60

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 60, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public nonsectarian libraries damaged or destroyed by flood; and providing procedure to ascertain the amount of damage.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 109

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 109, entitled:

An Act to authorize and empower municipalities and townships, separately or jointly, to erect and construct flood control works and improvements within or without their territorial limits, and to expend moneys and incur indebtedness for such purposes.

He also presented, for concurrence bills of the House of Representatives as follows:

House Bill No. 63 (Senate Bill No. 101), entitled:

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by requiring extra fees for the assignment of special registration plates.

Which was committed to the Committee on Military Affairs.

House Bill No. 136 (Senate Bill No. 102), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto a section.

Which was committed to the Committee on Constitutional Changes.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 46, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river banks protections along the Delaware River at Matamoras and Milford, Pike County.

House Bill No. 60, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public nonsectarian libraries damaged or destroyed by flood; and providing procedure to ascertain the amount of damage.

House Bill No. 76, entitled:

An Act to amend section eight of the act, approved the nineteenth day of January, one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three—one thousand nine hundred thirty-four, Pamphlet Laws, two hundred eighty-six), entitled "An act making appropriations out of The State Stores Fund to the State Emergency Relief Board for direct relief, work relief, and expenses, including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments," by imposing a time limit within which counties cities, boroughs, incorporated towns, townships, school districts and poor districts may obtain reimbursements for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects.

House Bill No. 109, entitled:

An Act to authorize and empower municipalities and townships, separately or jointly, to erect and construct flood control works and improvements within or without their territorial limits, and to expend moneys and incur indebtedness for such purposes.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

APPOINTMENT OF COMMITTEE UNDER PROVISIONS OF SENATE RESOLUTION NO. 3.

The PRESIDENT. The President Pro Tempore announces the appointment of the following Committee under the provisions of Senate Resolution No. 3: The Senator from Beaver, Mr. Batchelor, the Senator from Westmoreland, Mr. Thompson, the Senator from Warren, Mr. Chapman, the Senator from Indiana, Mr. Bennett, and the Senator from Allegheny, Mr. Frey.

QUESTION OF PERSONAL PRIVILEGE

Mr. WOODWARD. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Woodward, will state his question of personal privilege.

Mr. WOODWARD. Mr. President, this morning I moved to recommit Senate Bill 50, the bill of the Senator from Centre, Mr. Thompson, and I want to offer an apology to Senator Thompson for so doing, and since he is not here, I hope that some friend will tell him that. I was in error, I got the bills mixed. I had not read either of them, to tell the truth, and I thought that Senate Bill No. 50 was appropriating $60,000,000 for relief. I now find that it does not do that, and therefore, I will use my best efforts with the Chairman of the Committee to re-report the bill, and apologize to the Senator from Centre.

BILL ON THIRD READING

Mr. RODGERS. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 74, entitled:

A Joint Resolution proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. RODGERS. Mr. President, I ask unanimous consent to amend section 1, page 2, line 10, by striking out the word "electors" and insert in lieu thereof "elector"; also page 2, line 11, by inserting after the word "thereto" the following: "the elector and his or her spouse"; also page 2, line 12, by striking out the word "owners" and insert in lieu thereof "owner"; also page 2, line 13, by striking out the word "subdivisions" and insert in lieu thereof "subdivision."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

QUESTION OF PERSONAL PRIVILEGE

Mr. HARRIS. Mr. President, I rise to the question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his question of personal privilege.

Mr. HARRIS. Mr. President, it is with extreme regret that I learned that the conferees appointed to adjust the differences on the Mothers' Assistance bill between the House and the Senate has failed to agree. Last week, when a motion was made to recede from amendments, I voted to recede, and what I say now will be, in part, a repetition of what I said last week. I was prompted to vote for the amendment to provide a change in the way of appointing the Trustees of the Mothers' Assistance Fund, because I was deeply interested in this legislation, and I said with pride that in 1911 I had a part in the passage of this bill, and as Treasurer of Allegheny County, I signed the first check that went to widowed mothers under this Act. I have continued my interest in this legislation during all these years, and, as the older members know, I handled the appropriation bills for mothers assistance. It is natural then that I would be concerned about the proper administration of this law, and when I heard current rumors that there were wholesale dismissals being made of Trustees of the Mothers' Assistance Fund, I predicated my vote upon this information, that there should be a change, and so voted, but I voted to recede because I felt that by not receding, it might create a condition where the State would not be able to take advantage of the Act of Congress, and receive enough money to clear up the waiting list. Now, upon further investigation, and upon very reliable authority. I have been furnished with facts and figures that are amazing. It might be well to explain this Act, particularly the provisions relating to the appointing of the Trustees. The original Act provided that these Trustees would be appointed by the Governor, and that they would continue in office, and would be a self-perpetuating body, that upon a vacancy in the Board, that the Board would fill that vacancy, if it was necessary to make any dismissal for failure to perform their duty, the Board would so do. From 1911 to 1923 there was no change in the Act, and during those years there was very little change in the personnel of the Trustees, but in 1923 there was an amendment, and that amendment provided that the Governor would make the appointments, and also that the appointments would be for two, four and six years, so that they would overlap, and the members would not all be new. I call your attention to the remarkable thing that in spite of the fact that some remark was made that previous Governors made wholesale dismissals, according to the figures I have, during all those years there were only two removed, from 1923 to 1935, only two dismissals from those Boards. There were a number of changes because of the expirations of terms, but not many.

Now then, we come to 1935, the beginning of this Administration, and my figures show that 153 changes were made because of expirations of terms—one hundred and fifty-three. But the serious part is this: that 125 changes were made where the terms did not expire, 125 dismissals where the terms had not expired, and in some cases resignations were requested, and in many cases these women did not respond to the request of the Governor to resign, and they were dismissed, thrown off the Boards. Now, gentlemen, those of us who have had something to do with the administration of this law, know that there were many women who had given years of their best service to this work, that were intensely interested in it, they had a deep and earnest interest in the proper administration of this work, and many of those people were removed after they had given service without a single penny of compensation, many I know personally, and one in particular in my own county was removed before the expiration of her term.

If these figures and facts are correct, then I submit to you that there is necessity for some change in the matter of appointments, but I desire to be perfectly fair, I desire to have these figures checked, and, as I say again, these were given to me by the best information obtainable, but I understand there are different figures.

Mr. President, I think the Senate should have the facts. If these wholesale dismissals are taking place, that women who have given years of their lives to this work are being removed for political reasons, we ought to know it. Now then, the argument might be used that this is a new Administration and changes should be made, and that the Democrats are now in control and they should have the appointments.

If that argument is used, then I submit to you that is a political argument. Before the Democratic Party came into power we had factional troubles in the Republican Party, and bitter factional differences, but in spite of these differences three successive governors—three governors—thought so much of this Act—they regarded it as sacred—that they did not make wholesale removals.

Now, Mr. President, for the information of the Senate, and in order to find out the facts with regard to removals, I submit the following resolution, and ask its immediate consideration.

RESOLUTION REQUESTING DEPARTMENT OF WELFARE TO FURNISH INFORMATION RELATIVE TO REMOVALS OF TRUSTEES OF MOTHERS' ASSISTANCE BOARDS

Mr. HARRIS offered the following resolution, which was twice read:

Whereas, changes having been made and current rumor exists, that trustees of Mothers Assistance Boards have been removed in great numbers, that resignations have been asked and were refused, these members were summarily dismissed, and

Whereas, it is the desire of the Senate to ascertain the accuracy of these reports,

Therefore, be it Resolved, That the Department of Welfare be requested to immediately furnish the Senate with the following information:

(a) The number of dismissals of trustees whose terms had not expired from 1923 to this date

(b) The number of changes of trustees whose terms had not expired during the present Administration

(c) The number of resignations asked during this period

(d) The number of trustees who refused to resign

(e) The number who were removed after their failure to comply with the request to resign

(f) The names of the trustees affected in all these cases

Mr. HARRIS. Mr. President, I ask unanimous consent that Rule 39, which requires resolution to be referred to an appropriate committee, be suspended, and that the Senate do now proceed to the immediate consideration of the resolution just read.

Mr. PRESIDENT. Is there objection?

Mr. CAVALCANTE. Mr. President, for information I

wish to interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I shall be very pleased to.

Mr. CAVALCANTE. Mr. President, does not the Senator from Allegheny, Mr. Harris, feel that the question of whether or not an appointee to any of these Boards of Trustees is a proper matter for investigation and consideration by the Committee on Executive Nominations of this Senate, before reporting any appointments of that character to this Senate for its advice and consent?

Mr. HARRIS. Mr. President, I am glad the man from Fayette asked that question, because there was no charge made by any member of this body against any appointees of the governor. Personally, I think most of them are very high class women, and have the interest of administering this law at heart; and I also say that the women who were deposed were fine, splendid women; but that has nothing to do with it at all. The question as to the character of these women is not involved; I have nothing against any of them that were appointed.

Mr. CAVALCANTE. Mr. President, does not the Senator from Allegheny feel that on appointments to any of these Boards, so made by the Governor and sent to this Senate, it is the duty of the Committee on Executive Nominations to inquire and consider whether political considerations have entered into the making of the appointments?

Mr. HARRIS. Mr. President, I think that every appointment that the Governor has sent here, of trustees to Mothers' Assistance Boards, have been reported out of committee to the floor of this Senate.

And the question recurring,

Is there objection to the suspending of Rule 39, in order that the Senate may now proceed to the consideration of the resolution just read?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

REPORTS FROM COMMITTEE

Mr. ARON. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Constitutional Changes reported as committed, Senate Bill No. 6, entitled:

A Joint Resolution proposing an amendment to article eight, of the Constitution of the Commonwealth of Pennsylvania.

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

MEMBERS OF THE SEVENTY-FIFTH ANNIVERSARY OF THE BATTLE OF GETTYSBURG COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

Edward C. Shannon, Columbia, from October 1, 1935, until annulled.

William A. Schnader Philadelphia, from October 1, 1935, until annulled.

Gerald P. O'Neill, Pittsburgh, from October 1, 1935, until annulled.

Henry W. A. Hanson, Gettysburg, from October 1, 1935, until annulled.

William S. McLean, Jr., Wilkes-Barre, from October 1, 1935, until annulled.

Frederick B. Kerr, Clearfield, from October 1, 1935, until annulled.

Victor C. Mather, Haverford, from October 1, 1935, until annulled.

John S. Rice, Gettysburg, from October 1, 1935, until annulled.

GEORGE H. EARLE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointment.

H. B. Hege, of Mercersburg, Franklin County as Justice of the Peace in the Borough of Mercersburg, Franklin County, vice Miss Gertrude E. Myers, resigned, until the first Monday in January, 1938.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 30, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Wm. H. Dalzell, 1318 Crafton Blvd., Pittsburgh.

BLAIR COUNTY

Mrs. Arda Rose Carberry, Hollidaysburg.

CARBON COUNTY

Miss Evelyn F. Gabert, Lehighton.

DELAWARE COUNTY

William Rosen, Uupper Darby.

MONTGOMERY COUNTY

James I. Jellett, Jenkintown.

WASHINGTON COUNTY

Miss Elizabeth McBurney, Washington.

GEORGE H. EARLE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 22, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate John A. Bower, of Aaronsburg, Centre County, for appointment as Justice of the Peace in the Township of Haines, Centre County, until the first Monday in January, 1938, to compute from the date of confirmation.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. RANKIN,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. RANKIN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, so that there may be no question hereafter as to the executive nominations reported out and now before us for advice and consent. I wish to interrogate the Chairman of the Committee that reported the nominations out.

The PRESIDENT. Will the Senator from Allegheny, Mr. Coyne, permit himself to be interrogated?

Mr. COYNE. Mr. President, I will.

Mr. CAVALCANTE. Mr. President, did the Committee on Executive Nominations consider whether or not any political influence or consideration was involved in the making of these appointments by the Governor.

Mr. COYNE. Mr. President, yes, that question came up and we considered it; but felt that the man who did the appointing did not know anything about politics, and, naturally, would not appoint anybody by reason of the activity of a politician.

Mr. CAVALCANTE. Mr. President, do I understand, then, that the Committee reported them out because there was no objection, and there isn't any objection, that these appointments were made through any political consideration.

Mr. COYNE. Mr. President, no, we generally, as I told the Senator from Fayette last week, consult the Senator from whose district the appointments are made, and if he has no objection we report them out and have them confirmed. We generally submit them first to the Senator from the district,—the same as we did last week.

Mr. CAVALCANTE. Mr. President, then I take it there are no objections of that character against these nominees?

Mr. COYNE. Mr. President, no there are not.

Mr. CAVALCANTE. Mr. President, I thank the Senator from Allegheny.

Mr. COYNE. Mr. President, the Senator from Fayette is welcome; it is a pleasure at any time.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Sordoni,
Cavalcante,	Lanius,	(Dauphin)	Staudenmeier,
Chapman,	Law,	Reed,	Thompson,
Coyne,	Mallery,	(Washington)	(Centre)
Ealy,	McClure,	Rice,	Thompson,
Frey,	McCreesh,	Roberts,	(Westmoreland)
Gelder,	McGinnis,	Rodgers,	Trainer,
Graff,	Miller,	Rupp,	Woodward,
Harris,	Owlett,	Ruth,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. RANKIN. Mr. President, I move that the Executive Session do now rise.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED

Mr. MALLERY. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY, read in place and presented to the Chair Senate Bill No. 103, entitled:

An act to amend sections one and two of the act approved the fourth day of June, one thousand nine hundred and thirty-six (Act No. 3), entitled "An act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof," extending the provisions of the act so as to abate penalties and interest also on taxes for the year one thousand nine hundred and thirty-five.

Which was committed to the Committee on County Government.

MOTION TO READ BILLS THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. CAVALCANTE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 6, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 95 (House Bill No. 91), entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes levees and river bank protections along the Delaware River at Morrisville Borough Bucks County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 97 (House Bill No. 149), entitled:

An Act to amend an act, approved the fourth day of June, one thousand nine hundred and thirty-six (Act No. 3),entitled "An act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof," by adding thereto a new section to be known as section six and one-tenth; providing for the compensation of delinquent tax collectors, their employes and expenses for the collection of delinquent taxes in counties of the second class in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 98 (House Bill No. 143), entitled:

An Act to provide revenue by prohibiting the employment of miners in the bituminous coal mines unless certified after examination by a miners examining board and the payment of certain fees providing for the appointment of such boards and defining their powers and duties and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED (Dauphin). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Dauphin, Mr. Reed, will state his question of personal privilege.

Mr. REED (Dauphin). Mr. President, I desire to state for the information of the Senate that the Republican conferees on the Brancato Bill have been waiting to meet with the conferees from the House. I have attempted to have a meeting of the conferees prior to adjournment, but I am going to ask my co-conferees on that bill, the Senator from Lackawanna, Mr. Howell, and the Senator from Philadelphia, Mr. Pytko, to remain, as we have had assurances that the House conferees will meet with us.

I desire to state that in view of the situation, the conferees of the Senate are making every effort possible to secure an agreement on this bill, to the end that it may be passed at this time.

Mr. HARRIS. Mr. President, as a matter of fairness to the Conference Committee of the House, I would inform the Senator from Dauphin, Mr. Reed, that during his absence, pending the meeting of the Committee on Insurance, Miss Brancato was here and stated there would be a meeting of the House members of the Conference Committee; and I think she holds herself in readiness to call that meeting.

Mr. REED (Dauphin). Mr. President, I desire to inform the Senator from Allegheny, Mr. Harris, that since the meeting of the Committee on Insurance I have talked with Miss Brancato, and we are now waiting for the conferees to arrive.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow at 12 o'clock noon.

Mr. ROBERTS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:57 P. M. until tomorrow, July 1, 1936, at 12 o'clock noon.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 30, 1936

The House met at 12:00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

Lord, God of hosts, be with us yet, lest we forget Thy law and Thy commandment; lest we forget that righteousness alone exalteth a nation, but sin is a reproach to any people. Lest we forget to incarnate into our lives increasingly those high values of love, truth and beauty by which Thou dost will that we shall live. Stir up our pure minds that we shall in all our ways acknowledge Thee, that Thou mayest direct our path. In His name and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when on motion of Mr. FRANK P. HAMILTON, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

Mr. EBERHARTER asked and obtained unanimous consent to introduce the following bill:

By Mr. EBERHARTER. HOUSE BILL No. 156.

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State departments.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Mr. ZAPPALA. RESOLUTION No. 34.

In the House of Representatives, June 29, 1936.

Whereas, The Constitution makes it mandatory that after each decennial census there be a reapportionment of Legislative Districts among the several counties on a

ratio obtained by dividing the population of the State as ascertained by the most recent United States census by two hundred; that every county containing less than five ratios shall have one representative for every full ratio and an additional representative when the surplus exceeds half a ratio, but each county shall have at least one representative; that every county containing five ratios or more shall have one representative for every full ratio; that every city containing a population equal to a ratio shall elect separately its proportion of the representatives allotted to the county in which it is located; that every city entitled to more than four represenatives, and every county having over one hundred thousand inhabitants, shall be divided into districts of compact and contiguous territory, each district to elect its proportion of representatives according to its population, but no district shall elect more than four representatives; and

Whereas, This provision has been ignored by the Legislature, and

Whereas, Several attempts have been made to have this mandate carried out; therefore

Be It Resolved, That the Speaker of the House of Representatives appoint a committee of six (6) members of the House of Representatives and five (5) citizens of Pennsylvania for the purpose of making a survey of the State and recommending to the next Session of the Legislature a comprehensive plan of reapportionment to provide for the Legislative Districts in conformity with Article II, Section XVII, of the Constitution.

Referred to the Committee on Rules.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

PACKAGE BEER DEALERS

A petition from citizens of Erie County urging passage of House Bill No. 105.

Referred to the Committete on Judiciary General.

A communication from the Pennsylvania Restaurant Association protesting passage of House Bill No. 105.

Referred to the Committee on Judiciary General.

CHARGES AGAINST BOARD OF MEDICAL EDUCATION AND LICENSURE

A communication from Dr. H. M. Allison, Pittsburgh, calling attention to charges made against the Board of Medical Education and Licensure.

Referred to the Committee on Judiciary General.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 29, 1936.

Whereas The cost of transportation of pupils to the school districts in the City of Philadelphia is a matter of grave concern to its citizens and it is believed that it is far greater than the circumstances require, therefore, be it

Resolved (if the House of Representatives concur) That the Public Service Commission of Pennsylvania is hereby requested to make an investigation through its existing facilities with the view of ascertaining whether on the basis of valuation and income or on any other basis the street railway companies operating in the City of Philadelphia may be required to issue tickets for school pupils only at a rate not to exceed twenty-five cents (25c) per week.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

LEAVES OF ABSENCE

Mr. WEISS asked and obtained leave of absence for himself for the remainder of the week.

Mr. Coleman asked and obtained leave of absence for Mr. MUNLEY for the remainder of the week.

Mr. Achterman asked and obtained leave of absence for Mr. ANDREWS until 2:00 o'clock this afternoon.

Mr. RINN asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. WOOD asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. ROBINSON asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. FRANCIS T. BAKER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. BARBER asked and obtained leave of absence for himself for the remainder of the week after today's session.

RESOLUTION NO. 29

Mr. OMINSKY. Mr. Speaker, I desire to call up at this time Resolution No. 29, Printer's No. 162.

The resolution was read by the Clerk as follows:

In the House of Representatives, June 15, 1936.

Whereas, The Commonwealth of Pennsylvania has for many years appropriated substantial sums of money for the operation and maintenance of the Pennsylvania Working Home for the Blind, located at Philadelphia, Pennsylvania; and

Whereas, The said Pennsylvania Working Home for the Blind also receives substantial sums from the city of Philadelphia and from the Welfare Federation of Philadelphia; and

Whereas, The said institution has sixty inmates who reside there permanently and who are the recipients of State blind pensions; and

Whereas, The said institution coincidentally with the beginning of the blind pension payments, substantially increased the rates charged for boarding these inmates so that these inmates are obliged to pay over to this institution a large part of their pensions; therefore be it

Resolved, That a committee of five be named by the Speaker of the House of Representatives to investigate the use of those funds as appropriated by the Commonwealth of Pennsylvania and to determine whether or not those funds are properly used and to ascertain whether or not the present increase of the boarding charges are warranted, taking into consideration the additional funds received by said institution from the city of Philadelphia, the Welfare Federation of Philadelphia and from private endowments, and it is further

Resolved, That the committee shall make a report to this extraordinary session of the House of Representatives and it is further

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have

power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

On the question,

Will the House adopt the resolution?

Mr. WITKIN. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Ominsky?

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. OMINSKY. I will, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, is the gentleman in a position to advise the House as to the appropriation that was made to this Home by the state of Pennsylvania?

Mr. OMINSKY. Mr. Speaker, yes, the Legislature last year appropriated $45,000 for the biennium.

Mr. WITKIN. Mr. Speaker, may I ask what is the amount of the appropriation from the Welfare Federation of Philadelphia?

Mr. OMINSKY. Mr. Speaker, the United Campaign of 1935 allowed $11,700 for the Home.

Mr. WITKIN. Mr. Speaker, is that for one year or two years?

Mr. OMINSKY. One year, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, may I ask regarding the people at the Home, do they go there voluntarily or are they committed to the institution?

Mr. OMINSKY. Mr. Speaker, they come there voluntarily.

Mr. WITKIN. Mr. Speaker, then they can come and go as they please?

Mr. OMINSKY. That is right, Mr. Speaker.

Mr. WITKIN. Mr. Speaker and members of the House, I am opposed to this resolution merely because I do not think it is within our province to endeavor to annoy and harass the blind people who live in this institution. We have no right to say to these people where they shall live, and if they do not want to live at an institution they can leave.

I am in sympathy with the purpose of the gentleman from Philadelphia, Mr. Ominsky, that we ought to safeguard the interests of the blind people, but this resolution is an endeavor by an investigating committee to interfere and harass this Home. If this Legislature does not want to appropriate any money to this Blind Home at the next session, the Appropriations Committee will have ample power to study the situation, and if anything is being done in the Home that would deprive it properly of an additional appropriation for the next biennium, we are in a perfectly proper position so to do, but to go down there now within the next two weeks or four weeks and endeavor to conduct an investigation seems to me to be far out of place.

I am sorry that I was unable to discuss the matter with the gentleman from Philadelphia, because perhaps there is something in his mind that may make this a good resolution, but on the face of it I can not see it. It seems to me to come with rather improper grace to endeavor to investigate a Blind Home where we appropriated $45,000 for the biennium and leave a good many other things that we want to investigate, dealing with millions and billions of dollars uninvestigated. If this Legislature stands for the proposition of making an investigation where there is a small sum of money appropriated to a State Institution, then you may be right, but in the same breath you ought not to refuse an investigation where millions and billions of our tax-payers' money is being expended.

However, that is not the reason that I oppose the legislation. Just because you refuse to investigate things that ought to be investigated is no reason why we should refuse to investigate that which should be investigated, but unless the gentleman from Philadelphia can state more specifically why this Home in Philadelphia should be investigated other than the whereas clause, that they have raised the rates, would indicate, it would seem to me to indicate that this resolution ought to be defeated. We ought to know how much the rates have been raised; we ought to know whether people are being taken advantage of. This resolution to investigate the Home of the Blind seems to me to be in ill grace, and I suggest to the members of the House to let the blind alone up in that particular shelter. There is only six months time to go and then you can appropriate or not as you see fit.

Mr. OMINSKY. Mr. Speaker and members of the House, I had not thought that anyone would oppose a resolution of this kind, since it aims to aid a Home for the Blind in Philadelphia, especially in my district. This investigation was requested by a committee of the inmates of that Home, in the form of a resolution sent to me. All of the inmates were in favor of this investigation. The Pennsylvania Federation for the Blind have endorsed this investigation, and in addition to that I have a resolution from the Board of Managers of the Blind Home which is to be investigated, welcoming it. I wish to read the resolution passed by the Board of Managers of the Blind Home, welcoming this investigation. Following is the resolution:

Whereas, the Pennsylvania Working Home for Blind Men especially for the past two years has been in great need of additional income to meet current expenses, and

Whereas, under existing conditions it has been impossible to obtain larger appropriations from the State, the City or the United Campaign, and

Whereas, for 62 years the beneficiaries of the Home have been given employment for which they have received wages, and those desiring to live there have been provided a home for which they have paid board, and

Whereas, the board paid by the beneficiaries residing at the Home has been only $4.00 per week, although the cost has been more than $8.00 per week, and

Whereas, a State Pension system has been inaugurated under which our beneficiaries are receiving now, or will shortly receive the $30 per month pension paid to the blind, in addition to the care of their wants by the Home, as heretofore, and

Whereas, under these circumstances it has seemed to the Managers fair and just to ask the recipients of such pensions to pay $2.00 per week more board, same to begin with the pay roll on June 25, 1936, and

Whereas, upon complaint being made by the Pennsylvania Federation of the Blind to Honorable Joseph Ominsky, the Representative for this district in the State Legislature, he has moved that a Committee of the State Legislature be appointed to investigate the Home, and

Whereas, Mr. Ominsky has asked that the Managers defer the inauguration of this added charge of $2.00 per week until the needs of the situation can be surveyed by his Committee, and

Whereas, the Managers welcome such an investigation and desire its speedy accomplishment, and will gladly cooperate therein, and

Whereas, the Managers hope that such investigation will be properly made, and believe that it will reveal to all concerned, including our own beneficiaries, the needs of the Home and the justness of the additional charge of

$2.00 to be paid for board, from those who are receiving pensions,

Now Therefore it is Resolved, that the Managers under these circumstances are willing to comply for a reasonable time with Mr. Ominsky's request that the date of the inauguration of the added $2.00 charge be deferred from June 25th, and

Further it is Resolved that every effort be made to welcome the Legislative Committee and to facilitate and hasten its investigation of the Home.

Under the circumstances Mr. Speaker and members of the House, I believe there should be no opposition to this resolution because everybody concerned is welcoming it.

Mr. WITKIN. Mr. Speaker and members of the House, what I said before the gentleman from Philadelphia, Mr. Ominsky spoke turns out to be true. Had I known the facts as just stated by the gentleman from Philadelphia I would not oppose this resolution. I think the explanation made by the gentleman from Philadelphia justifies his position, except that even though I withdraw my opposition to the resolution, nevertheless I want to make two observations.

The first one is that this resolution should not have become necessary because the Pennsylvania Working Home for the Blind is under the Department of Welfare. The Department of Welfare is the administration body for the Commonwealth of Pennsylvania with reference to the proper maintenance and operation of the home, through the appropriations given by the Commonwealth of Pennsylvania, and should have ample jurisdiction to correct any improper conditions that may exist. However, this investigation is wanted despite the Department of Welfare or it is because the Department of Welfare is or is not performing its duty properly, then I have no objection to the resolution.

Second, I want to observe to the gentleman from Philadelphia that we on this side of the House, when we feel that an investigation ought to be made will vote for the investigation. We believe that where the taxpayers pay money they have a right to bring every thing to light. and we only hope and trust that when any other resolutions come before this House the gentleman from Philadelphia will do in the future, not as he has done in the past, and that is not to assist the Democratic party of the State of Pennsylvania in stifling investigations where millions and billions of dollars are being squandered, where they refuse to investigtae. We are willing to investigate the Pennsylvania Working Home for the Blind, to whom the sum of $45,000 of the State Department's money is appropriated, and I will ask the members of the House to vote aye on this resolution.

Mr. OMINSKY. Mr. Speaker and members of the House, I just want to add one thing. I wish to state that any time the Republican side of the House will present a proper and meritorious resolution for an investigation I will be only too glad to vote for it.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

QUESTION OF PERSONAL PRIVILEGE

Mr. WEISS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WEISS. Mr. Speaker and members of the House, I was informed by a colleague of mine from Allegheny County that I was not recorded as voting on House Bill No. 105 on the calendar last night. On the contrary, as some of my colleagues can attest, I voted "no" on recommitting the bill back to the Committee of Judiciary General. This does not mean that I am for or against this bill, but I want to be consistent in that I am opposed to sending any bills back to committee, and I did vote "no" on the recommittal of this bill.

The SPEAKER. The remarks of the gentleman from Allegheny on his question of special privilege will be spread upon the Journal.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 153, as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two million dollars ($2,000,000) is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the monies appropriated to it among the several counties of this Commonwealth for work relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for the payment of salaries wages or other compenation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium

r premiums on a policy or policies of insurance insuring ie Commonwealth against workmen's compensation liaility to employes for injuries and to dependents of deeased employes of the board for payment to the State Work Relief Compensation Fund of such monies as may e necessary under the provisions of the act approved ie third day of June one thousand nine hundred thirtyiree (Pamphlet Laws one thousand five hundred fifteen) or the payment of rents for such buildings offices rooms torage space and lands as may be required for the accommodation or performance of the work of the board nd for such other uses as the State Emergency Relief oard may in its discretion deem necessary to carry out ie purposes for which the appropriation is made under iis act

Section 5 The action of the Governor Auditor General and State Treasurer in making the sum of two million dollars ($2,000,000) available for expenditure for unemployment relief by the State Emergency Relief Board rior to the effective date of this act in accordance with oncurrent Resolution Serial number forty-two approved y the Governor is hereby ratified confirmed and validated

Section 6 This act shall become effective immediately pon final enactment

And said bill having been read at length the second nd agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 154, as follows:

n Act ratifying confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

Section 1 Be it enacted by the Senate and House of epresentatives of the Commonwealth of Pennsylvania General Assembly met and it is hereby enacted by the uthority of the same That the action of the Governor ie Auditor General and the State Treasurer in transrring to the General Fund the sum of one million dolrs ($1,000,000) from the Liquid Fuels Tax Fund and .e sum of one million dollars ($1,000,000) from the iquor License Fund in accordance with Concurrent Resution Serial number forty-two approved by the Govnor

order to make the same available for expenditure for nemployment relief by the State Emergency Relief oard is hereby ratified confirmed and validated To the exnt to which such transfers make it necessary for the use the moneys transferred from the Liquid Fuels Tax nd and the Liquor License Fund for their ordinary rposes shall be postponed but not otherwise modified

Section 2 The amounts transferred under this act from e Liquid Fuels Tax Fund and the Liquor License Fund the General Fund shall be repaid to the Liquid Fuels ix Fund and the Liquor License Fund out of the Genal Fund not later than May thirty-first one thousand ne hundred thirty-seven

Section 3 This act shall become effective immediately on final enactment

And said bill having been read at length the second time id agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 151, (Senate Bill No. 67), titled:

An Act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof

And said bill having been read at length the second and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 123, as follows:

An Act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes of funds realized or estimated to be collectible from the sale thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city of the first class may when authorized by ordinance duly adopted by the council of such city sell from time to time at public sale delinquent registered tax anticipation certificates representing all or such parts of the registered delinquent taxes due to such city as may be determined in such ordinance The said certificates shall be in such form and in such denominations as shall be prescribed by said ordinance and may be for an undivided interest in the delinquent registered taxes due such city or for designated parts or units thereof Such parts or units shall be listed in separate schedules which same shall include a statement of the locations of the properties and the years and amounts of delinquent registered taxes due upon each of said properties and the moneys realized from the parts or units of the registered delinquent taxes shall be segregated for the retirement of the certificate or certificates issued against said parts or units The said certificates shall be executed and signed by the mayor of said city and shall bear interest at a rate not exceeding five per cent per annum until they shall be paid to the holder or holders thereof as hereinafter provided Any such city issuing said certificates shall proceed to collect the said delinquent registered taxes as provided by law The proceeds of the collection of the delinquent registered taxes against which such certificates may be drawn shall be set apart in the city treasury as a special fund for the retirement of such certificates and may be invested in bonds of the said city the Government of the United States or the State of Pennsylvania as directed by ordinance and neither the amounts of delinquent taxes so collected nor the interest nor principal of such investments shall be used for any other purpose until a sufficient amount thereof has been collected to retire all of the certificates sold which are based on said delinquent registered taxes or such designated part or unit thereof When and as the receipts of delinquent taxes contained in the schedule against which such certificates shall have been issued shall together with the accretions thereon aggregate the total amount of such certificates together with any unpaid interest thereon said certificates shall be paid in full and surrendered to the city At the option of any such city appropriations from current or other funds except for debt service may be utilized for the purpose of aiding in or hastening the retirement of such certificates or any of them

Section 2 Upon the authorization by ordinance of the sale of delinquent registered tax anticipation certificates as hereinabove provided the mayor the city solicitor and the city controller or any two of them may make and transmit to the city council an estimate of the amount which may reasonably be expected to be realized from the sale thereof during the current calendar year and the council of such city shall thereupon have authority to appropriate for the current or other purposes of said city in addition to other appropriations the amount so estimated as reasonably expected to be realizable therefrom

during such year Should the actual receipts from such sale or sales be greater than the sum or sums so estimated the excess sums so realized may also be made the subject of additional appropriation Provided however That the power to make such additional appropriations as herein conferred shall extend only to the excess of such estimate or actual receipts above the amount of estimated receipts from delinquent taxes which shall have theretofore been made a basis for the current appropriations in the financial program of such city for such year

Section 3 The council in passing such authorization ordinance shall have the power to regulate and prescribe the method of public sale of such delinquent registered tax anticipation certificates the amount thereof which shall be offered for sale the minimum or upset price or prices which are to be accepted therefor the times and methods of public advertisement of such sales the registered delinquent taxes on the specific property or properties which shall form the basis for the issuing of the particular certificates so authorized to be sold the form of such certificates and the authorization of re-sale of any portion of any issue which may not be fully sold at the original sale thereof and such other incidental matters details and requirements as may be deemed by the said council proper adequate and desirable for that purpose

Section 4 All acts or parts of acts inconsistent herewith to the extent of such inconsistency be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading

BILL POSTPONED

Mr. BURKE. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 63, entitled:

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animal upon the highways of the Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prscribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that rcords are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring extra fees for the assignment of special registration plates.

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. MASON. Mr. Speaker, I would like to interrogate the gentleman from Blair, Mr. Parks.

The SPEAKER. Will the gentleman from Blair pe mit himself to be interrogated?

Mr. PARKS. I will, Mr. Speaker.

Mr. MASON. Mr. Speaker, will the gentleman fro Blair state whether or not in the preparation of th bill he has consulted the Legislative Reference Bure as to its constitutionality.

Mr. PARKS. I have, Mr. Speaker.

Mr. MASON. Mr. Speaker, will the gentleman fro Blair state what was the ruling or decision of the Le islative Reference Bureau concerning the constitutio ality?

Mr. PARKS. Mr. Speaker, they stated it was regula that it was constitutional.

Mr. MASON. Will the gentleman from Blair sta whether or not he discussed with the Legislative Refe ence Bureau the question as to whether or not this amen atory bill was within the call of the Governor's Speci Session?

Mr. PARKS. Mr. Speaker, I did. They said it w within the call.

Mr. MASON. Mr. Speaker, did the gentleman fro Blair investigate and secure any figures as to the a proximate amount of revenue to be received by the pa sage and enactment of this bill?

Mr. PARKS. Mr. Speaker, I did, from the former Com missioner of Highways, also, Mr. Weber, the present Com missioner of the Motor License Tag Division, along wit his assistants.

Mr. MASON. Mr. Speaker for the information of th Houe, will the gentleman from Blair state the approx mate amount of revenue estimated to be received, an the disbursements of that revenue under this bill.

Mr. PARKS. Mr. Speaker, it is estimated that th gross receipts will approximate $300,000, which woul net $4,000,000 to the disabled veterans in whose favo the bill is drawn.

Mr. Speaker and members of the House I am askin you to support this bill, in fact I hope it goes over wit a bang, as a tribute to the disabled veterans and the dependents, the boys who have given their health fo the defense of their flag. The bonus, after all, has no meant much to many of the veterans. Many of the have paid their bills and have had their credit establishe and it had amounted to much less with the disabled ve erans, with men whose earning capacity has gone, whos health has been taken away from them. A lot of thes men are in the middle age in life and the future doesn look any too bright to them, and we have a right to re spect and provide for them. I doubt if we can find an other source of revenue for bringing in this vast amoun of money without taxation, as this is. This money wi come in voluntarily. It comes from those who are abl and willing to pay, and will save adding additional taxe on to the already overburdened taxpayers. Anothe thing, it takes the automobile license tags out of politic In years past we have seen the operation of political pu in an effort to obtain special kinds of automobile licens tags. It will relieve a lot of you legislators of worr in taking care of such cases, and it also should be a hel in solving your financial problems. I hope to get you support.

On the question, recurring,

Shall the bill pass finally?

greeably to the provisions of the Constitution, the yeas d nays were taken and were as follows, viz:

YEAS—197

hterman,	Duffort,	Male,	Schwab,
exander,	Eberharter,	Mallen,	Serrill,
len,	Eroe,	Mason,	Shaw,
tenburg,	Falkenstein	McCreary,	Shepard,
thony,	Ferko,	McDermott,	Shortz,
kins,	Finnerty,	McDevitt,	Shugarts,
kerman,	Fitch,	McElroy,	Siegel,
aine,	Flanagan,	McHenry,	Simon,
ker, F. T.,	Flinchbaugh,	McKinney,	Simpson,
ker, J J.,	Flynn,	Melchiorre,	Sinwell,
ldi,	Forrest,	Mentzer,	Sloan,
rber,	Gates,	Merrell,	Smith, J. A.,
rnhardt,	Gerard,	Moomaw,	Smith, W. G.,
adman,	Gillette,	Mooney,	Snyder, F. E.,
rnhard,	Greenstein,	Moore,	Snyder, J. L.,
umberg,	Habbyshaw,	Moran,	Sowers,
ose,	Haberlen,	Moul,	Sproul,
yd, R.,	Hagerty,	Muir,	Stank,
oyer,	Haluska,	Murrin,	Stevens,
adley,	Hamilton, F. P.	Nagel,	Stockham,
ancato,	Hamilton, R. S.,	Nothnagle,	Stone,
rennan,	Harkins,	O'Keefe,	Stott,
rown, H. S.,	Harmuth,	Ominsky,	Surface,
own, J. E.,	Hartman,	O'Neill,	Sweeney,
ownfield,	Hefferon,	Panton,	Tahl,
umbaugh,	Hermansen,	Parks,	Terry,
rke,	Hetrick,	Patterson, C.,	Tronzo,
nnon,	Hindman,	Patterson, J. W.,	Trout,
iputo,	Hirsch,	Pearson,	Tumelty,
rr,	Hoffner,	Perry,	Turner,
rson,	Holland,	Pfaff,	Van Sickle,
stor,	Holstrom,	Phillips,	Wall,
ervenak,	Hoopes,	Piole,	Wasserman,
akley,	Horst,	Powers,	Weidemann,
ochran,	Jones,	Reising,	Weiss,
ohen,	Kane,	Reynolds,	Welliver,
oleman,	Kelder,	Rhys,	Welsh,
ondon,	Kelso,	Rinn,	Westrick,
olahan,	Kenney,	Roan,	White,
ooper	Kilroy,	Robinson,	Wickersham,
ordier,	Kinney,	Rooney,	Winner,
avies,	Klingler,	Root,	Witkin,
ecker,	Kobelak,	Royer,	Wood,
enning,	LaRue,	Ruffennach,	Woodside,
nt,	Linderman,	Sarraf,	Yeakel,
iehl,	Long,	Scanlon,	Yourishin,
lley,	Longaker,	Schaeffer,	Zappala,
owney, G. E.,	Lovett,	Schrock,	Zimmerman,
owney, J. J.,	Lynch,	Schrope,	Furman,

NAYS—1

mney,

The majority required by the Constitution having voted i the affirmative, the question was determined in the irmative.

Ordered, That the Clark present the same to the Senate f· concurrence.

SENATE MESSAGE

The Clerk of the Senate being introduced presented tracts from the Journal of the Senate which were laid on the table.

BILL ON THIRD READING

greeably to order,

The House proceeded to the third reading and consideration of House Bill No. 136, entitled:

A Joint Resolution proposing an amendment to article ne of the Constitution of the Commonwealth of Pennvania by adding thereto a section.

d said bill having been read at length the third time, nsidered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Achterman,	Duffort,	Mallen,	Schwab,
Alexander,	Eberharter,	Mason,	Serrill,
Allen,	Eroe,	McCreary,	Shaw,
Altenburg,	Falkenstein,	McDermott,	Shepard,
Anthony,	Ferko,	McDevitt,	Shortz,
Atkins,	Finnerty,	McElroy,	Shugarts,
Aukerman,	Fitch,	McHenry,	Siegel,
Baine,	Flanagan,	McKinney,	Simon,
Baker, F. T.,	Flinchbaugh,	Melchiorre,	Simpson,
Baker, J. J.,	Flynn	Mentzer,	Sinwell,
Baldi,	Forrest,	Merrell,	Sloan,
Barber,	Gates,	Moomaw,	Smith, J. A.,
Barnhardt,	Gerard,	Mooney,	Smith, W. G.,
Beadman,	Gillette,	Moore,	Snyder, F. E.,
Bernhard,	Greenstein,	Moran,	Snyder, J. L.,
Blumberg,	Habbyshaw,	Moul,	Sowers,
Boose,	Haberlen,	Muir,	Sproul,
Boyd, R.,	Hagerty,	Murrin,	Stank,
Boyer,	Haluska,	Nagel,	Stevens,
Bradley,	Hamilton, F. P.,	Nothnagle,	Stockham,
Brancato,	Hamilton, R. S.,	O'Keefe,	Stone,
Brennan,	Harkins,	Ominsky,	Sumney,
Brown, H. S.,	Harmuth,	O'Neill,	Surface,
Brown, J. E.,	Hartman,	Panton,	Sweeney,
Brownfield,	Hefferon,	Parks,	Tahl,
Brumbaugh,	Hermansen,	Patterson, C.,	Terry,
Burke,	Hetrick,	Patterson, J. W.,	Tronzo,
Cannon,	Hindman,	Pearson,	Trout,
Caputo,	Hirsch,	Perry,	Tumelty,
Carr,	Holland,	Pfaff,	Turner,
Carson,	Holstrom,	Phillips,	VanSickle,
Castor,	Hoopes,	Piole,	Wall,
Chervenak,	Horst,	Powers,	Wasserman,
Coakley,	Jones,	Reising,	Weidemann,
Cochran,	Kane,	Reynolds,	Weiss,
Cohen,	Kelder,	Rhys,	Welliver,
Coleman,	Kelso,	Rinn,	Welsh,
Condon,	Kenney,	Roan,	Westrick,
Coolahan,	Kilroy,	Robinson,	Wickersham,
Cooper,	Kinney,	Rooney,	Winner,
Cordier,	Klingler,	Root,	Witkin,
Davies,	Kobelak,	Royer,	Wood,
Decker,	LaRue,	Ruffennach,	Woodside,
Denning,	Linderman,	Sarraf,	Yeakel,
Dent,	Long,	Scanlon,	Yourishin,
Diehl,	Longaker,	Schaeffer,	Zappala,
Dilley,	Lovett,	Schrock,	Zimmerman,
Downey, G. E.,	Lynch,	Schrope,	Furman,
Downey, J. J.,	Male,		

NAYS—3

Hoffner,	Stott,	White,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clark present the same to the Senate for concurrence.

RESOLUTION

CONGRATULATING HON. JOSEPH D. BURKE

Mr. WEISS asked and obtained unanimous consent to offer a resolution which was read by the Clerk as follows:

In the House of Representatives, June 30, 1936.

Whereas, The press has announced that our colleague, the Honorable Joseph David Burke is about to take unto himself a wife; and

Whereas, The Special Session has unduly delayed this happy event, but further delay will not be tolerated for any reason; therefore be it

Resolved, That the Members of the House of Representatives hereby extend to Honorable Joseph David Burke and to the bride, Miss Roseanna A. O'Hara, their felicitations and best wishes on the approaching marriage on Thursday, July 2nd, and express the fervent hope that many years of happiness may bless the event;

Resolved, That copies of this resolution be transmitted to the bride and bridegroom by the Chief Clerk of this House.

On the question,
Will the House adopt the resolution?
It was unanimously adopted.

INTERROGATION

Mr. BARBER asked and obtained unanimous consent to interrogate the gentleman from York, Mr. Cohen.

Mr. BARBER. Mr. Speaker, I might preface this interrogation by saying that I did not know how long this session would last, but I do have a few questions which I desire to ask the gentleman from York, Mr. Cohen, and with your permission I will proceed.

Mr. Speaker, I desire to ask the gentleman from York, Mr. Cohen, whether I am correct in assuming that he is one of the conferees on the part of the House in the matter of the Brancato Mothers' Assistance Bill.

Mr. COHEN. Mr. Speaker, that assumption is quite correct.

Mr. BARBER. Mr. Speaker, I desire to ask the gentleman from York, Mr. Cohen, whether I am correct in my understanding that unless this committee is able to agree today with the members of the Senate committee, we will lose the advantage of the Federal law—the Federal Social Security Act.

Mr. COHEN. Mr. Speaker, if a bill is not passed by the Assembly, which would meet the requirements of the Federal Social Security Act, the appropriation for the quarter beginning July 1st—or rather the contribution for the quarter beginning July 1, 1936, to the Commonwealth of Pennsylvania from the Federal Social Security Board will be lost.

Mr. BARBER. Mr. Speaker, I desire to ask the gentleman from York, Mr. Cohen, whether or not the committee on the part of the House has or has not been able to agree with the committee on the part of the Senate in the details of this bill.

Mr. COHEN. Mr. Speaker, the committee on the part of the House has agreed in part possibly with all of the amendments that have been inserted by the Senate, with the exception of the amendments which would change the methods of appointment that have been in existence for the past twenty years in this Commonwealth.

Mr. BARBER. Mr. Speaker, I desire to ask the gentleman from York, Mr. Cohen, if since the committee which has been appointed has not been able to agree with the committee on the part of the Senate that they should not today tell this House that they are unable to agree and ask for the discharge so that another committee may be appointed?

Mr. COHEN. Mr. Speaker, if the gentleman from Erie is questioning me relative to the procedure as to the discharge of a committee of conferees, I know of no such procedure under our parliamentary rules. As I understand, the parliamentary procedure in the committee on conference, the conferees will confer until such time as they can report back to the House, either a conference committee report, or report that they have been unable to agree on the nature of the bill to be submitted.

Only last night I was over in the Senate in an attempt to effectuate a further conference with the Senate. The Senate was busily engaged in their apparent duties of the session. This morning I was again over to the Senate, in an effort to ascertain the proper time at which the House conferees and the Senate conferees could meet in consideration of this bill, and they were still engaged in their deliberations, and now we are engaged. It is my contemplation, if we recess, to again renew my efforts for the meeting of minds between the Senate conferees and the House conferees.

Mr. BARBER. Mr. Speaker, I desire to ask the gentleman from York, Mr. Cohen, whether in the event that we recess today without the committee on the part of the House agreeing with the committee on the part of the Senate on this bill, we will lose the Federal contributions for the first quarter?

Mr. COHEN. Mr. Speaker, I believe that these contributions are already lost. I cannot see how we could consistently agree to a bill today, have the bill transmitted, after signature by the Governor, to Washington, have the bill studied by the Federal Social Security Board, have them ascertain whether or not it complies with all the requirements of the Federal Social Security Board, and have that done before July 1, 1936, which is tomorrow.

Mr. BARBER. Mr. Speaker, I desire to ask the gentleman from York, Mr. Cohen, whether or not that is the only impediment in the way of our participating in the contribution of the Federal Social Security Act.

Mr. COHEN. Mr. Speaker, as I understand the bill legislation has been enacted. The only obstacle to the participation on the part of the Commonwealth of Pennsylvania in the benefits of the Federal Social Security Act is the inability of the conferees to agree as to the change of the method, which has been in existence in this Commonwealth for twenty years. I might point out to the gentleman from Erie that the method of appointing the members of the Mothers' Assistance Boards have been established by the Republican Party when they were in control of both legislative branches of the House and the Senate and the executive branch. That the high water mark of administration and social security enactment is reflected in the administration of the Mothers' Assistance Fund; up to the present time there his been no greater

— — —

POINT OF ORDER

Mr. BLUMBERG. Mr. Speaker, I rise to a point of order.

The Speaker. The gentleman from Philadelphia will state his point of order.

Mr. BLUMBERG. Mr. Speaker, the responses of the gentleman from York are far afield from the questions and he is indulging in a debate on the propriety of the various methods of appointment. The gentleman should confine himself purely to answering the questions propounded and nothing more. We are not debating the merits of the bill.

The SPEAKER. The Chair is of the opinion that the merits of the bill cannot be discussed until the bill is properly before the House, and the bill cannot be properly before the House until the Conference Committee reports. Therefore, the point of order is well taken. The gentleman shall confine his remarks to the questions of the gentleman from Erie, Mr. Barber, and not discuss the merits of the bill.

Mr. COHEN. Mr. Speaker, in answer to the question of the gentleman from Erie, I might state that all disputatious matters in the bill have been agreed upon by the conferees with the exception of that part of the bill which seeks to change the trend of the Commonwealth,

nich seeks to change the activities of the Commonwealth, at have been indulged in for twenty years.

POINT OF ORDER

Mr. BLUMBERG. Mr. Speaker, I rise to a point of der.

The SPEAKER. The gentleman will state his point of der.

Mr. BLUMBERG. Mr. Speaker, the gentleman appar-tly has not listened to the ruling of the Chair, and is ain indulging in his personal opinions upon the method appointment, upon disputed matters of conference be-een the House and the Senate. I think it is irregular en to question a member on the floor of this House to matters that right now belong only to the com-ttee and not the House, and I ask the Chair again to le on my original point of order so that the gentleman m York may understand it.

The SPEAKER. The Chair has already ruled upon the int of order. The Chair feels that the gentleman from ie is out of order in his interrogation. The merits of is bill should not be discussed, interrogation relating the merits of this bill should not be carried on until e conferees have reported to the House.

Mr. BARBER. Mr. Speaker, I desire to state that I do t believe that I have been discussing the merits of the ll or asking questions relative to the matter of con-rence between the committees on the part of the House d of the Senate.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. BARBER. Mr. Speaker, I rise to a question of rliamentary inquiry.

The SPEAKER. The gentleman from Erie will state s question of parliamentary inquiry.

Mr. BARBER. Mr. Speaker, I desire to know whether not I may interrogate the gentleman from York on tters that have taken place in the conference committee.

The SPEAKER. The Chair will rule on the inquiry of e gentleman from Erie, Mr. Barber, and will read Rule of this House, which is as follows:

"All reports of Committees of Conference shall be pre-ted after having been signed by a majority of the com-ttee of each House, and be printed and placed upon e files of the members before the same shall be con-dered by the House."

Therefore, the gentleman is out of order in interrogat-g any member of the conference committee relative to e proceedings of the committee or the merits of the bill.

Mr. BARBER. Mr. Speaker, I desire to further interro-gate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be further interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. BARBER. Mr. Speaker, I desire to ask the gentle-an from York, Mr. Cohen, whether the time being immi-nt in which we must either agree or disagree or agree least if we are to get the benefits of the contributions the Federal Government, should not the committee on e part of the House report to this body that it is unable agree, so that another committee may be appointed at will attempt to agree?

Mr. COHEN. Mr. Speaker, I do not know that the com-ttee will not be able to agree. I do not know that the Republican Senate is going to adamantly stand by in their unconscionable requirements.

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, my point of order is that the gentleman has no right to refer to the acts by description or otherwise of the members on the committee of the Republican Senate in this conference committee.

The SPEAKER. The point of order is well taken. Unless the interrogation is confined to matters other than the procedure of the conference committee and the merits of the bill, the Chair will be compelled to rule the interrogation out of order.

Mr. BARBER. Mr. Speaker, will you tell me wherein I have transgressed the rules of the House in my interrogation?

The SPEAKER. The Chair is of the opinion that the questions have been trying to ascertain what took place within the committee meetings and for that reason has so ruled.

Mr. BARBER. Mr. Speaker, I desire further to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York permit himself to be further interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. BARBER. Mr. Speaker, I desire to ask the gentleman from York, Mr. Cohen, whether or not he will report to this House today and let us know whether or not the Committee on the part of the House is able to agree with the Committee on the part of the Senate on the merits of this bill.

Mr. COHEN. Mr. Speaker, I have already informed the gentleman from Erie, that for the past few days I have been endeavoring to meet with the Republican conferees. I have already reported to the gentleman from Erie and to this House that it is my intention to immediately after this session again renew my efforts in order that the Republican conferees may sit down with the Democratic conferees. As to whether or not we will be able to agree, I still reiterate that that depends upon the action of the Senate, it still depends upon whether they are going to stand by—

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise o a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, the gentleman has no right to make the statement as to whether they are going to stand by,—referring to the Republican conferees,—any more than he has a right to state that the Democratic conferees refuse to permit politics to get out of this bill. He must confine himself in his answers merely to matters not pertaining to the actions of the conferees of either the Democratic or the Republican side.

POINT OF ORDER WITHDRAWN

Mr. WITKIN. Mr. Speaker, I withdraw my point of order.

Mr. BARBER. Mr. Speaker and members of the House, inasmuch as it appears that any further interrogation will

undoubtedly lead to debate bordering upon the merits of the bill, I yield any further interrogation.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 46

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protections along the Delaware River at Matamoras and Milford Pike County.

HOUSE BILL No. 76

An Act to amend section eight of the act approved the nineteenth day of January one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws two hundred eighty-six) entitled "An act making appropriations out of the State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of Certain State departments by imposing a time limit within which counties cities boroughs incorporated towns townships school districts and poor districts may obtain reimbursements for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects

With the information that the Senate has passed the same without amendment.

COMMITTEE GRANTED PERMISSION TO MEET DURING SESSION

Mr. COHEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 60.

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public nonsectarian libraries Pennsylvania State Library public nonsectarian libraries and public school libraries damaged or destroyed by flood and providing procedure to ascertain the amount of damage.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 4, by striking out after the word "of" the words "one hundred and"; also in line 5, by striking out at the beginning of said line the words and figures "twenty-five thousand dollars ($125,000)."

On the question,

Will the House concur in the amendments made t the Senate?

Agreeably to the provisions of the Constitution, t yeas and nays were taken and were as follows, viz:

YEAS—197

Achterman,	Eberharter,	Mallen,	Serrill,
Alexander,	Eroe,	Mason,	Shaw,
Allen,	Falkenstein,	McCreary,	Shepard,
Altenburg,	Ferko,	McDermott,	Shortz,
Anthony,	Finnerty,	McDevitt,	Shugarts,
Atkins,	Fitch,	McElroy,	Siegel,
Aukerman,	Flanagan,	McHenry,	Simon,
Baine,	Flinchbaugh,	McKinney,	Simpson,
Baker, F. T.,	Flynn,	Melchiorre,	Sinwell,
Baker, J. J.,	Forrest,	Mentzer,	Sloan,
Baldi,	Gates,	Merrell,	Smith, J. A.,
Barber,	Gerard,	Moomaw,	Smith, W. G.,
Barnhardt,	Gillette,	Mooney,	Snyder, F. E.,
Beadman,	Greenstein,	Moore,	Snyder, J. L.,
Bernhard,	Habbyshaw,	Moran,	Sowers,
Blumberg,	Haberlen,	Moul,	Sproul,
Boose,	Hagerty,	Muir,	Stank,
Boyd, R.,	Haluska,	Murrin,	Stevens,
Boyer,	Hamilton, F. P.,	Nagel,	Stockham,
Bradley,	Hamilton, R. S.,	Nothnagle,	Stone,
Brancato,	Harkins,	O'Keefe,	Stott,
Brennan,	Harmuth,	Ominsky,	Sumney,
Brown, H. S.,	Hartman,	O'Neill,	Surface,
Brown, J. E.,	Hefferon,	Panton,	Sweeney
Brownfield,	Hermansen	Parks,	Tahl,
Brumbaugh,	Hetrick,	Patterson, Cliff,	Terry,
Burke,	Hindman,	Patterson, J. W.,	Tronzo,
Cannon,	Hirsch,	Pearson,	Trout,
Caputo,	Hoffner,	Perry,	Tumelty,
Carr,	Holland,	Pfaff,	Turner,
Carson,	Holstrom,	Phillips,	VanSickle,
Castor,	Hoopes,	Piole,	Wall,
Chervenak,	Horst,	Powers,	Wasserman,
Coakley,	Jones,	Reising,	Weidemann,
Cochran,	Kane,	Reynolds,	Weiss,
Cohen,	Kelder,	Rhys,	Welliver,
Coleman,	Kelso,	Rinn,	Welsh,
Condon,	Kenney,	Roan,	Westrick,
Coolahan,	Kilroy,	Robinson,	White,
Cooper,	Kinney,	Rooney,	Wickersham,
Cordier,	Klingler,	Root,	Winner,
Davies,	Kobelak,	Royer,	Witkin,
Decker,	LaRue,	Ruffennach,	Wood,
Denning,	Linderman,	Sarraf,	Woodside,
Dent,	Long,	Scanlon,	Yeakel,
Diehl,	Longaker,	Schaeffer,	Yourishin,
Dilley,	Lovett,	Schrock,	Zappala,
Downey, G. E.,	Lynch,	Schrope,	Zimmerman,
Downey, J. J.,	Male,	Schwab,	Furman,
Duffort,			

NAYS—0

The majority required by the Constitution having vote in the affirmative, the question was determined in the af firmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly

LEAVE OF ABSENCE

Mr. BURKE asked and obtained a leave of absence fo himself for the balance of the week after today's sessio

BILL ON THIRD READING

Mr. BAINE asked and obtained unanimous consent t call up out of order House Bill No. 122, Printer's No. 12 on page 2 of today's calendar, bill on third reading post poned.

Agreeably to order,

The bill having been up from the postponed calenda by Mr. Baine.

The House resumed the consideration on third readin of House Bill No. 122, entitled:

An Act to suspend the laws of this Commonwealth thorizing the collection of local taxes by distress and e of goods and chattels

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BAINE. Mr. Speaker, I ask unanimos consent to er amendments at this time.

The SPEAKER. The amendments will be read by the erk for information.

The Clerk read the amendments as follows:

Amend Sec. one, page one, line four by striking out the rds "May thirty-first" and insert in lieu thereof "Nomber first"

Amend Sec. 1, page one, line five by striking out the rds "thirty-seven" and inserting in lieu thereof "thirty-t"

The SPEAKER. Will the House give unanimous conent to the insertion of the amendments at this time? Is ere objection? The Chair hears none and the amendents will be inserted in accordance with the instrucns of the House?

On the question,

Will the House agree to the bill on third reading as ended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill m the House of Representatives numbered and enled as follows:

HOUSE BILL No. 109.

An Act to authorize and empower municipalities and wnships, separately or jointly, to erect and construct od control works and improvements within or without eir territorial limits, and to expend moneys and incur debtedness for such purposes.

With the information that the Senate has passed the ne with amendments, in which the concurrence of the use of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 2, by striking out after the rd "erect" the words "and construct flood control rks and improvements within or without their territial limits and to expend moneys and incur indebtedss for such puposes," and insert in lieu thereof the rds "dykes river bank protection or flood control works thin or without their territorial limits and to expend neys and incur indebtedness for such purposes."

Amend Section 1, page 1, line 7, by inserting after the rd "of" the words "dykes river bank protection and"; o by striking out after the word "works" the words nd improvements"; also in line 9, by striking out after e word "works" the words "and improvements"; also page 2, line 2, by striking out after the word "works" e words "and improvements"; also in line 5, by strikg out after the word "works" the words "and improvents."

Amend Section 2, page 2, line 9, by striking out after e word "works" the words "and improvements"; also line 17, by striking out after the word "works" the rds "and improvement."

Amend Section 3, page 2, line 23, by striking out after e word "works" the words "and improvements."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197

Achterman,	Eberharter,	Mallen,	Serrill,
Alexander,	Eroe,	Mason,	Shaw,
Allen,	Falkenstein,	McCreary,	Shepard,
Altenburg,	Ferko,	McDermott,	Shortz,
Anthony,	Finnerty,	McDevitt,	Shugarts,
Atkins,	Fitch,	McElroy,	Siegel,
Aukerman,	Flanagan,	McHenry,	Simon,
Baine,	Flinchbaugh,	McKinney,	Simpson,
Baker, F. T.,	Flynn,	Melchiorre,	Sinwell,
Baker, J. J.,	Forrest,	Mentzer,	Sloan,
Baldi,	Gates,	Merrell,	Smith, J. A.,
Barber,	Gerard,	Moomaw,	Smith, W. G.,
Barnhardt,	Gillette,	Mooney,	Snyder, F. E.,
Beadman,	Greenstein,	Moore,	Snyder, J. L.,
Bernhard,	Habbyshaw,	Moran,	Sowers,
Blumberg,	Haberlen,	Moul,	Sproul,
Boose,	Hagerty,	Muir,	Stank,
Boyd, R.,	Haluska,	Murrin,	Stevens,
Boyer,	Hamilton, F. P.,	Nagel,	Stockham,
Bradley,	Hamilton, R. S.,	Nothnagle,	Stone,
Brancato,	Harkins,	O'Keefe,	Stott,
Brennan,	Harmuth,	Ominsky,	Sumney,
Brown, H. S.,	Hartman,	O'Neill,	Surface,
Brown, J. E.,	Hefferon,	Panton,	Sweeney,
Brownfield,	Hermansen,	Parks,	Tahl,
Brumbaugh,	Hetrick,	Patterson, Cliff,	Terry,
Burke,	Hindman,	Patterson, J. W.,	Tronzo,
Cannon,	Hirsch,	Pearson,	Trout,
Caputo,	Hoffner,	Perry,	Tumelty,
Carr,	Holland,	Pfaff,	Turner,
Carson,	Holstrom,	Phillips,	VanSickle,
Castor,	Hoopes,	Piole,	Wall,
Chervenak,	Horst,	Powers,	Wasserman,
Coakley,	Jones,	Reising,	Weidemann,
Cochran,	Kane,	Reynolds,	Weiss,
Cohen,	Kelder,	Rhys,	Welliver,
Coleman,	Kelso,	Rinn,	Welsh,
Condon,	Kenney,	Roan,	Westrick,
Coolahan,	Kilroy,	Robinson,	White,
Cooper,	Kinney,	Rooney,	Wickersham,
Cordier,	Klingler,	Root,	Winner,
Davies,	Kobelak,	Royer,	Witkin,
Decker,	LaRue,	Ruffennach,	Wood,
Denning,	Linderman,	Sarraf,	Woodside,
Dent,	Long,	Scanlon,	Yeakel,
Diehl,	Longaker,	Schaeffer,	Yourishin,
Dilley,	Lovett,	Schrock,	Zappala,
Downey, G. E.,	Lynch,	Schrope,	Zimmerman,
Downey, J. J.,	Male,	Schwab,	Furman,
Duffort,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL INTRODUCED

Mr. CAPUTO asked and obtained unanimous consent to introduce a bill the title of which was read for the information of the House as follows:

A Joint Resolution proposing an amendment to article two and to sections one, four, nine, ten, seventeen twenty-six, thirty-three of article three and to section two, four, eight, twelve, fourteen, fifteen of article four and to sections one, two, four of article six and to section one of article seven, and to section one of article eighteen of the Constitution of the Commonwealth of Pennsylvania.

COMMITTEE APPOINTED

The SPEAKER. In accordance with the provisions of House Resolution No. 29, Printer's No. 162, adopted today, the Chair appoints the following committee: Messrs. Ominsky, Finnerty, Shepard, Scanlon and Baldi.

REPORT FROM COMMITTEE

Mr. BARBER, from the Committee on Appropriations, reported as committed, House Bill No. 156, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State departments.

Mr. BARBER. Mr. Speaker, I ask unanimous consent to have the bill read for the first time.

The SPEAKER. For the information of the gentleman the Chair would state that the bill cannot be read for the first time because of the fact that it has not been printed.

ANNOUNCEMENTS

The Republican members are reminded of the dinner tonight at the Harrisburger Hotel at 6:00 P. M.

There will be a meeting of the Committee on Ways and Means immediately after this session in Room 324. All sub-committees having bills please report.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 4:30 P. M. Are there objections? The Chair hears none and declares a recess until 4:30 P. M.

AFTER RECESS

The House reconvened at 4:30 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

BILL INTRODUCED AND REFERRED

By Messrs. CAPUTO, HARKINS, TRONZO and EROE. HOUSE BILL No. 157.

A Joint resolution proposing an amendment to article two and to sections one, four, nine, ten, seventeen, twenty-six, thirty-three of article three and to sections two, four, eight twelve, fourteen fifteen of article four and to sections one, two, four, of article six and to section one of article seven, and to section one of article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair announces the appointment of the gentleman from Washington, Mr. Cliff S. Patterson, to fill the vacancy caused by resignation of Honorable Frank W. Ruth, and himself to succeed the late Speaker of the House, the Honorable Wilson G. Sarig, as members of the House Committee on Interstate Co-operation.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 29, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, July sixth at nine o'clock Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene on Monday evening, July sixth at nine o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate

It was concured in.

Ordered, That the Clerk inform the Senate accordingly

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 46

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protection along the Delaware River at Matamoras and Milford, Pike County

HOUSE BILL No. 60

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public nonsectarian libraries Pennsylvania State Library public nonsectarian libraries and public school libraries damaged or destroyed by flood; and providing procedure to ascertain the amount of damage.

HOUSE BILL No. 76

An Act to amend section eight of the act approved the nineteenth day of January one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws two hundred eighty-six) entitled "An act making appropriations out of the State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments" by imposing a time limit within which counties cities boroughs incorporated towns townships school districts and poor districts may obtain reimbursements for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects.

HOUSE BILL No. 109

An Act to authorize and empower municipalities and townships separately or jointly to erect dykes river bank protection or flood control works within or without their territorial limits and to expend moneys and incur indebtedness for such purposes.

Whereupon,

The SPEAKER in the presence of the House, signed the same.

BILL READ FIRST TIME

Mr. EBERHARTER asked and obtained unanimous consent to have House Bill No. 156 read for the first time.

This bill is a bill appropriating $4,000,000 for the purpose of relief which is to be expended after the $1,000,000 which was appropriated last week is entirely expended.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 156, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State departments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

STATEMENT BY MR. HOOPES

Mr. HOOPES asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I arise to apologize to the House. I find that some of the figures which I gave you last week and the week before are not correct. I was laboring under the misapprehension that the figures which had been given out for the amount necessary for relief were to cover the period beginning July 1 and ending January 31 of next year. I now find that instead of covering that seven-month period they are supposed to cover the nine-month period, beginning in May and ending on January 31, with the result that the break-down of the various figures showing the amount necessary for each item is correspondingly wrong.

I want to briefly call your attention to what the result is, using the figures as they are now corrected by the information received from the SERB just a few minutes ago.

We have heard a great deal about how little we can get along on, and the purpose of these remarks is to call the attention of the House to the standards upon which the people upon relief are being compelled to live at the present time. The figures that I am going to use are those for the month of May, which is the last complete month's figures that are available, and which are for the 65 counties outside of Philadelphia and Allegheny, the reason for using those figures and not for the entire State of Pennsylvania being that they have cash relief in those two counties, and the relief is given in a lump sum, and the individual is permitted to spend it as he sees fit, but in the 65 counties outside there are definite allowances made for each case, for each item, and we are in a position to see just how much is allowed to the persons on relief to live.

The Board tells me that the average number of cases in those 65 counties for the month of May was 86,350, made up of 321,132 persons. The total allowance per case for the month of May was $27.73. If you will divide the 86,350 into the 321,132, you will obtain the average number of persons per case. I haven't had the opportunity to do it but I think if you do it you will find that it runs something like 3.6 or 3.7 persons per case, almost four persons per case,—$27.73 for a family of four persons to live for a month of 31 days. That is something to stop and think about just a little bit. That is eighty-nine and four-tenths cents per day for a family of nearly four persons for all purposes. That includes food, fuel, clothing, rent, water, light and medical care. Administration costs are not included in these totals. That was an additional item, but so long as a person on relief does not receive that amount I am not considering it in this discussion. Eighty-nine and four-tenths cents per day for a family on relief for all purposes or an average of twenty-four cents per person per day. Just stop and think for a minute what that means. What will twenty-four cents buy? How many of you folks would like to see your families compelled to exist on a living standard of twenty-four cents per head, particularly if you happened to have three or four children. That includes milk and everything else, or rather it is supposed to.

Let us break it down a little further. The allowance for food per case per month was $20.45 including milk. That is $5.50 per person for thirty-one days, including milk. If you divide that to find out how much per meal, you will find it runs something like six cents per meal per person, including milk. The figures that I gave you the last time had a special allowance for milk. When we add that allowance to the figure, it makes the allowance for food substantially more than the figure that I have obtained by taking the total which I thought was different from what it was, and deducting the other item. But the figures which I am giving you this afternoon are received directly from Mr. Welsh, who is the director of Research and Statistics of the State Emergency Relief Board.

For fuel during the month of May these families were allowed seventy-six cents per case, or twenty cents per person per month. How many of you can cook for a family of four for seventy-six cents per month, using any kind of fuel? You cannot buy kerosene to cook for a family of four at that rate, let alone gas or electricity, at the rate that the utilities charge for it.

Clothing, we have $3.76 per family per month, or $1.01 per person for thirty-one days. I don't know what kind of clothing you could provide a family with on that allowance, but I doubt if there are very many of you who would like to set out to do it.

Then we come to rent. Gee, they were generous when they go to that item. The landlords certainly must have not gotten wealthy off it. They allowed the amount of $1.77 per month per family. Now, do any of you wonder that the landlords are evicting the unemployed? They certainly cannot pay taxes or anything else on an allowance of $1.77 per family. I don't know of any landlord that wants to rent a house or an apartment at that munificent sum. I know mighty well it wouldn't pay the taxes. Yet, that is the amount that the Relief Board averaged per case in the sixty-five counties outside of Philadelphia and Allegheny for the month of May.

The next to the last item is water and light. That was put down as a separate item, in some cases it was included with the rent, but the average was twenty cents per case for water and light for a month of thirty-one days. That certainly would not provide a munificent supply of water and light. You cannot even buy water from the municipally owned plants at rates about one-quarter of what the privately owned ones charge, at that rate.

Medical care, they allowed the munificent sum of seventy-nine cents per month. Living on those standards, and in the kind of houses that they could rent at that rate, I suspect that they have more than the average amount of sickness, and certainly I pity the doctors who have to take care of them at that rate,—seventy-nine cents per month per family. Doctors say they are against socialized services, but I cannot imagine it getting that bad. Those are the standards which the people on relief are forced to endure at the present time. That required an appropriation for relief purposes, for direct relief alone, during the month of May, according to a statement made by Doctor de Schweinitz, of $5,301,487.87. That includes also the figures for cash relief in Philadelphia and Allegheny Counties. For indirect relief, which is providing for the homeless and transient shelters in cities and things of that sort, they add another $55,000. For administration $801,514.41, which brings the total for the month of May to $6,164,002.28. An amount of over six

million dollars was necessary in May in order to provide the kind of standards that I have just been reciting to you. For the number of cases that were on relief during the month of May, and the statement which was produced gave the average number of 176,000. Now we were told that the number was going to be reduced steadily. As a matter of fact, it went down to a low figure of approximately 173,000 the first week in June and then went up to about 1,000 the next week and this week I believe it dropped about 200. In other words, it seems to be levelling off under present conditions and not going down very rapidly. However, we have the promise of the WPA that they are going to take over some 30,000 which will reduce the number, but even making allowance for all of that, they figure out that there is going to be an average on relief during the nine-month period of about 165,000 persons. If you are going to provide relief for those persons, even at the standards that I have just read to you, you are going to require about six million dollars per month, or, as Doctor de Schweinitz says, a total figure of about $54,294,000 to provide those standards without anything else. It does not provide for an increase to any extent for rent. There is a certain allowance for a little increase in it for some months. It does not provide for any increase in fuel. Certainly I don't believe that any member of this House would argue that a family could maintain itself on a fuel allowance of seventy-six cents a month when you have to heat the house during November, December and January, which months are included in this period for which we are asked to provide relief.

Those are the kinds of standards that we now have, those are the kinds of standards which certain people are trying to break down, are trying to lower, those are the kinds of standards that the people are talking about when they get up here and say that some people are living better than they ever did. That may possibly be true of some shiftless bums, but Members of the House so long as you have a social order which will not give work to everybody, are you going to say, "We can't get you a job and we are not going to give you relief either?"

As a Socialist I am very much in favor of the principle that he who will not work neither shall he eat. But in order to put that principle into practice you must have a social system under which you can offer everybody a job at a decent wage. If you are able to do that, and Mr. "Bum" says "I won't work," then, I am whole heartedly in favor of saying, "Neither shall you eat, you can starve for all I care." But so long as you are unable to do that, it is the bounden duty of society to provide for those for whom you have no jobs. You cannot merely turn them out on the street and say, "get along as best you can." I do not believe that the members of the House want to license begging as they have done over in New Jersey. I don't believe that you want to establish a system where you are going to fingerprint all of the unemployed before you give them relief. I do not believe that you want to inaugurate the principle of having every person before he can get relief declare himself a pauper, and then having on their relief order when it is handed out, "I have declared myself a pauper." I do not believe that you want a system that is deliberately arranged so that any self respecting person will starve rather than accept relief. But it seems to me that there are some people that want that system. In spite of the figures which have just been given by the relief board, in spite of the fact that these figures demonstrate clearly that in order to maintain the present standards of relief, it is going to require between five and six million dollars per month at least, yet, one of the leaders in the Senate this afternoon in private conversation made a statement that they were going to pass a resolution in which they would say the Senate would appropriate two million dollars a month for relief and no more, "You can take it or leave it." This statement coming from one of the responsible members of the Senate, in the face of the propaganda that has been spread up and down this State, and throughout the press, to the effect that they have go tto reduce the standards of relief, I think should give pause to every self-respecting citizen of Pennsylvania, certainly to every member of the Legislature who seriously takes the responsibility of providing for the needy at the present time. In other words they propose to provide about one-third of the amount that the figures show will be necessary, and say, "You take that or you don't take anything, you can stay here all winter." I don't believe the members of the House are in favor of that. I know you are not in favor of staying here all winter. I know very well we would all like to go home very promptly, but I believe that most of us are here to do our duty, and we are prepared to stay whatever time is necessary in order to provide the necessities of life for those unfortunates who are unable to obtain employment, due to the economic depression.

One more thing I want to say in conclusion, all of this propaganda for reduced relief costs is being made in the name of the taxpayers. What taxpayers are they talking about? I am afraid a good many of you are laboring under the delusion that they are talking about the small home owner and the little business man that is now oppressed with real estate taxes back home and needs a reduction in order to exist. If you stop to think a minute you must realize that the more you reduce the State appropriations for necessary relief costs, the more you are going to increase the relief costs of your poor board at home, and you are going to increase the burden upon the real estate taxpayer rather than decrease it. The taxpayer that we are talking about is not the small home owner, not the little business man, but he is the big fellow that would be hit by corporation taxes, by income taxes, by personal property taxes and other measures that we have proposed to shift the burden of taxation from the little fellow to the big fellow.

They have carried on this propaganda consistently until they have won over a lot of the little fellows who do not realize that they have been taken into camp, and if they succeed in putting over this program you know mighty well it is going to increase the burden of your Poor Board at home. They say, "take all of the unemployables off the relief rolls." That sounds pretty good, but how are they going to do it? They have to go to the Poor Board if they are unemployables and unable to work, the only place that they can go. Where does the Poor Board obtain the funds to keep those unemployables? By taxation, upon real estate and upon the little fellow. By shifting the burden from the SERB to the Poor Board you are not helping the little fellow back at home but you are helping the big fellow to escape the taxes that he would otherwise have to pay.

I make this statement at some length because of the continual barrage of propaganda that is being sent out

all over the State to the effect that there is not needed as much as is being appropriated for relief. So long as you talk in figures of millions of dollars, whether it is thirty-five or forty-three or fifty-five or seventy-one million dollars, it does not mean very much, but when you break those figures down, when you get the allowances for each particular item from the SERB in each case per person, then you realize what it means to the people who have to live on these standards.

For that reason I hope that the members of the House will consider these figures carefully, I hope you will take the trouble to verify them, I hope that you too will go to the SERB and get the figures, I hope you will be able to find fault with them, I hope you will be able to find out whether they are correct or not. Make a study of the situation, inform yourselves, and then you will be in position to vote intelligently and to represent your constituents back home, in taking care of the problem for which this special session was called, namely relief for the unemployed.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentleman from Berks, Mr. Hoopes.

The SPEAKER. Will the gentleman from Berks permit himself to be interrogated?

Mr. HOOPES. Mr. Speaker, I will.

Mr. ANDREWS. What is the outside sum, Mr. Speaker, that the gentleman from Berks believes should be appropriated for emergency relief at this time?

Mr. HOOPES. Mr. Speaker, I would like to answer that question by asking the gentleman what does he mean by "outside sum."

Mr. ANDREWS. Mr. Speaker, I mean the total that the gentleman from Berks would deem sufficient appropriation until such time as the regular session might supplement the appropriation made at this time.

Mr. HOOPES. Mr. Speaker, in answer to the gentleman, I would say that I have introduced a bill appropriating one hundred million dollars for the period of from July until January 31st. That figure is based upon an increase in the living standards. It is also based upon what I believe to be probably an increase in the number of persons on relief. These figures which I have given you, and the suggested appropriation which has been made by Dr. de Schweinitz, are based upon the promise of the WPA to take thirty thousand persons off relief and put them on the WPA. It is also based upon the probability that the persons who have obtained casual employment in private industry within the past two months will continue to be so employed until January 1st next.

Mr. ANDREWS. Mr. Speaker, I understand the gentleman from Berks to say that he has introduced a measure making an appropriation of one hundred million dollars. I would like now to ask the gentleman from Berks what tax legislation he has introduced designed to raise that one hundred million dollars.

Mr. HOOPES. Mr. Speaker, in answer to the gentleman I will say that at this particular session I have not introduced any tax bills, but I have offered an amendment to the personal property tax bill, which was later passed,—that is, the bill was passed by the House,—the House measure providing for an increase of three mills on the present rate on personal property, estimated to yield forty million dollars. I added to that an additional two mills, which on the same basis, it seems to me, should provide another twenty-five million dollars, making a total of sixty-five million dollars. I have voted for a number of the administration tax measures, which will provide most of the remainder of the one hundred million dollars, which has been suggested, and as a last resort, I am prepared to vote for a flat income tax to raise the balance.

Mr. ANDREWS. Mr. Speaker, I shall treasure the statement of the gentleman that he will vote for a flat income tax in memory very carefully, and I thank you.

Mr. HOOPES. Mr. Speaker, I understand the gentleman from Cambria to say that I desired to vote for a flat income tax. I said that I would vote for it as a last resort. I consider a flat income tax better than a sales tax, because at least it makes the fellow with the big income pay relatively more than the little fellow, whereas the burden of the sales tax rests far more heavily upon the little fellow. Of course, a flat income tax is unfair because it makes the fellow with any income at all pay a tax in many cases where he is not able to do it. It is not a desirable tax. A graduated tax would be better. I had in mind a bill which would provide an exemption for dependents and an allowance for preparing and filing a return, my idea being to put in that bill a definite constitutional clause which would say that if the Supreme Court should declare one of those things unconstitutional, the other would take effect, and if it went the whole limit and declared the other unconstitutional, then we would be up against the wall of having to take a flat income tax as a last resort, as a means of preventing the unemployed from starving.

Mr. ANDREWS. Mr. Speaker, do I understand the gentleman from Berks to say that he will assist in an attempt to get the income tax bill out of committee and back on the floor of this House for amendment and passage?

Mr. HOOPES. Mr. Speaker, in answer to the gentleman, when he says to get it back on the floor of the House, I suppose that he is referring to the bill that was on the floor of the House and was so amended that it would not help the unemployed at all and was then sent back to committee. I said I was in favor of such a measure being used as an unemployment relief measure, a tax raising measure, as a last resort. I am well aware of the fact that our distressed school districts are also in dire need of relief, and I even go so far as to increase the rate so as to take care of them.

STATEMENT BY MR. ANDREWS

Mr. ANDREWS asked and obtained unanimous consent to make the following statement:

Mr. ANDREWS. Mr. Speaker and members of the House, I imagine there would be no reason why the gentleman from Berks could not frame a flat income tax measure to meet the legal requirements as he might see them. I am certain that in view of his parliamentary ability and his popularity in this chamber, that if he did introduce such a measure he could probably get it out of committee, and if he will introduce such a measure I will endeavor to get it out of committee, and I assure him that in such small way as I can I will help him get it out and finance the one hundred million dollar program that he is talking about.

RESOLUTION

160TH ANNIVERSARY ADOPTION DECLARATION OF INDEPENDENCE

Mr. FINNERTY. Mr. Speaker, I ask the unanimous consent of the House to offer a resolution, and for its immediate consideration.

The SPEAKER. Will the House give its unanimous consent to the offering of a resolution at this time? Are there objections?

Mr. BLUMBERG. Mr. Speaker, may I ask that the resolution be read for the information of the House.

The resolution was read by the Clerk as follows:

In the House of Representatives, June 30, 1936.

Whereas, July 4, 1936, will mark the 160th anniversary of the adoption of the Declaration of Independence of the United States; and

Whereas, An examination of that great document, clearly indicated the vital necessity in 1776 of the severance of political bonds between our country and Great Britain; and

Whereas, An examination of that great document also suggests the vital necessity of the severance of the present day economic bonds placed by the privileged classes around the lives of the masses so that they can no longer enjoy the heritage which was to be theirs—of Life, of Liberty and the pursuit of Happiness; and

Whereas, The language of the Declaration of Independence on this point is as follows: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain inalienable rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among men, deriving their just powers from the consent of the governed"; and

Whereas, The framers of the Declaration of Independence anticipated what might happen to the Government which they were establishing when they made the following statement: "That whenever any form of Government becomes destructive of these ends (of Life, Liberty and the pusuit of Happiness) it is the Right of the People to alter or to abolish it and to institute new Government, laying its foundation on such principles and organizing its powers in such forms, as to them shall seem most likely to effect their Safety and Happiness"; and

Whereas, The rights of the people of this country have been specifically, courageously and gloriously set forth; and

Whereas, The millions of American citizens who have lost their employment, their homes and their farms know that the Declaration of Independence was for their protection. That the Declaration of Independence speaks for them. That under it, economic opportunity and freedom must be given to them. That legislative bodies in the several states and the Congress of the United States must act for them. That there must be returned to them that which was their rich heritage; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania shall meet on Monday, the 6th day of July, 1936, at 10:00 o'clock in the evening, in the Hall of the House of Representatives for the purpose of rededicating itself to the spirit, intents and purposes of the Declaration of Independence of the United States of America; and be it further

Resolved, That the Speaker of the House of Representatives shall name a committee of five to prepare a fitting program for the occasion; and be it further

Resolved, That the members of the Senate shall be invited to participate in the celebration.

The SPEAKER. Will the House give its unaimous consent for the immediate consideration of the resolution? Are there objections?

Mr. BLUMBERG. Mr. Speaker, while I am in thorough accord with the resolve clause of the resolution, that we might by appropriate exercises celebrate the Fourth of July, yet I object very strenuously to a number of the statements made in the whereas clauses, and for that reason I object to the immediate consideration of the resolution.

The SPEAKER. The Chair hears objection, and consent is not granted.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. OMINSKY. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. OMINSKY. Mr. Speaker, is not this resolution considered a privileged resolution, and we don't need unanimous consent for immediate consideration?

The SPEAKER. In reply to the gentleman from Philadelphia, Mr. Ominsky, the Chair wishes to read Rule No. 84:

A resolution originating in the House (except those privileged), shall be introduced by Members filing four typewritten copies thereof with the Chief Clerk, signed and dated, to be numbered by the Chief Clerk and handed to the Speaker, who shall refer all such resolutions, including all Senate Concurrent Resolutions, (not privileged), to appropriate committees in the same manner as bills.

The following resolutions are privileged for the immediate consideration of the House:
Recalling bills from the Governor.
Returning bills to the Governor.
Recalling bills from one House to the other.
Those emanating from the Committee on Rules.
Those discharging committees.
Those placing negative bills on the calendar.
Those relating to joint sessions of the Senate and House.
Those relating to condolence or congratulations.
Those relating to adjournment or recess.

RESOLUTION WITHDRAWN

Mr. FINNERTY. Mr. Speaker, I wish to withdraw the resolution for the time being.

RECESS

The SPEAKER. We expect to take a recess for a short time, after which we hope to have an important announcement to make to this House. If there are no objections the Chair is about to declare a recess until 6:00 P. M. Are there objections? The Chair hears none and declares a recess until 6:00 P. M.

AFTER RECESS

The House reconvened at 6:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

REPORT FROM COMMITTEE

Mr. SHUGARTS, from the Committee on Ways and Means, reported as committed, House Bill No. 92, entitled:

An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; conferring powers and imposing duties on certain county and city officers and on the State Department of Revenue and fixing penalties.

ADJOURNMENT

Mr. EBERHARTER. Mr. Speaker, I move that this House do now adjourn until tomorrow at 10:00 A. M.

The motion was agreed to, and (at 6:14 P. M.) the House adjourned until Wednesday, July 1, 1936, at 10:00 A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., WEDNESDAY, JULY 1, 1936. No. 27.

SENATE

WEDNESDAY, JULY 1, 1936

The Senate met at 12 o'clock noon.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

O Thou God of the Universe, as a nation we are approaching the annual observance of our natal day. On this occasion give unto us thoughtful minds and grateful hearts. May this day mean to us more than feasting, merry-making and enjoyment of athletic sports. Above the noise and clamor of our usual celebration of Independence Day, quicken our ears to hear, echoing down the years, the ringing of the historic bell which swung from a tower in an historic city of our own Commonwealth of Pennsylvania, proclaiming liberty to all our land and the inhabitants thereof.

We thank Thee that the cradle of freedom lies within the confines of our great State. Make us worthy sons of our heroic sires, facing the problems of today with the same courage displayed by them one hundred and sixty years ago. The crisis of that day was indeed serious. Perhaps equally serious is the crisis of today. Oh God, give us men brave enough to face every issue arising from the surging confusion of twentieth century life. In the name of Thy Son we ask it. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. RANKIN, the further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George T. Miller, of Hallam, York County, for appointment as Justice of the Peace in the Borough of Hallam, York County (to fill a vacancy), until the first Monday in January 1938.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ERIE COUNTY

James E. Marsh, Erie.

LACKAWANNA COUNTY

Wm. E. Bright, Jr., Scranton.

LEBANON COUNTY

John L. Stein, Lebanon.

LUZERNE COUNTY

Mrs. Reba N. Schuck, Hazleton.

GEORGE H. EARLE.

QUESTION OF PERSONAL PRIVILEGE

Mr. ZIESENHEIM. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Erie, Mr. Ziesenheim, will state his question of personal privilege.

Mr. ZIESENHEIM. Mr. President, and members of the Senate, there are certain questions in my mind which, it seems to me, deserve some consideration, questions that are not complicated or involved, but questions in pure and simple arithmetic.

Ten days ago, on Sunday, June 21, Edward N. Jones, State WPA Administrator, released to the press, for the benefit of the people of Pennsylvania, a statement in which he said: (I quote):

"The direct relief rolls can be substantially reduced and even cleared of all except the unemployables, in a very short time, if there were some state organization that would conscientiously cooperate with WPA."

On the following day, Mr. Jones caused mimeographed copies of his statement to be placed upon the desks of the Legislators of the Commonwealth. So that added emphasis was given to his point that the State relief rolls, which now include about 175,000 cases, could be, "in a very short time," trimmed down to just the 22,000 cases of unemployables. In other words, that the WPA

could, "in a very short time," take on an additional hundred and fifty-odd thousand cases.

By the process of simple arithmetic, I learn that Mr. Jones is able and willing to remove approximately 88 per cent—nearly nine-tenths—of the cases from our SERB rolls.

Do you realize what an enormous saving this would mean for the taxpayers?

It is rather staggering. We are now spending about $6,000,000 a month for direct relief. When Governor Earle demanded almost $71,000,000 in new taxes for nine months' relief, he was asking nearly $8,000,000 a month.

Now let us see what would happen if—as State WPA Administrator Jones points out should be—the WPA and the State Relief Board were both operating under the proper degree of amicability and efficiency. A condition which it is obviously up to Harry Hopkins, Federal WPA Administrator, and Governor Earle to effect.

Well, with 88 per cent of the relief burden transferred to WPA, there would remain but 12 per cent—the unemployables. And 12 per cent of the present monthly $6,000,000 expenditure would be only $720,000 a month. Or, to put it differently, instead of having to levy taxes for $71,000,000 or even $55,000,000 for nine months, the Legislature would have to provide only $6,480,000—enough of a difference to take one's breath away.

Now, this special session of the General Assembly was summoned to provide direct relief money for the unemployed. But I can't recall anything in the Governor's call to the effect that we were to gouge our taxpayers for the purpose.

Republican legislators are not lacking either in human sympathy or in an understanding of the relief needs. But we likewise insist that these needs be cared for with the absolute minimum of new tax burden, for it is a fact that many of those who must pay a measure of the taxes are not a great deal better off than the beneficiaries of such taxes, which makes the figures I have given above so glaring and important to the conscientious legislator.

It was pointed out on the floor of this Senate, last Monday night, that Mr. Jones obviously knew, for a long time before he made it public, what the real facts were and that (I quote him) "The direct relief rolls in Pennsylvania can be substantially reduced and even cleared of all except the unemployables in a very short time, if there were some State organization that would conscientiously cooperate with WPA."

It was further pointed out that Mr. Jones must have discussed this matter with Governor Earle—probably a good deal more than once. So that the natural queries arose: Why didn't the Governor himself reveal these facts? Why did he conceal them? Why did he insist that unless his demanded $71,000,000 in new relief taxes was approved without curtailment by the Legislature, suffering would immediately result? (Those were Governor Earle's words.)

And why—why—did not Governor Earle, instead of trying to load us down with these new taxes ... why didn't he attempt instead to bring about such a smooth cooperation between WPA and SERB that the SERB rolls would be reduced from 175,000 to 22,000 cases?

Such a reduction was promised by President Roosevelt and Harry Hopkins. Such a reduction is what the Republican members of the Legislature have been demanding all through this session ... yes, and for months before this session was ever convened. That such a reduction is entirely practical "in a very short time," Mr. Jones has finally admitted.

And such a reduction is the right of every taxpayer of Pennsylvania who needs relief from additional unnecessary taxes, just as much as the unemployed need their relief!

But, as I said a moment ago, all of this was pointed out on the floor of this Senate last Monday night. I merely mention it in passing.

I am interested, primarily, not in what was done about Mr. Jones' information before he made it public, ten days ago ... but what has been done since.

What is being done now to bring about a transfer of some hundred and fifty-odd thousand relief cases from SERB to WPA—"in a very short time."

Last week, the State's direct relief bill was approximately $1,500,000. Under the proper set-up, with the employables all removed to WPA, the cost would have been only $180,000—a saving of $1,320,000 a week.

This week, there will be another $1,320,000 in unnecessary tax money spent on relief; and, next week, still another $1,320,000 wasted that could be saved by proper management and operation of WPA and SERB in this State. And the same thing is true for the week after, and the week after, and the week after.

How long will this go on? That is what people want to know. They want Governor Earle to tell them what he has done in the past ten days toward purging the SERB rolls of all but the unemployables.

This is the most important order of business in Pennsylvania today. This is the real solution to the relief session of the Legislature and to the relief problems of the people. For, every week that the Governor delays effecting this transfer from the relief roll is one more week in which the taxpayers are "socked"—yes, advisedly, "socked"—for $1,320,000 in unnecessary taxes.

There can be no quarrel with Mr. Jones' figures. He knew what he was talking about when he said (I quote again) "The direct relief rolls in Pennsylvania can be substantially reduced and even cleared of all except the unemployables, in a very short time."

Let me point out that both the WPA projects and the money for them are available, while, each week, the taxpayers of this Commonwealth have been paying out an unnecessary $1,320,000:

First, I quote Francis H. Dryden, regional director of WPA for Pennsylvania, New Jersey, Delaware, Maryland and the District of Columbia. In a newspaper interview, in Philadelphia on June 15, Mr. Dryden said: (I use his exact words):

"Pennsylvania's WPA office has more than 1000 projects in reserve on which people will be employed."

Let me repeat:

"Pennsylvania's WPA office has more than 1000 projects in reserve."

He didn't say 1000 jobs. He said "projects" ... "more than 1000 projects in reserve." In reserve for what? What are they saving them for, when the need is here now ... when there are more than 150,000 employable cases on the direct relief rolls?

Money for the projects? That is available, too! Plenty of it. Last December, approximately $320,000,000 was allocated to Pennsylvania for its WPA program, for the period ending on July 1, 1936. That is today!

State Administrator Jones issued a statement to the ublic at the beginning of June in which he said that, up ll the beginning of that month, the entire WPA program n Pennsylvania had expended only about $95,000,000. I on't know what the June bill has been, but I do know nat WPA in this State has been trimming its sails and aying off relief workers ... some 55,000 of them altoether.

Let us say, however, that WPA expenses for June were 10,000,000. That would make a total of $105,000,000 pent in this State up to July 1, although the State's allottment was actually $320,000,000. Thus, somewhere—omewhere—is a balance of $215,000,000. Money that the ederal Government promised would be spent here by uly 1, by today.

Can't you see the set-up? It is clear as crystal; simple s A-B-C.

Here are more than 1,000 WPA projects in reserve, on ne shelf somewhere, tucked in somebody's pigeonhole nd good as new. Never been used.

Here is the money for those projects . . . $215,000,000 ledged and committed to Pennsylvania, but never spent, ever used. And don't forget the additional PWA money ast appropriated by Congress to be spent for the fiscal ear after July 1.

Here is Edward N. Jones stating:

"The direct relief rolls of Pennsylvania can be substanially reduced and even cleared of all except the unemployables in a very short time."

And here are the people of Pennsylvania, the taxpayers -not composed exclusively of silk-hatted millionaires and iant corporations whose coffers bulge, . . . but comosed mainly of hard working thrifty farmers, of laboring nen in factories, of clerks, of typists, of mechanics, of iners, of the thousands of small business men. . . .

Here are the people of Pennsylvania, the taxpayers, hom the Earle-Guffey leadership seeks to saddle with 55,000,000 of new taxes for relief, when by the public tatement of Edward N. Jones, approximately $6,500,000 ould do the entire job if WPA and SERB were properly, moothly and economically administered.

Now, I yield to no one in feeling that a busy man ought o have a good time once in a while. Certainly I don't egrudge the Governor his shouting and cheering and arade leading at the political convention in Philadelphia ast week. And I congratulate him heartily that the apers say he is now being "built up" by his party as a otential candidate for United States Senator in 1938, and s a potential candidate for the even greater honors in 940.

But I submit, that no matter what he may become in 938 or 1940, he is today the Governor of Pennsylvania.

I submit, that, since Mr. Jones issued his statement, he Commonwealth's taxpayers have expended $1,500,000 er week for direct relief.

I submit, that $1,320,000 of this sum could have been aved by transferring all employables to WPA.

I submit that we are now in a second week, spending a econd $1,500,000, of which $1,320,000 could be saved, since he Jones statement, and I point out that there are still ther weeks ahead of us.

And I ask the Governor . . . Tell us what you have one in the past week toward relieving our people of this nnecessary tax burden. Tell us what you are doing about t now. When do the six weeks begin?

And how soon will you revise your relief estimates sharply downward, in conformity with what can be done to aid the taxpayers?

You were, after all, elected Governor of those who pay taxes, as well as of those who do not.

Mr. REED (Washington). Mr. President, I desire to interrogate the Senator from Erie, Mr. Ziesenheim.

The PRESIDENT. Will the Senator from Erie, Mr. Ziesenheim, permit himself to be interrogated?

Mr. ZIESENHEIM. Mr. President, I will.

Mr. REED (Washington). From the elaborate discussion of the Senator from Erie, I take it that he has studied the problem of relief very carefully.

Mr. ZIESENHEIM. Mr. President, I have studied it the best I can from the rather hazy and dizzy figures received, and which were given us at different times.

Mr. REED (Washington). From your study of the figures, what is the minimum requirement per month for relief in the Commonwealth?

Mr. ZIESENHEIM. Mr. President, that would depend upon how many of our people are on the relief rolls, as I have pointed out, and how many are taken care of by WPA.

Mr. REED (Washington). Have you any figures?

Mr. ZIESENHEIM. Mr. President, the figures of Mr. Jones, which I have just quoted.

Mr. REED (Washington). Do you have any figures of your own from your study?

Mr. ZIESENHEIM. Mr. President, where would I get any figures other than from Mr. Jones?

Mr. REED (Washington). Where did you get your figures from in your report?

Mr. ZIESENHEIM. Mr. President, from Mr. Jones, in his statement of June 21.

Mr. REED (Washington). Then you have no concrete figures as to how much is needed in the Commonwealth every month to take care of relief?

Mr. ZIESENHEIM. Mr. President, the only opinion that anybody can form is what might be based on the very few figures that have been given us.

Mr. REED (Washington). But you have no amount fixed in your own mind as to what it would take per month to run the relief in Pennsylvania today?

Mr. ZIESENHEIM. Mr. President, I would be forced to be guided by the opinions of people like Mr. Jones, who have all the figures at their disposal.

Mr. REED (Washington). What, if you have any opinion, are the figures, per month, required to take care of relief in Pennsylvania?

Mr. ZIESENHEIM. Mr. President, I do not know why I should question Mr. Jones' figures, when he is in charge and in a better position to know the facts than I am.

Mr. REED (Washington). Mr. President, then Mr. Jones would have to answer that proposition?

Mr. ZIESENHEIM. Mr. President, I have nothing to base the figures on except Mr. Jones' statement.

Mr. CAVALCANTE. Mr. President, I would like to interrogate the Senator from Erie, Mr. Ziesenheim.

The PRESIDENT. Will the Senator from Erie, Mr. Ziesenheim, permit himself to be interrogated?

Mr. ZIESENHEIM. Mr. President, with pleasure.

Mr. CAVALCANTE. Mr. President, do I understand the Senator from Erie to say that he is willing to rely upon the ability of Mr. Jones—

Mr. ZIESENHEIM. Mr. President, upon the what?

Mr. CAVALCANTE. Mr. President, upon the opinion of Mr. Jones in this matter.

Mr. ZIESENHEIM. Mr. President, I do not believe I said I relied upon it, but I said that it is the only thing we have before us, the only figures we have.

Mr. CAVALCANTE. Mr. President, will the Senator from Erie give his basis for that?

Mr. ZIESENHEIM. Mr. President, it is contained in a letter from Mr. Jones to the Chairman of the Committee on Finance in the Senate, Mr. McClure, in which Mr. Jones says: "Therefore, in my opinion the estimate of $55,000,000 for direct relief needs now before you seems justified on the basis of sound judgment, which must take into consideration all possible contingencies."

To my mind, this letter merely substantiates what I have previously stated, the only thing in here which might be of a clarifying nature is, Senator, he says that it might take six or eight weeks, an estimated time. As far as the closing paragraph is concerned, it does not hitch with paragraph 3. What he says today is somewhat of a reversal of what he said on June 21. If the number of relief cases can be reduced, why does he not reduce his estimate of $55,000,000?

Mr. CAVALCANTE. Mr. President, does he not state in his letter why he does not reduce his estimate of $55,000,000?

Mr. ZIESENHEIM. Mr. President, yes, he says this: "which must take into consideration all possible contingencies." What that is I do not know.

Mr. CAVALCANTE. Mr. President, then do I understand that the Senator is willing to accept the opinion of Mr. Jones in some matters, but not in his opinion in arriving at an estimate of how much money is going to be needed for relief in this State up until January 1, 1937?

Mr. ZIESENHEIM. Mr. President, I believe I said that we have accepted his figures, not necessarily his opinions.

Mr. CAVALCANTE. Mr. President, do I understand then, the Senator to say that we must accept his figures?

Mr. ZIESENHEIM. Mr. President, until we get better ones.

Mr. THOMPSON (Centre). Mr. President, I would like to interrogate the Senator from Erie, Mr. Ziesenheim.

The PRESIDENT. Will the Senator from Erie, Mr. Ziesenheim, permit himself to be interrogated?

Mr. ZIESENHEIM. Mr. President, I will.

Mr. THOMPSON (Centre). Does the Senator from Erie believe in continuing the embarrassment to the counties, to the boroughs and to the townships, and to the school districts of this State, by continuing the policy of robbing their funds?

Mr. ZIESENHEIM. Mr. President, I think we have about reached the end of that.

Mr. THOMPSON (Centre). Mr. President, then do I understand by the remarks of the Senator from Erie that he is against all further robbing these municipalities of funds?

Mr. ZIESENHEIM. Mr. President, I think we have made enough transfers, but I do not see where that is pertinent to this question.

Mr. THOMPSON (Centre). Mr. President, is it not a fact that if we cease robbing their funds, it will be necessary to levy taxes?

Mr. ZIESENHEIM. Mr. President, it has been assumed from the time the Special Session was called, that it was called for the purpose of levying taxes, and not just for the pleasure of it.

Mr. THOMPSON (Centre). Mr. President, and that is the purpose of this session, to levy taxes, that is what this session is for, just to levy taxes.

Mr. ZIESENHEIM. Mr. President, apparently the Session was called for the purpose of levying new taxes.

Mr. THOMPSON (Centre). Mr. President, what new taxes would the Senator from Erie be in favor of levying?

Mr. ZIESENHEIM. Mr. President, I do not know of any good taxes.

Mr. THOMPSON (Centre). Mr. President, then do I understand the Senator from Erie to say that he is opposed to any taxation?

Mr. ZIESENHEIM. Mr. President, of course, if we are to go at this thing in an intelligent manner, if the Call for the Special Session had been properly drawn, there has been a question in my mind that the needs of the people on relief rolls could have been met by economies in government, but since the Call for the Special Session was so poorly worded that cannot go into that, I suppose, of course, that we are faced with the necessity of levying new taxes.

Mr. THOMPSON (Centre). Mr. President, has the Senator from Erie by voting for the robbing of these funds effected economy in government in our townships, counties and school districts?

Mr. ZIESENHEIM. Mr. President, there was no opportunity; the wording of the Call for the Special Session was set; it is not within the Call.

Mr. SHAPIRO. Mr. President, I should like to interrogate the Senator from Erie, Mr. Ziesenheim.

The PRESIDENT. Will the Senator from Erie permit himself to be interrogated?

Mr. ZIESENHEIM. Mr. President, with pleasure.

Mr. SHAPIRO. Mr. President, I understand the Senator's remarks to reach this conclusion—after taking into consideration what Mr. Jones has said—that the relief rolls in Pennsylvania are excessive by 150,000 cases, approximately, leaving only, as those necessary to be taken care of, the 23,000 so-called unemployables.

Mr. ZIESENHEIM. Mr. President, that is sort of in line with Mr. Jones' statement.

Mr. SHAPIRO. Mr. President, and that is the conclusion the gentleman from Erie has reached?

Mr. ZIESENHEIM. Mr. President, that seems to be the intent of his statement of January 21.

Mr. SHAPIRO. Mr. President, that means according to what the Senator from Erie has said in his statement, that there would be necessary some $650,000 a month only, for purposes of relief, to take care of the 23,000 cases. Is that correct?

Mr. ZIESENHEIM. Mr. President, according to Mr. Jones' estimate, about $700,000 a month, I believe, would take care of the unemployables. I believe that is the statement.

Mr. SHAPIRO. Mr. President, I would ask, then, if the Senator from Erie is ready and prepared to vote that there should be appropriated for purposes of relief only the sum of $700,000 per month from now on.

Mr. ZIESENHEIM. Mr. President, I do not think we should make any appropriation of any size—that amount

or any other—until we have more information on the subject.

Mr. SHAPIRO. Mr. President, I understand the Senator from Erie to have reached a conclusion on the information he has. He has made a statement here to us, and he has, in answer to my question—

Mr. ZIESENHEIM. Mr. President, is the Senator from Philadelphia making a speech or asking questions?

Mr. SHAPIRO. Mr. President, I will have plenty of opportunity to make a speech, if I want to; but I say, the Senator from Erie has answered my question by saying he has reached the conclusion, based on the information given by Mr. Jones, that only 23,000 cases need be cared for, and these 23,000 cases would cost $650,000 or $700,000 a month. I want to find out from the Senator whether he has the courage of his convictions and will vote for no more than $700,000 a month for relief. I think that is a fair question.

Mr. ZIESENHEIM. Mr. President, is the Senator from Philadelphia asking me the question?

Mr. SHAPIRO. Mr. President, I am.

Mr. ZIESENHEIM. Mr. President, I am sorry; I thought the Senator from Philadelphia was making a speech.

Mr. SHAPIRO. Mr. President, a lot of people misunderstand me, and I will forgive the Senator from Erie.

Mr. ZIESENHEIM. Mr. President, it does not seem to me that we have before us at this time complete enough information upon which to make any estimate of the amount of money that might be needed. I quoted Mr. Jones' statement because it seems to be the only statement we have around here this week.

Mr. SHAPIRO. Mr. President, now I want to make a speech. I do not think anybody on the Republican side would care to listen to these things, because then they would be obliged to admit they are facts and figures on which they should act; and I think there are Republicans who are embarrassed by them. I make it for the record.

To those Republicans who are willing to listen, I am going to give figures from things that have actually occurred—no guesses at all. I am willing to listen to any statements any of the Senators care to make, and I give the Senator from Erie credit for having made a conscientious effort, for having tried to help to solve the problem; and I give him full credit for having read the statement of Mr. Jones, and I do not criticize him for having relied upon it. I say that anybody that takes the figures and statements of Mr. Jones literally has the right to reach the conclusion the Senator from Erie has reached. I have said so before and I repeat it. But I say that does not solve the problem—because the Senator from Erie is honest enough to say, "I am not prepared to do that, because I am not sure those figures are correct or certain."

There are only two ways upon which this proposition may be solved: One, by past experience; and, the other, by future possibilities.

The Senator from Erie, in answer to another question—as to how much will be needed—said, "That depends on how many cases the WPA will take over." Now, I suggest another contingency—how many cases business will take over if it continues to be good.

Reverting to the original statement I have made, that we have only two bases upon which to argue—past experience, and future contingency—I refer the members of the Senate to the records of the Relief Board, which appear in the Unemployment Relief Report, the exact wording being Third Annual Report of the Executive Director.

In December 1935, the end of the year,—January 1, 1936 was the day the new director, Dr. de Schweinitz took over, there were 249,597 cases on the relief rolls. If you will refer to the Goodrich report, page 32, you will find that in January 1936 there were 216,618 cases on the relief rolls. If you will refer to the same report you will find that in February 1936 there were 206,728 cases, and in March 195,561 cases. If you will refer to the letter which Dr. de Schweinitz sent us dated June 29—addressed, rather, to Honorable Frederick T. Gelder, Chairman of the Committee on Appropriations, you will find that in May, 1936 there were 173,000—176,000 cases, in June 1936 there were 173,000 cases. Now, that is approximate, because the figures have not been actually finally tabulated.

Now, those are facts, those figures are experience. Dr. de Schweinitz has sent us a statement in which he says that is possible under the new ruling—to transfer 30,000 more cases to WPA. Then my estimate, based upon two factors—one, that there will be no further increase in unemployment, and, two, that WPA will be able to absorb as it has in the past, a certain amount of cases monthly—in addition to the 30,000 cases—so that, my bases will be correct and established.

In view of that 173,000 cases for June, this is what is likely to occur: It is likely that in July we will be able to reduce our rolls to 167,000; it is likely that in August we will be able to reduce our rolls to 150,000; in September we will be able to reduce them to 140,000; in October—approaching winter—it will probably be 145,000, based upon the fact that last year in October our rolls increased from 344,000 cases in September to 355,000 in October.

Based upon that experience I say it is likely that in October we will have 125,000 cases; and in November, based upon similar experience of the previous year, it is likely that we will have 155,000 cases, in December 165,000, and in January 165,000.

Now, from that you will see that up until July we have experience, and from July on we must estimate. Everybody will admit, who knows anything about business, that assuming that 30,000 cases can be transferred, there will certainly be necessary time and effort and examination to do it, and that it cannot be done overnight. That, it seems to me is the first answer to the suggestion reported in the newspapers that this Senate—at least the Republican members—are prepared to cut relief from the six million three hundred odd thousand dollars requested, and estimated by Dr. de Schweinitz, to the arbitrary figure of $3,000,000 each month. Business men, taxpayers who have the interest of the citizens at heart, will prepare themselves to bear the burden, and, if honest, will admit that no business, and certainly no relief board, could accomplish that so quickly; it seems to me a sufficient answer to give those figures to that proposition.

These figures which I have read are estimated figures, and may become less or more depending upon the two contingencies I have referred to. If business gets better, the relief rolls won't need it; if it gets worse, they will need it. I have enough confidence in the people in this Senate to think and to believe, and to state, that as human beings, individuals, they will not be willing to do anything, by their act, which will bring suffering un-

necessarily to deserving and helpless people; and it is upon that basis that I make my argument, because if upon any other basis my argument must be purely political, and nothing else. I am trying to avoid that; I am trying to submit to the members of this Senate information which they, so far, do not have, and to make the point that the other information they are talking about will be impossible to get—that nobody has any control over it except some individuals in business and the God in Heaven. And upon that fact, and because of that reason, much of our action must be estimated, and must be—not ungenerous and not generous, but careful.

Upon this basis there is $55,000,000, according to Dr. de Schweinitz necessary for the total period which we have been discussing. That takes into consideration allowance can be made for the nine million seven hundred and odd thousand dollars already appropriated. It means we must pass appropriate legislation for $55,000,000 unless we want to say this: First, "If we give him $55,000,000, he will spend it"; and, second, "If we give him less, we are sure he can get along," or, "he must get along."

I want to point out to the members of the Philadelphia district that this burden on Pennsylvania taxpayers is heightened and increased to a sum which is at least, if not in excess of, the sum of $600,000; because there are on the rolls, and being paid by the State of Pennsylvania for the care of 13,000 people who are not strictly unemployables but are unemployed—to put it that way—but what we call unemployables—a county task, and the only two counties in the State, as I recall it, who receive preferential treatment on that basis are Philadelphia and Allegheny Counties.

I point out to this Senate that if there should be an arbitrary cutting from the relief rolls some $3,000,000 each month, isn't it logical to suppose that the first cases to go off the list are the unemployables in those two counties? In Philadelphia, I am prepared to state as a fact, it will throw on the streets of Philadelphia 13,000 homeless people—homeless and starving, because the City of Philadelphia has not a dollar to pay toward their relief; and I am only making this statement because I am not willing to believe that up-state Senators are willing to inflict that condition on the City of Philadelphia and some of its individual citizens, in spite of their feeling that they will be given a preference in any event.

I do not pretend to hold any brief for the system which has been in effect for the keeping of those people on the lists, but God knows you could not throw them on the street until some form of help for them was furnished.

That means $600,000 per month that we have lost. My informaiton is not exact—I am informed that it will be in the neighborhood of $700,000, which would mean some $400,000 in Allegheny County; and I am sure the Allegheny Senators cannot be willing to throw those people on the streets.

Now I answer another question which has been raised—about giving money generously, or more than enough having been spent. The only way you can answer that question is by doing what you do with a man who is a candidate for office. If he has any record, you will look it up—if you want to see what the possibility of his keeping his promises is.

The members of this Senate know that on two occasions monthly allowances were given to Dr. de Schweinitz, and on each of those two occasions the amount spent was less—$350,000 in one month and, I think, some $700,000, or more, in another month—than the amount accorded to him; and that is an answer, in my opinion, to the objection that we are not dealing with an honest and conscientious man.

Assuming that $54,000,000 or $55,000,000 may be needed, it is not safe, in my opinion, to deal with a problem like this by providing only $41,000,000 or $42,000,000; there must be some confidence in this situation, and there must be no chance taken that because of any act of our people will walk the streets starving.

Therefore, I make the suggestion, and I contend, that while I agree with the Senator from Erie that there is no good tax—I agree with that, because I am one of those who do not feel we should tax people—because a tax, in my opinion, in the true sense of the word, is a burden; that is what it means—to tax is to burden, and no one wants to burden anyone, and any burden is not good; but some of us have to bear burdens, and there we are, and those who can bear them will have to bear them for those who cannot, and that is why we are here; and I suggest this, as has already been suggested—and I do not proclaim it as an original idea: We have no proof and will have no proof of the situation, actually to the dollar, as to how much money will be needed, but we have statements, based upon past experience, by people who know more about this than we—because it is their business, who say it is likely that $55,000,000 will be needed. We can protect ourselves by, instead of giving this money for any definite period, passing appropriate legislation for $55,000,000 from now until such time as it shall be necessary to expend it.

If we are fortunate enough to procure what I think is necessary to procure, and, which is evidenced by a letter on my desk, I think already exists,—cooperation between these two gentlemen who have been at loggerheads, namely, Mr. Jones and Mr. de Schweinitz, we can get, probably, a substantial reduction, and that will allow for contingencies that might occur also. And I point out the fact, also, that Dr. de Schweinitz has taken into consideration, in his estimate, the 30,000 cases; and I point out, therefore, to the members of this Senate, that our job is in front of us now.

There will be no more money for relief after Saturday. Possibly, according to Dr. de Schweinitz' statement, there may be some money, that may be left, to go out, in part, for Monday. That means the appropriations thus far have been consumed, and we are thus faced with the problem: What are we going to do from now on?

I think about all of us have reached the point where we are satisfied that it is not the solution to the problem to transfer funds. I call attention to the fact that any further transfer of funds from the Highway Department, according to the information I have received—and I made it my business to find out—will mean that the usual activities of the Highway Department which go on in the summer months will have to be curtailed because there will not be funds there, which will mean there will be an added list of unemployed sent to the SERB. I suggest you cannot take any more money from the Liquid Fuels Fund, because the City of Philadelphia itself is in a situation where its Council faces a contempt of court order for robbing the Sinking Fund of a million and some thousand dollars. I suggest you cannot take any more

money from the Liquor Fund, because, for the first time in its existence, the Liquor Fund has at its head a man whom I know personally to be an excellent business man, who, by his handling of the organization, has shown that he knows what it is all about, who has used funds, cash on hand, to anticipate bills, so take the discount—which resulted in a saving of some $760,000 last year for that organization. And therefore, every time you transfer a fund you interfere with a government function; every time you proceed upon the basis I have discussed you do one of two things: You either cripple the city or state, or cost either or both money.

And therefore I suggest here that we take these figures—the only available figures we have—and see whether or not we want to do one of two things: Give the $55,000,000, or give a lesser sum, and pass appropriate legislation. And I make the statement now that I am firmly convinced that there may be a saving of money in relief. I am convinced that there will now be a greater saving than there ever was. I am not certain, and cannot estimate, the contingencies, and therefore I am in favor of the $55,000,000 appropriation.

I will vote for any sum, any general total sum, that the Republican members of the Senate will say is their final dollar, and I will vote under protest. I will explain myself and say that my reason for so voting is because I realize they have the majority here, and that there is a majority on the other side, over there, and that there will be a deadlock, and, rather than there be a deadlock, I will assume that these gentlemen, by giving their final figures, and saying, "This is what we will do, and no more," mean what they say, and are willing to take the responsibility. And, since it will be their responsibility, all I can be asked to do, and all that can be expected of me by my constituents, is to express my views, to give whatever information I have to my fellow Senators, and not be in an arbitrary position, and not to take a stand by saying, "I will stop voting for relief because I do not agree with them, and theirs will be the responsibility,"—and will be theirs; but I have come to the conclusion that I will not vote piece-meal for anything, I will vote for no more transfers, I will vote for no more temporary resolutions; but I will vote in favor of any proposition that these men honestly say is their last word. When they have done that they will take the responsibility which they should take, and until they do it they are shirking their responsibility.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED (Dauphin). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Dauphin, Mr. Reed, will state his question of personal privilege.

Mr. REED (Dauphin). Mr. President and members of the Senate, I desire to call the attention of the Senate that thirteen days ago a committee of five Senators, representing the Republican membership of the Senate of Pennsylvania, sent a letter to Governor Earle containing six very pertinent questions. As far as I am concerned, until we have an answer from Governor Earle, I do not propose to vote for one tax bill in this Senate. Governor Earle, at the beginning of this Session, stated that he would present any additional facts or figures which this General Assembly would desire. If certain of these questions are answered, this Senate will be in a position to determine with some certainty what is the amount required, but I say that until Governor Earle answers that letter, that it will be only a guess.

I have listened to my distinguished friend, the Senator from Philadelphia, as I have listened to him repeatedly, in quoting the Goodrich report and the estimates of Mr. de Schweinitz. I will agree that until we have complete information we cannot successfully dispute those figures, but there is considerable money which is owing to the SERA, and large sums of money, and the only one who can answer those questions is the Governor of this Commonwealth, and I wish now to express the hope that the Governor of Pennsylvania will promptly give consideration to that letter, and give to the Republican membership the courtesy to which it is entitled, of a complete, full and frank answer.

Mr. SHAPIRO. Mr. President, I want to answer the Senator from Dauphin. I think all of us here realize that the Senator from Dauphin is sincere in what he says and I give him full credit for that, but I venture this: I am a member of this body, and the Governor of Pennsylvania appeared before a Joint Session of the Senate and the House and he made a request. He said, "I will appreciate it very much if you people will appoint six people from each side of the House and come and see me and talk this question of relief over, so that we can get some good solution of the problem." I say again that I agree with the Senator from Dauphin that we are entitled to respect from the Governor, but when we violate the rules with respect to which the high office of Governor is entitled, I question whether we have the right to complain if we do not get an answer formulated from the gentleman who occupies the office that this man does, if we do not, in answer to his invitation, come and discuss the problem with him.

I, for one, want to say that while I do not question the sincerity of the Senator from Dauphin, I do protest that five members of this Senate took upon themselves to speak for me and the rest of the Senators in not giving me an opportunity to vote upon the question that the Governor put to us, which was, "will you come and meet me and talk these things over?" Until we have done that, it does not lie in our mouths to talk about respect from the Governor.

Mr. CAVALCANTE. Mr. President, I would like to interrogate the Senator from Dauphin, Mr. Reed.

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated?

Mr. REED (Dauphin). Mr. President, I will with pleasure.

Mr. CAVALCANTE. Mr. President, the questions asked the Governor in the letter mentioned, did the Senator from Dauphin ask them on behalf of and by authority of this Senate, and were the members of this Senate deliberating as a parliamentary body, or were the questions asked by the five gentlemen merely to satisfy their own curiosity?

Mr. REED (Dauphin). Mr. President, in answer to that, I would say that at a meeting of the Republican members a committee of five was appointed representing the Republican membership of the Senate, and they sent that letter. I wish to state to the Senator from Fayette that those questions were not asked to satisfy any idle curiosity; they were asked so that the Republican members of

the Senate of Pennsylvania, at least, could determine the amount needed for relief.

Mr. CAVALCANTE. Mr. President, does the Senator from Dauphin feel that the minority membership of this Senate should be at least entitled to the courtesy of knowing what those questions were before submitting them to the Governor?

Mr. REED (Dauphin). Mr. President, I will say very frankly that I do not see any reason why any Senator, or any five Senators, or any group of Senators, may not address a communication to the Governor of the Commonwealth.

Mr. CAVALCANTE. Mr. President, does the Senator from Dauphin know that there are many Senators of the minority at this time who do not know what those questions might be?

Mr. REED (Dauphin). Mr. President, I cannot answer that. The letter was printed in the newspapers, but I do not know whether it was officially handed to any Democratic Senator.

Mr. CAVALCANTE. Mr. President, I am asking the Senator from Dauphin if he knows that there are Democratic members of this Senate who do not know what these questions are. Does the Senator from Dauphin think that we should be given a copy of those questions, so that we might agree with the Republican membership in asking those questions and helping to obtain the answers which the Republican members of the Senate might want.

Mr. REED (Dauphin). Mr. President, I will say that at least several of those questions cannot be answered by the Senators. They can only be answered by the Governor.

Mr. CAVALCANTE. Mr. President, do the questions ask for the opinion of the Governor, or are the answers to the questions to be based upon facts in the possession of the Governor, or in possession of the departments of the State government?

Mr. REED (Dauphin). Mr. President, I will say that several of the facts are peculiarly in possession of the Governor of Pennsylvania. I further desire to say that if the Senator from Fayette, or any other Senator, desires to have copies of that letter, I will see that they receive one.

Mr. CAVALCANTE. Mr. President, I would say that the Senator from Fayette would appreciate a copy.

QUESTION OF PERSONAL PRIVILEGE

Mr. THOMPSON (Centre). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Centre, Mr. Thompson, will state his question of personal privilege.

Mr. THOMPSON. Mr. President, we have seen time and time again on the floor of this Senate when anyone or more of the Senators, or any group of the Senators, or in committee, wanted information from any department of the State Government, that the same is requested by resolution of this body. That is the ordinary way of going about getting information from any department of the State Government for the use of the Senate in its deliberations. We have seen here, as has been related by the Senator from Erie, and the Senator from Dauphin, how a group of Senators have gone, so to speak, behind the backs of the other members of the Senate in requesting information on an important problem or deliberation before this Senate. We have seen this thing carried to the possible logical extreme again in the last few days, when one member of the State Senate requested again important information which would have probably not been disclosed to the Senate as a whole, unless the answer to that letter had not been laid upon the desks of the Senators this morning. We have had no information in the Senate about any of these negotiations, or about any of these efforts to procure the information, and I say to you, Mr. President, that this communication that was addressed to the Governor, and this communication which was addressed to Mr. Jones, the answer to which is on the desks this morning, has not been, in my judgment, aimed absolutely in an attempt to clarify this relief situation, but these communications have been intended to put the Governor, Mr. Jones, and these other people on the spot for political reasons. It makes me laugh when I hear the Republican side of this house accuse the Governor of political malingering. If there is political malingering in this State it is the Republican side of this Senate. Let me read to you, from the Legislative Journal of the 4th of May, the first day of this session, not fourteen or fifteen days ago, but the first day that we convened, I am reading from the Governor's message: "I shall be happy to meet with any committee of your honorable body at any time to discuss the entire subject. I am perfectly willing to accept any tax substitutes that you may propose on two conditions. One is that such substitutes do not fall upon necessities, the other is that they be based upon ability to pay."

Mr. President, I ask you who are the political malingerers, in view of this statement. The Governor upon the very first night of this session—we had hardly shaken hands with each other—when the Governor said "I will be glad to meet with any committee that you may appoint and discuss the matter of compromise or substitute." We have wasted two months, and to this day the Republican Senate of the State of Pennsylvania has not afforded the Governor the courtesy of a reply, not only to this invitation, but to his invitation of two weeks ago, when he again asked for the appointment of a committee to discuss with him the ironing out of these problems. Mr. President, I say to you the Republican side of this State Senate does not want to iron out these problems. What have we done in these two months? We have crippled every township in the State of Pennsylvania, we have taken their funds; we have crippled every borough, we have crippled every county in this state, we have crippled every school district, not only crippled the school districts with respect to the appropriation for distressed school districts, but we have crippled the ordinary appropriations, and I say to you, Mr. President, that if the policies of this Republican State Senate are followed out, that seventy-five per cent of the school districts in this state this fall, when they convene in September they will not have money enough to pay the teachers' salaries, and the political malingering on the Republican side of the Senate will be responsible for it. We have crippled every state-aided hospital in this state, we have crippled our highway department, we have today prejudiced the jobs of eighty thousand persons in the highway department on account of the malingering of the Republican side of this Senate and will further cripple it by their policy that has been

ept up. If we continue these policies what are the ext funds to be attacked? Our game and fish funds, he firemen's fund, those will be the next funds which ill fall under the axe of the majority of this Senate, f we persist in allowing this political malingering to con-nue in this Senate.

Mr. President, I say to you, as I said last week, I will ever again vote for another transfer of funds unless here is a constructive, concrete transfer programme to andle this question and to pay back these funds on the oor of this Senate when a resolution for transfer is pre-ented to us. We have regarded the transfer of these nds as an emergency matter, we started out that way. What is it today? Today the transfer of these funds has ecome a reality, and I say to you, Mr. President, that he ordinary functioning of the State Government and he functioning of every county, borough, township and chool district of this state and state-aided hospitals in his state, is being impaired by the Republican policies n this Senate. I think it is time now that we cease lot of this monkey business, this malingering that has een going on here for two months. It has been two nonths since the Governor extended his invitation to s and we have not done anything about it. It is time hat we extended the Governor the courtesy of an an-wer to his invitation. I think it is time to quit all this nonkey business and formulate a comprehensive pro-ramme to settle all these problems and to pay back to hese boroughs, townships, school districts and state-aided ospitals the funds we have deprived them of.

QUESTION OF PERSONAL PRIVILEGE

Mr. OWLETT. Mr. President, I rise to a question of ersonal privilege.

The PRESIDENT. The Senator from Tioga, Mr. Owlett, ill state his question of personal privilege.

Mr. OWLETT. Mr. President, it is rather amusing to ear the Senator from Centre talk about the transfer of nds by the Republican majority, because all of these esolutions were passed by the House, as well as the enate. We had exhibited to us the complete control ney have in the House. I just want to add, however, ne more thought to this long drawn out discussion. We ave been told how much concerned our friends are for he unemployed. The Senator from Philadelphia, Mr. hapiro, just described how the unemployed would be alking the streets of Philadelphia if this relief money ould be taken from them. I would like to call the at-ntion of the Senator to the evidence which I and all the her members of the Senate investigating committee now with reference to the conditions in Philadelphia, nd tell the Senator from Philadelphia how they can give bs to the needy in Philadelphia who are now merely eeing out an existence, a mere existence on the relief lls. There are plenty of WPA jobs in Philadelphia if r. Kelly and Mr. Stack did not have the jobs to de-ver for political reasons only. Just let me read part of he affidavits filed in Federal Court, with reference to he situation in Philadelphia, concerning which Senator hapiro is so much concerned.

"Congressman Stack was very sore; he bullied and hreatened Mr. Rankin and called him a rat. The Con-ressman said he had been promised one-third of the jobs nd that he was going to get them. He stated that he as compelled to come to Philadelphia from Washington every week-end to make sure he was getting his allot-ment of WPA jobs. He waved a letter under Mr. Rankin's nose which was signed either by President Roosevelt or by Harry Hopkins, stating that Mr. Stack was to have one-third of the predesignated jobs. Mr. Rankin tried to calm Mr. Stack. Mr. Rankin patted him on the arm and said: "You are getting them. You are getting more than your share." The Congressman told Mr. Rankin he would take all his patronage in what he described as "Airport stuff." This referred to the airport project which em-ploys 6000 people in Philadelphia. Mr. Stack indicated he wanted control of all the airport jobs, including the relief jobs." * * * * * "Mr. Kelly told me that Congress-man Stack was getting too much WPA patronage. He said that Congressman Stack was going to be fired out of the party. Then Kelly asked me for lists of all the pre-designations in the recreational and educational jobs, so that he could determine the percentage of jobs he had received as compared with the percentage which Con-gressman Stack had received."

And then the Democratic members of this Senate how their hearts bleed for the unemployed and the people on the dole. If they clean up this mess, and give these jobs or money which is sent into for the care of the unfortunates, instead of passing it out for political pur-poses, and then trying to mulct the people of Penn-sylvania with burdensome taxes that are driving out our industries and making more unemployables, we could listen here with a greater degree of confidence to the ravings of these gentlemen on the left.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, my name has been men-tioned in the speech made by Senator Owlett and I want to exercise my right of personal privilege to answer it.

The PRESIDENT. The Senator from Philadelphia may proceed.

Mr. SHAPIRO. Mr. President, I agree that there are probably some political positions in WPA, I do not know anything about it; I imagine the gentleman that took the affidavit was probably fired for telling some State secrets—that is possible. I say that they in some measure may reduce the amount that is necessary. I suggest, however, this situation meets the test: That it is not purely a political condition, but that in the City of Philadelphia there are on the payrolls of the City of Philadelphia a number of persons, running into the thousands, who are friends or relatives of politicians, or they are brothers, sisters, cousins or fifty-second cousins—or farther re-moved—who are on the payrolls and do not turn in a dollar's worth of service for it—and have been for years. And yet every year the Council of the City of Philadel-phia sit down and make out a budget, which includes all the funds that it will be necessary for them to pay out. And it does not follow, because I resent it, that I feel the City of Philadelphia should not be supplied with money to run its government.

I want to say paranthetically here that I do not have, and have never had, a friend or brother, or fifty-second cousin on the payroll of the State or City since I have been in politics, and nobody in my office, or associated

with me, has a job or has received any job, so I can talk freely and frankly and let anybody examine the record. And I want to say frankly that because that condition exists, either in the WPA or in the City of Philadelphia, is no reason why money should not be appropriated to run the government of Philadelphia, and it is no reason why arbitrary figures should be used to furnish money for relief. It may be true, what the Senator from Tioga, Mr. Owlett, says—I am not getting into that controversy, I have tried to keep out of the political situation, I have refrained from saying that the Republican Party is politically dead—but I do want to say this one thing, that while that cannot be saved, respect for the members of this Senate can be saved by getting down and doing, in a fair and concrete way, the job that we were sent here to do.

RESOLUTION EXTENDING THE CONGRATULATIONS OF THE SENATE TO PRESIDENT PRO TEMPORE JOHN G. HOMSHER ON HIS SEVENTY-SEVENTH BIRTHDAY

Mr. WOODWARD offered the following resolution which was twice read:

In the Senate, July 1, 1936.

It is with a feeling of reverence that we as members of the Senate of Pennsylvania tender to the Honorable John G. Homsher, President Pro Tempore, our congratulations on this the seventy-seventh anniversary of his birth.

Senator Homsher is the oldest member of the General Assembly in point of continuous tenure in the history of the Commonwealth. Entering the activities of the House of Representatives as a member more than 35 years ago he has rendered invaluable service to the people of the State by his intelligent consideration of public affairs, his fidelity to duty, his strict adherence to the most lofty principles, his sound judgment and his patient and courteous relations with all with whom he has come into contact.

Senator Homsher has endeared himself to several generations of law makers by his kindness, his fairness and his constant effort to do right. His elevation twice to the highest position of honor within the gift of the Senate is evidence itself of the esteem in which he always has been held by his associates.

In extending our felicitations to Senator Homsher on this memorable occasion, it is the fervent wish of the members of the Senate that he will be spared for many more years of achievement to the people of Pennsylvania, and to us who have sincere love, admiration and respect for him.

The PRESIDENT. May the Chair join in extending congratulations to the President Pro Tempore and thank him for the many acts of cooperation and kindness that he has extended to me as the President of the Senate. I wish for him many happy returns of the day.

On the question,

Will the Senate agree to the resolution?

It was unanimously agreed to.

The PRESIDENT. May the Chair present to Senator Homsher this engrossed testimonial just adopted by the Senate.

Mr. HOMSHER. Mr. President, and fellow members of the Senate of Pennsylvania: You have been much more considerate of me than I deserve, and feeling this most humbly, I can do nothing else than express to you my heartfelt appreciation and gratitude for the friendship and goodwill you have shown to me.

Looking back over more than a quarter of a century of association with the members of this Senate, fifty picked men from all sections of the Commonwealth, student of government will find an experience and knowledge that should bring to him some knowledge and wisdor

Material changes in government do not come in a yea or in a few years, but in the course of thirty-five yea comes a knowledge of the trend of public thought an affairs.

When I was a young man and went to school, we wer required to learn the Declaration of Independence and th Constitution of the United States by heart, so that we coul stand up and say it article by article and section by sec tion. The school books of that day were full of extract from the speeches and writings of eminent statesmen- Washington, Jefferson, Webster, Marshall, Burke, Lor Chatham—men who understood the governments of th world and were the founders of this government of our I remember many of them, here is one: Lord Macaula writing to a friend in this country shortly before his deat in 1860, said: "So long as you have a wide expanse of chea land and a small population, you will be prosperous; bu the time will come when America will have its Birming hams and its Manchesters, as England has them now, an then will come the test of your institutions."

We had confidently hoped that this new governmer of ours, formulated only one hundred and fifty years ag would be able to meet all difficulties. Our government not old. One hundred and fifty years of existence is onl one in the galaxy of nations of the world that have su vived that span to time. But ours was new governmen The statesmen who drew the Constitution knew the hi tory of the thousands of governments that had existed an passed away and to avoid the pitfalls that had been th cause of their downfall, invented a Constitutional Repr sentative Government, something new under the sun. is the only new thing distinguishing our government fro those that existed before and on that hangs our hop that it can be made to endure.

Few of us stop to remember that of all the myriads governments whose growth and passing crowd the pag of history, only one has lasted as long as twelve hundre years. Rome lasted only a thousand years and half of th was in her decline. It is doubtful if the most of the endured two hundred years. Our ancestors planned an we have been born to think that ours would last i definitely. It did withstand the shock of the Civil Wa and now we have come to the situation described b Macaulay—we now have our Manchesters and our Bi minghams, and the test is whether instead of gropin and fumbling among the many times tried-out experimen of the numberless nations that have rose and fell, meet the problem under our constitutional representativ government of fewer imitations and fewer enterprises an again show to the world that a government conceived liberty is strong enough not to perish from the earth.

There is a tremendous responsibility upon the peop of this nation and particularly upon the people of Pen sylvania, here where the principles of the new governmer was first put into being and where they still obtain their fullest exemplifications.

Man is full of imperfections and all his works. wi dom and unselfish patriotism are like gold and diamon in the mine, mostly found among much that is dross an when we do find these qualities in men they shine lik the incandescence film that make the name of Edison im mortal.

In their extremity to escape from the despotism of all former governments and knowing thoroughly the history of their failure to make for human freedom some forefathers mounted and put into operation the government we inherited from them. Let us in the same spirit hope that we have also inherited their wisdom and unselfish patriotism and that we may meet all our problems without destroying the inestimable freedom they gave to us.

America and the world again look to us for the decision.

Again I thank you.

QUESTION OF PERSONAL PRIVILEGE

Mr. McCLURE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Delaware, Mr. McClure, will state his question of personal privilege.

Mr. McCLURE. Mr. President, this morning the Senator from Centre, Mr. Thompson, evidently referred to the Finance Committee and myself when he said that he understood that any information desired from any department should come by way of resolution in this body. I have been a member of this body for nearly eight years, and never knew that. I have visited the heads of departments through all administrations since I have been here, including the present one, and have been treated in a very courteous manner. Sometimes I believe the Chairman of Committees can secure more cooperation with the heads of departments if resolutions are not presented in this body, because sometimes their replies might be embarrassing. That was my thought when I addressed a letter to the Secretary of Revenue several weeks ago, asking for information which would assist my committee in arriving at an amount of money necessary for the purpose of relief. The Senator from Centre would no doubt like to hear the reply received to this letter. It is not a great credit to the Department of Revenue, but it might explain to him and other members of this body, and to the public at large, why hospitals and other institutions have not received their money.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVENUE

Harrisburg, June 16, 1936.

Honorable John J. McClure, Chairman,
Committee on Finance,
Senate of Pennsylvania,
Harrisburg, Pennsylvania.

Dear Sir:

In reply to your request dated June 8th regarding certain specific data, the following is respectfully submitted:

1. Q. Number of corporation tax settlements made by your Department from January 1 to May 31, 1935?
   A. 44,444 corporations tax settlements were made from January 1 to May 31, 1935.
2. Q. Number of corporation tax settlements made by your Department from January 1 to May 31, 1936?
   A. 28,158.

I call the attention of this body to the two figures, 44,444 in 1935 and 28,158 in 1936.

"Explanation: In the beginning of the year 1936 there were only a few unsettled reports on hand and these reports were for the years 1934 and preceding years. As the Capital Stock and Foreign Franchise Reports are not due until March 15th, it was impossible to settle any 1935 reports until after that date. As a whole, settlements for the first five months in 1936 exceeded those in 1935 by approximately $2,000,000. The month of May, 1936, alone running in excess of $6,000,000 from that of 1935."

Of course, the explanation to that is that there is more money to collect. We have more taxes.

3. Q. "What was the amount of your estimated revenues for the General Fund for the first year of the 1935-37 biennium?
   A. The budget estimate, excluding unemployment relief, for general purposes for the fiscal year ending May 31, 1936, was $96,594,646.
4. Q. What was the amount actually received?
   A. The actual collections for the fiscal years ending May 31, 1936, were $75,721,307.
5. Q. What is the estimated revenue of the General Fund under the present revenue laws for the second year of the 1935-37 biennium?
   A. For the fiscal year ending May 31, 1936, the budget estimate for General Fund purposes was $133,490,354.
6. Q. Was there a delay in sending out corporation report blanks for the tax year 1935?
   A. In 1936 the corporation report blanks were mailed approximately one month later than in 1935.
7. Q. If so, what was the reason for this delay?
   A. The delay was necessitated by the fact that many changes in the form had to be made to give effect to the new tax statutes, that were enacted during the 1935 session of the Legislature, and upon which no plan had been formulated until after the turn of the year."

Members of the Senate will recall that we adjourned in June, and until the beginning of the next year no effort was made to prepare the forms.

8. Q. "Is it true that the blanks had been sent out earlier a greater amount of revenue would have been received during the first year of the biennium?
   A. The lateness in mailing the blanks could not have possibly resulted in a lesser amount of revenue as every corporation received tax blanks in sufficient time to file its reports within the time prescribed by the statute.
9. Q. Manufacturers Exemption and Foreign Franchise Tax?
   Q. (a) Number of domestic manufacturing corporations liable for filing reports with the Commonwealth under the provisions of Act 86, 1935?
   A. (a) 10,081.
   Q. (b) Number of domestic manufacturing corporations which filed reports with the Commonwealth under the provisions of Act 86, prior to June 1, 1936?
   Q. (c) Number of domestic manufacturing corporations liable for filing reports under the same Act for which reports have not been settled as of May 31, 1936?
   Q. (d) Number of domestic manufacturing corporations for which settlements have been completed under the above Act of May 31, 1936?
   Q (e) Names of domestic manufacturing corporations for which settlements have been completed under the above Act of May 31, 1936?
   Q (f) Names of domestic manufacturing corporations for which settlements have not been completed under the above Act as of May 31, 1936?
   A. (b-f) The bookkeeping records of this Department contain all of the information requested in the foregoing questions, namely: 9 (b-f). The letter from the Senate Finance Committee requests this information by June 17th. I have been informed that it will take one month to compile all this data and in order to do so, it would be practically necessary to suspend all other transactions during the course of the preparation. Due to our anxiety to put through as many corporation tax settlements as possible so that revenues may be received, I am not attempting to furnish the information requested in the above questions; however, if the Senate Committee on Finance insists that this information be furnished, I will be glad to issue the necessary orders without

delay although it is dubious if the best interests of the Commonwealth should be suspended to compile this data."

It is my information that this data could have been gathered in ten days by three people. However, the Secretary of Revenue suggests that the best interests of the Commonwealth could not be served by supplying this data, therefore, I have not further requested it.

Q. (g) "Number of foreign corporations liable for filing reports with the Commonwealth under the provisions of Act 86?
A. (g) 8,122.

Q. (h-i) I respectfully refer in replying to these questions to the answer under 9 (b-f).

10. Q. (a) Number of corporations subject to Net Income Tax under the provisions of Act 91, 1935?
A (a) 34,241.

Q. (b) Number of corporations that filed reports and paid the tax as of May 31, 1936?

Q. (c) Number of corporations which have not filed or paid the tax as of May 31, 1936?
A. (b-c) It is impractical to make an actual survey to furnish this necesary information as we are now engaged in carding the Capital Stock, Corporate Loans, Franchise Tax, Foreign Bonus, Gross Receipts, Gross Premiums, etc., reports, as we are giving preference to those reports that are not self-assessing. A survey shows that eliminating those corporations that file on a fiscal year basis, less than 5% of corporations filing under this Act will be delinquent.

11. Q. (a) Number of corporations subject to tax under the provisions of Act 89 of 1935?
A. (a) 988.

Q. (b) Number of corporations that filed reports for the year 1935 and paid the tax as of May 31, 1936?
A. (b) 859.

Q. (c) Number of corporations which have not filed or paid the tax as of May 31, 1936?
A. (c) 129—composing in the majority non-incorporate telephone companies.

12. Q. (a) How many were liable for filing reports for the year 1935, under the provisions of Act 182 of 1935?
A (a) There is no liability under Act 182 to file returns for the year 1936 as the listing date for this Act was January 1, 1936. It is estmiated as per the previously required report submitted to the Senate that there are approximately 500,000 to 600,000 persons liable for filing reports under Act 182.

Q (b) How many reports were filed as of May 31, 1936?
A (b) To May 31, 1936, 500,160 reports have been filed.

12. Q (c) How many were settled as of May 31, 1936?
A (c) 42,833

Q (d) How many were paid as of May 31, 1936?
A (d) 13,335

13. Q. Inasmuch as the revenue from the Cigarette Tax is in excess of the estimate by approximately $4,300,000 for the year, is it not reasonable that the revenue from this tax will continue on the same basis during the next year?

A. In reply to this question may I quote the reply submitted to the Senate Resolution of May 26, 1936, "The Department of Revenue estimates that the total amount of tax collected from this Act will be approximately $8,500,000 for the first year of the biennium and $10,000,000 for the second year of the biennium."

Very truly yours,

S/ Raymond E. Evleth
Deputy Secretary of Revenue
for
John B. Kelly
Secretary of Revenue."

I regret having to read this letter, and would not ha read the letter because it was for the information of committee, but it occurred to me that the Senator c an undue reflection upon the integrity of the commit and myself; however, the committee and I want to st to this body that information from the Finance Commit will be available at any time, but the Finance Commit still believes that it has the privilege of directing co munications to any Department heads in this State.

I want to go on a step further. The Committee on nance addressed the following letter to Edward N. Jon Administrator, Works Progress Administration, Harr burg, Pennsylvania, under date of June 29, 1936:

"My dear Mr. Jones:

When the Senate Finance Committee met this afterno to consider revenue-raising legislation for unemployme we were disappointed that you were not in attenda in accordance with the invitation of the committee. your public statement of June 21, 1936 you stated that y had offered to appear before the Senate and 'give answ to any questions they cared to ask'. In view of this f we had hoped that you would have been glad to m with the Committee for this purpose.

We appreciate, however, your statement in response my telephone call, to the effect that you would be gl to answer my letter addressed to you by the membe of the Committee.

On behalf, therefore, of the Senate Finance Committ I now submit the following inquiries:

1. In the statement above referred to, you point o that there are approximately one hundred seven five thousand cases on the direct relief rolls and th this number could be substantially reduced if t S. E. R. A. would cooperate with the W. P. A. It is our desire to promote this cooperation in ord that the relief rolls may be speedily reduced and t tax burden borne by our citizens be lessened, a while we recognize our duty to provide relief for tho in need we also recognize that the tax burdens in t State are heavy and should only be increased t positive necessity. We quote your statement of Ju 21, 1936 last, as follows:

'The direct relief rolls of Pennsylvania can be su stantially reduced and even cleared of all except t unemployables in a very short time if there were so State organization that would conscientiously c operate with W. P. A. If the liquidation of direct r lief in Pennsylvania were transferred to some agen such as the Department of Welfare under Command Pennington, I am sure that the tremendous cost the dole in Pennsylvania could be speedily and su stantially reduced.'

If the requisite cooperation can be secured, how so can the relief rolls in Pennsylvania 'be substantia reduced and even cleared?' It is necessary for us have an approximate date, otherwise we cannot d termine the sum of money to be appropriated whi will meet relief needs until January 31, 1937.

2. If the S. E. R. B. is limited to unemployabl what is your estimate as to the number of cases whi this would involve in Pennsylvania?

3. Have you any other suggestions to present the committee which would enable it to determi the amount of money which should be provided public taxation in order that the State may perfor its part in the present emergency.

The Finance Committee desires to act promptly on t tax bills now in Committee, and desires a reply, if po sible, to this letter not later than Tuesday, June 30, 193

Yours very truly,

John J. McClure, Chairman"

The members of the Senate this morning had on the desks the following letter:

"46 North Cameron Street,
Harrisburg, Pa., July 1, 1936.

orable John J. McClure,
irman, Committee on Finance,
ate of Pennsylvania,
risburg, Pennsylvania.

dear Senator McClure:

eplying to yours of June 29th, wish to advise that no tantial reduction in the cost of direct relief which it result from WPA taking over increased numbers vailable relief employables can be effected for some to eight weeks.

ne reason for this is the time element involved in ing these employables on projects. Materials must urchased, and those so employed must work for two ks before being eligible for pay, while another week uired for pay rolls to be cleared and delivery of pay ks.

r. de Schweinitz informs me that his estimates, as nitted to the Governor and to the General Assembly, emplate a reduction of present relief rolls through A cooperation from 173,000 this month to an average 40,000 for the month of September.

nquestionably, as I have already pointed out, subtial reductions in present relief rolls can be effected ugh proper SERA-WPA cooperation. The actual reions cannot be determined in advance.

nerefore, in my opinion the estimate of $55,000,000 for ct relief needs now before you seems justified on the s of sound judgment, which must take into considera- all possible contingencies.

Yours very truly,
Edward N. Jones
State Administrator"

r. President, I observe that Governor Earle and Mr. es are in accord that 30,000 cases will be taken from direct relief rolls, and placed on WPA.

r. President, I now desire to interrogate the Senator n Philadelphia, Mr. Shapiro.

ne PRESIDENT. Will the Senator from Philadelphia, Shapiro, permit himself to be interrogated?

r. SHAPIRO. Mr. President, I will be glad to.

r. McCLURE. Mr. President, will the Senator from adelphia tell me how he arrived at the amount of 000,000 as necessary for relief?

r. SHAPIRO. Mr. President, if the Senator from aware will look at the letter, which I assume he also ived from Dr. de Schweinitz, he will find that at- ed to that letter is a compilation which is the basis the computation of figures, as follows:

rom the month of May, 1936, $6,164,000 was spent.

or the month of June, 1936, $6,296,000 is the estimated unt to be spent.

the figures I have made up there is the possibility a difference of $10,000. That does not appear on the ement but has been told to me by Dr. de Schwein-

or the month of July, 1936, it is estimated that 46,000 will be spent.

or the month of August, it is estimated that $5,420,000 be spent; for the month of September $5,300,000; for th of October $5,561,000; for the month of November 57,000; for December $6,651,000; for January $6,170,-

This makes a total of $53,565,000.

addition you will find that in order to equalize the tment of all persons throughout the State with those he few counties that get rent and clothing there will needed an additional sum of $2,576,000. The total unt, to be exact, is $54,294,000. That maintains an allowance of $792,000 for another item which he refers to, and that is included in the $55,000,000, which may be excluded. That is the basis of my figures.

Mr. McCLURE. Mr. President, I understand the Senator from Philadelphia, Mr. Shapiro, makes the basis of his figures a letter he holds from Dr. de Schweinitz, of which I have a copy.

Dr. de Schweinitz was called before the Committee on Finance. The figures I hold in my hand were submitted to him for his consideration. At the conclusion of the hearing I asked Dr. de Schweinitz, more than once, if he could take any exception to these figures, and the only exception he took to the figures was the possibility of 30,000 cases being taken from direct relief and placed on WPA.

I based these figures on Dr. de Schweinitz' own figures and Governor Earle's own statement that 30,000 cases would be taken from relief; and I have that statement substantiated today in the letter from which I read—I will repeat the paragraph substantiating it, which paragraph reads as follows:

"Mr. de Schweinitz informs me that his estimates, as submitted to the Governor and to the General Assembly, contemplate a reduction of present relief rolls through WPA cooperation from 173,000 this month to an average of 140,000 for the month of September."

Now, for the week ending May 30, 1936, there were 174,209 cases on relief. Thirty thousand cases represents 17% of that amount. During the last week of May, 1936, there was expended for direct relief $1,248,305. I have taken 17% of that and it gives me $212,211,85. This represents a reduction per week, when the 17% are taken from direct relief rolls and put over to the WPA rolls. I have taken $212,212. from the money expended the last week in May, $1,248,305, and it gives me $1,036,093 per week. I multiplied that by 30½ weeks, from July 1st to January 31st, and that gave me $31,600,867.

It has been determined, by an investigation made through the Department of the Auditor General, that at least 5%, when this calculation was made by me, of those on the relief rolls were ineligible; and I can now state that the continuing investigation shows that there are 8% on relief rolls who are now ineligible. This present figure has the support of names and addresses of those on relief, and in practically every instance when this condition has been called to the attention of SERA those same people have been removed from relief, which is most convincing to me that they should never have been on relief; but deducting only 5% as ineligible, it gives me the sum of $1,580,043. I deduct that from $31,600,867, and it gives me $30,020,824 for 30½ weeks. I have added to that 8% for overhead, and Dr. de Schweinitz agreed with me that that was a fair amount, considering the overhead which we have had during the last year and a half. I have added the May and June sums which we have transferred, of $7,716,211, and it gives me the sum of $40,138,700, exclusive of commodity distribution and special programs.

When Dr. de Schweinitz was before us he gave me those figures—not figures of the past but what he had calculated for the future—and I can assure you that that amount is not large; in fact it would not be more than $500,000 a month. So, until Dr. de Schweinitz again comes before our Committee and successfully contradicts

these figures, personally I am not going to vote for any relief measure in excess of them; and, indeed, when the figure is finally reached it will not amount to this much, because I have not yet calculated the number who will be taken off relief through Mothers' Assistance, Old Age Assistance and the Blind. It is my hope that I have replied to the Senator from Philadelphia, Mr. Shapiro.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until five o'clock this afternoon.

Mr. HARRIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BUCKMAN. Mr. President, I make this motion because of the resolution passed by the Senate for a very important hearing before the Committee on Insurance, at two o'clock this afternoon. I desire to give notice to the Republican members of the Senate that there will be a caucus of the Republican members in Room 249 at 4:30 this afternoon.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representativss being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 153 (Senate Bill No. 104), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such monies may be expended, and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments, and ratifying, confirming and validating the action of the Governor and the fisscal officers in making monies available for unemployment relief prior to the adoption of this act.

Which was committed to the Committee on Appropriations.

House Bill No. 154 (Senate Bill No. 105), entitled:

An Act ratifying, confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund, and providing for the subsequent return from the General Fund of the transferred money.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN SENATE BILL NO. 67.

He also returned to the Senate, Senate Bill No. 67, entitled:

An Act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes; and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof.

with the information that the House has passed the same without amendment.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 67, entitled:

An Act to provide for the public sale by cities of the rst class of tax anticipation certificates representing registered delinquent taxes; and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendations the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ERIE COUNTY

James E. Marsh, Erie.

LACKAWANNA COUNTY

Wm. E. Bright, Jr. Scranton.

LEBANON COUNTY

John L. Stein, Lebanon.

LUZERNE COUNTY

Mrs. Reba N. Shuck, Hazleton.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. RICE,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. RICE,

That the Senate do advise and consent to the nomina-
is reported.
On the question,
Will the Senate agree to the motion?
The yeas and nays were taken agreeably to the pro-
visions of the Constitution, and were as follows, viz:

YEAS—42

Batchelor,	Homsher,	Pierson,	Ruth,
Baumer,	Howell,	Prince,	Scott,
Bean,	Huffman,	Pytko,	Shapiro,
Buckman,	Kahle,	Rankin,	Staudenmeier,
Cavalcante,	Lanius,	Reed,	Thompson,
Clayton,	Law,	(Dauphin)	(Centre)
Daly,	Mallery,	Reed,	Thompson,
Day,	McClure,	(Washington)	(Westmoreland)
Elder,	McCreesh,	Rice,	Trainer,
Graff,	McGinnis,	Roberts,	Woodward,
Harris,	Miller,	Rodgers,	Ziesenheim,
Harvey,	Owlett,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Governor be informed accordingly.
Mr. RICE. Mr. President, I move that the Executive Session do now rise.
Mr. HARRIS. Mr. President, I second the motion.
The motion was agreed to.

HOUSE MESSAGE

INVITATION TO ATTEND INDEPENDENCE EXERCISES IN THE HOUSE OF REPRESENTATIVES

The Clerk of the Rouse of Representatives being introduced

In the House of Representatives, June 30, 1936.

Whereas, July 4, 1936 will mark the 160th anniversary of the Adoption of the Declaration of Independence of the United States, and

Whereas, it would be fitting and proper at this time for the House of Representatives to reaffirm the principles contained in that great and glorious document, and

Whereas, we find these words relative to the doctrine of life, liberty and the pursuit of happiness.J"We hold these truths to be self-evident that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness: that to secure these rights, Governments are instituted among men deriving their just powers from the consent of the governed," and

Whereas, in that fashion have the rights of the people of this country been specifically courageous and gloriously set forth, therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania shall meet on Monday, the 6th day of July, 1936 at 10:30 o'clock in the evening in the Hall of the House of Representatives for the purpose of rededicating itself to the spirit, intents and purposes of the Declaration of Independence of the United States of America, and be it further

Resolved that the Speaker of the House of Representatives shall name a committee of five to prepare a fitting program for the occasion, and be it further

Resolved that the Members of the Senate shall be invited to participate in the celebration.

ACTION ON CALENDAR DEFERRED

Mr. BUCKMAN. Mr. President, I move that action on today's calendar be deferred until the next session of the Senate, next Monday evening.
Mr. HOWELL. Mr. President, I second the motion.
On the question,
Will the Senator agree to the motion?
A division being called for, nineteen Senators voted in the affirmative, and fourteen Senators voted in the negative;
Whereupon, the question was decided in the affirmative.

REPORT FROM COMMITTEE

Mr. OWLETT. Mr. President, I ask unanimous consent to make a report from committee at this time.
The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Constitutional Changes reported as committed, Senate Bill No. 57 (House Bill No. 74), entitled:

A Joint Resolution proposing an amendment to section eight article nine of the Constitution of the Commonwealth of Pennsylvania.

MOTION TO READ BILL THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that the bill reported from committee at today's session be read the first time.
Mr. HARRIS. Mr. President, I second the motion.
The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 57 (House Bill No. 74), entitled:

A Joint Resolution proposing an amendment to section eight article nine of the Constitution of the Commonwealth of Pennsylvania."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
The Chair laid before the Senate the following communications:

COMMUNICATION FROM THE CHIEF CLERK OF THE HOUSE

July 1, 1936

Hon. James Kennedy,
Lieutenant Governor of Pennsylvania,
Harrisburg, Pennsylvania.
Dear Mr. Kennedy:

I am directed by the House of Representatives to invite members of the State Senate to participate in fitting Independence Day exercises in the Hall of the House on Monday evening July 6, 1936 at 10:30 o'clock—this by virtue of a resolution passed by the House today.

Sincerely yours
William P. Gallagher,
Chief Clerk,
House of Representatives.

INVITATION TO ATTEND EXHIBITION BY PENNSYLVANIA STATE POLICE COMMONWEALTH OF PENNSYLVANIA

Headquarters
PENNSYLVANIA STATE POLICE
Harrisburg

July 1, 1936.

The Lieutenant Governor,
Harrisburg, Pa.
Dear Sir:—

On Tuesday, next, at 2:30 P. M., Eastern Standard Time,

at the Pennsylvania State Police Training School, at Hershey, the State Police will give a special exhibition in honor of the General Assembly.

Members of the Senate and their friends are cordially invited.

Very respectfully,

Lynn G. Adams
Superintendent.

ERRATA

Page 669, column 2, line 27, strike the figures "$3,000,000,000." and insert in lieu thereof "$3,000,000."; also, line 34, strike out the figures "$10,000,000,000." and insert in lieu thereof "$10,000,000."

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:28 P. M. until 9 o'clock Monday evening, July 6, 1936.

HOUSE OF REPRESENTATIVES

WEDNESDAY, July 1, 1936

The House met at 10.00 a. m.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

Dear Lord and Father of mankind, we thank Thee for all of the blessings that Thou hast vouchsafed unto us. We pray Thee that Thou wilt forgive us our many failings and shortcomings. Restore unto us the joy of Thy salvation and uphold us with Thy free spirit. In His name and for His sake, Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. PANTON the further reading was dispensed with and the Journal approved.

LEAVES OF ABSENCE

Mr. Haberlen asked and obtained leave of absence for Mr. MENTZER for the remainder of the week.

Mr. J. A. Smith asked and obtained leave of absence for Mr. MOOMAW for this morning's session.

Mr. Coolahan asked and obtained leave of absence for Mr. RUFFENNACH for the remainder of the week.

Mr. George E. Downey asked and obtained leave of absence for Mr. HARMUTH for the remainder of the week.

Mr. Nagle asked and obtained leave of absence for Mr. KELSO for the remainder of the week.

Mr. McDevitt asked and obtained leave of absence for Mr. REYNOLDS for the remainder of the week.

Mr. Bernhard asked and obtained leave of absence for Mr. HOFFNER for the remainder of the week.

Mr. Jones asked and obtained leave of absence fo Mr. MASON for the remainder of the week.

Mr. J. L. SNYDER asked and obtained leave of ab sence for himself for the remainder of the week afte today's session.

RESOLUTION

CELEBRATING FOURTH OF JULY

Mr. FINNERTY offered a resolution and asked and ob tained unanimous consent for its immediate considera tion.

The resolution was twice read, considered and adopte as follows:

In the House of Representatives, July 1, 1936.

Whereas, July 4, 1936 will mark the 160th anniversar of the Adoption of the Declaration of Independence o the United States, and

Whereas, It would be fitting and proper at this time b the House of Representatives to reaffirm the principle contained in that great and glorious document.

Whereas, We find these words relative to the doctrin of life, liberty and the pursuit of happiness. "We hol these truths to be self-evident that all men are create equal, that thy are endowed by their Creator with cer tain inalienable rights, that among these are life, libert and the pursuit of happiness; that to secure these right Governments are instituted among men deriving thei just powers from the consent of the governed," and

Whereas, In that fashion have the rights of the peo ple of this country been specifically courageous and glo riously set forth, therefore be it

Resolved, That the House of Representatives of th Commonwealth of Pennsylvania shall meet on Monday the sixth day of July, 1936 at 10.30 o'clock in the evenin in the Hall of the House of Representatives for the pur pose of rededicating itself to the spirit, intents and pur poses of the Declaration of Independence of the Unite States of America, and be it further

Resolved, That the Speaker of the House of Represent atives shall name a committee of five to prepare a fittin program for the occasion, and be it further

Resolved, That the Members of the Senate shall b invited to participate in the celebration.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consid eration of House Bill No. 92, entitled:

An Act to provide revenue for State and county pur poses and in cities coextensive with counties for cit and county purposes imposing taxes upon certain classe of personal property providing for the assessment an collection of the same providing for the duties and com pensation of prothonotaries and recorders in connectio therewith conferring powers and imposing duties on cer tain county and city officers and on the State Depart ment of Revenue and fixing penalties.

And said bill having been read at length the first time

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and con sideration of House Bill No. 156, as follows:

An Act Making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended and prescribing the powers and duties of the

State Emergency Relief Board and certain State departments.

Section 1 Be it enacted by the Senate and House of presentatives of the Commonwealth of Pennsylvania General Assembly met and it is hereby enacted by the thority of the same That the sum of four million dol-s ($4,000,000) is hereby specifically appropriated from e General Fund to the State Emergency Relief Board provide direct relief work relief and for administra-e expenses as hereinafter provided.

Section 2 The State Emergency Relief Board shall ake allocations from time to time out of the moneys propriated to it among the several counties of this mmonwealth for work relief and direct relief on the sis of need and payments shall be made under such stem of requisitioning and accounting as the Governor uditor General and State Treasurer shall determine.

Section 3 The money so allocated to a county over d above the sum set aside by the State Emergency lief Board for work relief shall be available for ex-nditure in that county for direct relief for the unem-oyed who are without means of support through such encies as shall be designated by the State Emergency lief Board and under such rules and regulations as e board shall adopt.

Section 4 Out of the appropriation made by this act e State Emergency Relief Board shall from time to ne allocate to the State Veterans' Commission an ag-gegate of seven thousand five hundred dollars ($7,500) the payment of traveling expenses and for other au-orized disbursements of the State Veterans' Commis-on and to furnish funds to provide the necessities of e for and to assist otherwise such Pennsylvania vet-ans of any war or the widows and infant children or pendents of such veterans as are sick disabled or in-gent and who are without means.

Section 5 The State Emergency Relief Board may from ne to time expend or authorize the expenditure of ch sums as may be necessary out of the appropriation ade by this act for the payment of salaries wages or ner compensation of the director and other employes assistants for the payment of postage traveling ex-nses mileage charges to the Department of Property d Supplies for the use of automobiles telephone rent-s telephone toll charges telegrams expenses of operat-g and maintaining automobiles and other motor equip-ent newspaper advertising and notices freight express rtage for the purchase of automobiles furniture fur-shings and equipment for the purchase of supplies inting binding patent indices for the payment of pre-ums on surety bonds for such officers and employes may be required by statue or otherwise to furnish em for the faithful performance of their official duties to account for funds in their possession for the pay-ent of a premium or premiums on a policy or policies liability insurance covering all motor vehicles owned d operated by the board which policy or policies shall otect both the Commonwealth and State officers or ployes operating such motor vehicles against claims damages for injury to person or property for the yment of a premium or premiums on a policy or poli-es of insurance insuring the Commonwealth against rkmens compensation liability to employes for in-ries and to dependents of deceased employes of the ard for payment to the State Work Relief Compensa-n Fund of such monyes as may be necessary under e provisions of the act approved the third day of June e thousand nine hundred thirty-three (Pamphlet Laws e thousand five hundred fifteen) for the payment of nts for such buildings offices rooms storage space and nds as may be required for the accommodation or per-mance of the work of the board and for such other es as the State Emergency Relief Board may in its scretion deem necessary to carry out the purposes for ich the appropriation is made under this act.

Section 6 This act shall become effective immediately on final enactment.

And said bill having been read at length the second ne and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 153, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155

Achterman,	Downey, J. J.,	Longaker,	Schwab,
Alexander,	Duffort,	Lovett,	Serrill,
Allen,	Eberharter,	Male,	Shaw,
Altenburg,	Eroe,	Mallen,	Shepard,
Andrews,	Falkenstein,	McCreary,	Shortz,
Arnold,	Ferko,	McDermott,	Shugarts,
Atkins,	Finnerty,	McDevitt,	Siegel,
Baine,	Fitch,	McElroy,	Simon,
Baker, F. T.,	Flanagan,	McHenry,	Simpson,
Baker, J J.,	Flinchbaugh	McKinney,	Smith, J. A.,
Baldi,	Flynn,	Melchiorre,	Smith, W. G.,
Barnhardt,	Forrest,	Merrell,	Snyder, F. E.,
Bernhard,	Gates,	Mooney,	Snyder, J. L.,
Blumberg,	Gerard,	Moore,	Sproul,
Boose,	Gillette,	Moran,	Stank,
Boyer,	Greenstein,	Muir,	Stevens,
Bradley,	Habbyshaw,	Murrin,	Stockham,
Brancato,	Haberlen,	Nagel,	Stone,
Brennan,	Hagerty,	O'Keefe,	Surface,
Brown, H. S.,	Haluska,	Ominsky,	Sweeney,
Brown, J. E.,	Hamilton, F. P.,	O'Neill,	Tahl,
Brownfield,	Hamilton, R. S.,	Panton,	Terry,
Brumbaugh,	Harkins,	Parks,	Tronzo,
Cannon,	Hermansen,	Patterson, C.,	Trout,
Caputo,	Hetrick,	Patterson, J. W.,	Tumelty,
Carson,	Hirsch,	Pearson,	Van Allsburg,
Castor,	Holland,	Pfaff,	Van Sickle,
Chervenak	Holstrom,	Piole,	Wall,
Coakley,	Hoopes,	Powers,	Wasserman,
Cochran,	Horst,	Reising,	Weidemann,
Cohen,	Jones,	Rhys,	Welliver,
Coleman,	Kane,	Roan,	Welsh,
Condon,	Kelder,	Rooney,	Westrick,
Coolahan,	Kenney,	Root,	Wickersham,
Davies,	Kilroy,	Royer,	Winner,
Decker,	Kinney,	Sarraf,	Woodside,
Dent,	Klingler,	Scanlon,	Yeakel,
Diehl,	Kobelak,	Schaeffer,	Zappala,
Dilley,	LaRue,	Schrock,	Furman,
Downey, G. E.,	Long,	Schrope,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 154, entitled:

An Act ratifying and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Achterman,	Diehl,	LaRue,	Schrope,
Alexander,	Dilley,	Long,	Schwab,
Allen,	Downey, G. E.,	Longaker,	Serrill,
Andrews,	Downey, J. J.,	Lovett,	Shaw,
Anthony,	Duffort,	Male,	Shepard,
Atkins,	Eberharter,	McCreary,	Shortz,
Aukerman,	Eroe,	McDermott,	Shugarts,
Baine,	Falkenstein,	McDevitt,	Siegel,
Baker, J. J.,	Ferko,	McElroy,	Simon,
Baldi,	Finnerty,	McHenry,	Sinwell,
Barnhardt,	Fitch,	Melchiorre,	Smith, J. A.,
Bernhard,	Flanagan,	Mooney,	Smith, W. G.,
Blumberg,	Flinchbaugh,	Moore,	Snyder, J. L.,
Boose,	Flynn,	Moran,	Sproul,
Boyer,	Forrest,	Murrin,	Stank,
Bradley,	Gerard,	Nagel,	Stevens,
Brancato,	Haberlen,	O'Keefe,	Stockham,
Brennan,	Hagerty,	Ominsky,	Stone,
Brown, H. S.,	Haluska,	O'Neill,	Sumney,
Brown, J. E.,	Hamilton, F. P.,	Panton,	Surface,
Brownfield,	Hamilton, R. S.	Parks,	Sweeney,
Brumbaugh,	Harkins,	Patterson, C.,	Tronzo,
Cannon,	Hermansen,	Patterson, J. W.,	Tumelty,
Caputo,	Hetrick,	Pearson,	VanAllsburg,
Carson,	Hirsch,	Pfaff,	VanSickle,
Castor,	Holland,	Piole,	Wasserman,
Chervenak,	Holstrum,	Powers,	Weidemann,
Coakley,	Hoopes,	Reising,	Welliver,
Cochran,	Jones,	Rhys,	Welsh,
Cohen,	Kelder,	Roan,	Westrick,
Condon,	Kenney,	Rooney,	Wickersham,
Coolahan,	Kilroy,	Root,	Winner,
Davies,	Kinney,	Sarraff,	Yeakel,
Decker,	Klingler,	Scanlon,	Zappala,
Dent,	Kobelak,	Schaeffer,	Furman,
		Schrock,	Speaker

NAYS—17.

Altenburg,	Horst,	Muir,	Terry,
Coleman,	Kane,	Royer,	Trout,
Gates	McKinney,	Simpson,	Wall,
Gillette,	Merrell,	Snyder, F. E.,	Woodside,
Habbyshaw,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 151, (Senate Bill No. 67), entitled:

An Act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof.

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. OMINSKY. Mr. Speaker and members of the House, I desire to make a statement on behalf of the gentleman from Philadelphia, Mr. Burke, who is absent today and who is the sponsor of a similar bill which is on the postponed calendar. Senate Bill No. 67 will permit the City of Philadelphia to issue tax anticipation notes on the security of their delinquent taxes, which years of experience have shown to be a valuable asset. This bill will permit the city of Philadelphia to borrow money on these assets and apply the receipts to the current needs of the city.

One section of the bill, permitting the appropriation of the estimates of these receipts before the notes are sold, might at first glance seem injudicious. However the sponsor of the companion bill has been assured by Mayor Wilson of the city of Philadelphia that no more than eighty per cent of the reasonable amount estimated shall be subject to appropriation prior to the actual receipt by the city from the sale of these anticipatory notes of eighty per cent of such estimate. Consequently, any doubt that might exist on the advisability of this provision is readily dispelled by the above promise of Mayor Wilson. He has asked the support of this House for the bill.

Mr. BLUMBERG. Mr. Speaker and members of the House, it is rather refreshing to have one of my colleagues on the opposite side of the House speaking in favor of a bill sponsored by a Republican senator. It bears witness to the fact that this bill is completely nonpolitical in the city of Philadelphia, and is an attempt on the part of the Mayor to keep down the tax rate and to relieve the already heavily overburdened taxpayer, th real estate taxpayer in Philadelphia. So, I ask, in a spirit of complete nonpartisanship that you give this bill a unanimous vote.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Achterman,	Downey, G. E.,	Longaker,	Serrill,
Alexander,	Downey, J. J.,	Lovett,	Shaw,
Allen,	Duffort,	Male,	Shepard,
Altenburg,	Eberharter,	McCreary,	Shortz,
Andrews,	Eroe,	McDermott,	Shugarts,
Anthony,	Falkenstein,	McDevitt,	Siegel,
Atkins,	Ferko,	McElroy,	Simon,
Aukerman,	Finnerty,	McHenry,	Simpson,
Baine,	Fitch,	McKinney,	Smith, J. A.,
Baker, F. T.,	Flanagan,	Melchiorre,	Smith, W. G.,
Baker, J. J.,	Flinchbaugh,	Merrell,	Snyder, F. E.,
Baldi,	Flynn,	Mooney,	Snyder, J. L.,
Barnhardt,	Forrest,	Moore,	Sproul,
Bernhard,	Gates,	Moran,	Stank,
Blumberg,	Gerard,	Muir,	Stevens,
Boose,	Gillette,	Murrin,	Stockham,
Boyer,	Habbyshaw,	Nagel,	Stone,
Bradley,	Haberlen,	O'Keefe,	Surface,
Brancato,	Hagerty,	Ominsky,	Sweeney,
Brennan,	Haluska,	O'Neill,	Tahl,
Brown, H. S.,	Hamilton, F. P.,	Panton,	Terry,
Brown, J. E.,	Hamilton, R. S.,	Parks,	Tronzo,
Brownfield,	Harkins,	Patterson, C.,	Trout,
Brumbaugh,	Hermansen,	Patterson, J. W.,	Tumelty,
Cannon,	Hetrick,	Pearson,	VanAllsburg,
Caputo,	Hirsch,	Pfaff,	Van Sickle,
Carson,	Holland,	Piole,	Wall,
Castor,	Holstrom,	Powers,	Wasserman,
Chervenak,	Hoopes,	Reising,	Weidemann,
Coakley,	Horst,	Rhys,	Welliver,
Cochran,	Jones,	Roan,	Welsh,
Cohen,	Kane,	Root,	Westrick,
Coleman,	Kelder,	Royer,	Wickersham,
Condon,	Kenney,	Sarraf,	Winner,
Coolahan,	Kilroy,	Scanlon,	Woodside,
Davies,	Kinney,	Schaeffer,	Yeakel,
Decker,	Klingler,	Schrock,	Zappala,
Dent,	Kobelak,	Schrope,	Furman,
Diehl,	LaRue,	Schwab,	Speaker
Dilley,	Long,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 122, as follows:

An Act to suspend the laws of this Commonwealth authorizing the collection of local taxes by distress and sale of goods and chattels

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from the effective date of this act until November first one thousand nine hundred and thirty-six no collector or receiver of taxes shall have power to collect taxes imposed by any political subdivision of this Commonwealth by distress and sale of goods and chattels of the taxpayer or any tenant of a taxpayer and during said period any and all laws of this Commonwealth authorizing the collection of such taxes by distress and sale of goods and chattels are hereby suspended

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. BAINE. Mr. Speaker, I move that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

The SPEAKER declared the ayes appear to have it, whereupon, a division was called for, one hundred and seven members or more than a majority having voted in the affirmative and the motion was agreed to.

APPOINTMENT OF COMMITTEE

The SPEAKER. Pursuant to the provisions of the resolution adopted this morning to celebrate the Fourth of July, the Chair appoints the following committee: Messrs. Finnerty, Murrin, Roan, Haluska and Ferko.

ANNOUNCEMENT

All members of the House interested in golf please meet in the room at the rear of the House immediately.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 12.30 p. m. Are there objections? The Chair hears none and declares a recess until 12.30 p. m.

AFTER RECESS

The House reconvened at 12.30 p. m.

The SPEAKER (Roy E. Furman) in the Chair.

ANNOUNCEMENT

A golf match will be played on the Hershey County Club Course on Tuesday afternoon, Republicans vs. Democrats. Any member desiring to play will get in touch with either Mr. Blumberg or Mr. Holstrom or head caddy masters Charley Baldi and Blake Shugarts.

ADJOURNMENT

Mr. ANDREWS. Mr. Speaker, I move that this House do now adjourn until Monday, July 6, 1936, at 9.00 p. m.

The motion was agreed to, and (at 2.24 p. m.) the House adjourned until Monday, July 6, 1936, at 9.00 p. m.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., MONDAY, JULY 6, 1936. No. 28.

SENATE

MONDAY, JULY 6, 1936

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

O Thou eternal God, in comparison with Thy power how weak are we! In comparison with Thy wisdom, how ignorant are we. Thou dost uphold the mountains and valleys of earth. The billows of the sea roll and surge in the hollow of Thy hand. The stars and planets above us move in their courses at Thy command and Thou dost call them all by name. True are the words of the ancient poet, "The heavens declare the glory of God and the firmanent showeth His handiwork; day unto day uttereth speech and night unto night showeth knowledge." Standing in Thy presence, we are impelled to say with this same poet, "Such knowdelge is too wonderful for me."

Thy power and wisdom are placed at the disposal of man, the only living creature upon whom Thou hast stamped Thy image and who can talk with Thee and conceive Thy being and majesty; yet he too frequently takes counsel from his fellowmen rather than from Thee. These legislators face the task of unraveling the tangled mesh of our social and civic fabric. Give them the vision of Thy all-seeing eye that they may grasp these threads aright and weave a beautiful pattern. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HUFFMAN, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. HARVEY asked and obtained leave of absence for the Senator from Luzerne, Mr. Sordoni.

COMMUNICATION FROM THE LUZERNE COUNTY UNEMPLOYED LEAGUE INCORPORATED

The Chair cleared his table and laid before the Senate the following communication:

LUZERNE COUNTY UNEMPLOYED LEAGUE
INCORPORATED—1934

July 3, 1936.

Commonwealth of Pennsylvania
Senate of Pennsylvania
State Capitol Building
Harrisburg, Pennsylvania.

Honorable Members of the State Senate:

At the regular meeting of the Luzerne County-Unemployed League, Inc., held Friday evening, July 3, 1936, the delegates who constitute the Unemployed League and its affiliated Branches in Luzerne, Lackawanna, Susquehanna, and Wyoming Counties, adopted the following resolution, and ordered it sent to the Senate of Pennsylvania, to be read into the record at the reconvening of the Senate, this Monday, July 6, 1936:

Whereas, For the past few months of the present Special Session of the State Legislature, it is quite evident that the political jockeying of the Republican Senators has caused much suffering amongst the people of this Commonwealth who are dependent upon Direct Relief for their bread and butter, and

Whereas, Nothwithstanding the fact that upon the request of the Republican members of the State Senate, the State Relief Director, de Schweinitz, has submitted every particle of information that was necessary to bring about an adjustment of the relief problem, the Republican Senators have ignored the facts, the pleas of the hungry, in their miserable game of politics, and

Whereas, The State Legislature have been requested from time to time by the Unemployed themselves for increases in relief rather than decreases, and the Republican members of the Senate are wrong when they state they have not the proper information, for the information has been granted to them from many a source, they have received information from the various Legislative inquiries held in the various counties, and the Republican Senators are hereby charged with deliberately ignoring the terrible conditions that they have found within the home life of the relief recipients, and

Whereas, This deliberate attempt to reduce the desired and proper appropriation for Direct Relief will bring about more undernourishment, and hunger to our people, and result in terrible suffering upon the people who have been starved for the past few years, by the political partisanship of the Republican members of the State Senate, who through their selfish attitude to the present administration, have caused relief families to become the prey of hunger, starvation, severe privation, to lose their faith in man and his kind, they cannot be expected to live for ever upon the miserable pittance that they have received up until the present time, and now they will receive no relief unless the Republican Senators, ignor the orders of their masters, and grant to their constituents, the bread of life, and bring security to their homes, and

Whereas, The plea of our beloved Governor, George H. Earle, for decent relief is being ignored, by these same Republican Senators, and insults are ever being imposed upon our sincere Governor, for his humane activity for decent relief, and the Republican Senators should be ashamed that they do not show more respect for themselves, their party, and for their Chief Executive of this Commonwealth, and we hope that they will cease their

activity against our Governor, and at this Special Session, they will grant to the relief families, the proper relief appropriations needed for the upkeep of the home life of our unfortunate people, and

Therefore, Be it resolved by the Assembled Delegates of the parent body, representing five (5) Counties in the State of Pennsylvania: That we will lend our every effort to support the Governor of Pennsylvania in his fight for decent relief for the unfortunate people of this Commonwealth, and we pledge ourselves, to carry our message to the voters of this state and do our utmost to defeat the election of any Senator who has been part or parcel of the humiliating drive to refuse decent relief appropriations, and who has contributed to the defeat of the "Unemployment Insurance Bills" now in Senate committee, and to this end we will assist our Governor in his humane attempt to end all suffering within the State of Pennsylvania, and

Be it further Resolved, That we demand that this resolution be read into the records of the Senate, and that immediate action be furthered by the Senate of Pennsylvania, for the comfort and Security of the distressed citizens of Pennsylvania.

Passed by a majority vote, July 3, 1936.

Resolution Committee

MARVIN W. McCARTY, Pres.
REV. S. R. NICHOLAS, V.-Pres.
ROBERT J. SMALLEY, Sec'y
JOHN NEALS, Treasurer.
ANDREW KERESTES, V.-Pres.
REV. A. A. MAHLER, V.-Pres.

BILL INTRODUCED

Mr. McCLURE read in his place and presented to the Chair Senate Bill No. 106, entitled:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Auditor General, and the State Treasurer; requiring certain employers and employes to contribute to a fund from which such compensation shall be paid; requiring any employer to make certain reports and perform certain other duties; defining the rights of certain unemployed persons to receive compensation; defining the rights, poers and duties of said commission; establishing a civil service system for employes of the commission; transferring the existing system of free public employment offices from the Department of Labor and Industry to said commission; providing for the custody and control of said fund; providing the procedure for the determination and payment of such contributions and compensation; providing for cooperation with the Federal Government and certain of its agencies; and prescribing penalties.

Which was committed to the Committee on Insurance.

RECESS

Mr. BUCKMAN. Mr. President, in order that the Committee on Finance may hold a meeting, I move that the Senate do now take a recess for at least one-half hour.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House of Representatives as follows:

House Bill No. 156 (Senate Bill No. 107), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State departments.

Which was committed to the Committee on Appropriations.

NOMINATIONS BY THE GOVERNOR

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations.

MEMBERS STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

C. E. Myers, Lincoln-Liberty Bldg., Philadelphia, Philadelphia County, for appointment as a member of the State Registration Board for Professional Engineers (to fill a vacancy), for the term of six years to compute from the date of confirmation.

John Farris, Empire Bldg., Pittsburgh, Allegheny County, for appointment as a member of the State Registration Board for Professional Engineers (to fill a vacancy), for the term of six years to compute from the date of confirmation.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, July 6, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

H. R. Hostetler, Clairton.
Harry E. Kingan, Duquesne.
Louis P. Lehr, Etna.
Miss Helen Ready, Pittsburgh, 5820 Center Ave.
Sol A. Seligsohn, Pittsburgh, 413 S. Dithridge St.

BLAIR COUNTY

James H. Hay, Altoona.

CENTRE COUNTY

Miss Mary L. Hartle, Bellefonte.

DAUPHIN COUNTY

Mrs. Ethel E. Kawel, Harrisburg.

ERIE COUNTY

W. Everett Benson, Erie.

FAYETTE COUNTY

S. C. Robinson, Uniontown.

LANCASTER COUNTY

Miss Margaret E. Harkins, Lancaster.

MONTGOMERY COUNTY

Ralph N. Campbell, Conshohocken.

NORTHAMPTON COUNTY

Mrs. Marie Lynn Ealer, Pen Argyl.
Miss Sara A. Young, Bangor.

NORTHUMBERLAND COUNTY

Louis Cohen, Mount Carmel.

PHILADELPHIA COUNTY

Miss Kathleen M. Coll, Philadelphia, 1318 Real Estate rust Bldg.
Miss Mary T. Lavin, Philadelphia, North American Bldg.
Thomas J. McOscar, Philadelphia, 3465 Cresson St.
Miss Anna H. Scherz, Philadelphia, 2240 N. Broad St.
Miss Clara M. Winch, Philadelphia, 1410 N. Front St.

SCHUYLKILL COUNTY

LeRoy C. Shollenberger, Pottsville.

UNION COUNTY

Elwood Bailey, Lewisburg.

GEORGE H. EARLE.

TELEGRAM FROM THE PHILADELPHIA CITIZENS COMMITTEE ON UNEMPLOYED NEEDS

The Chair cleared his table and laid before the Senate ıe following telegram:

Philadelphia, Pa., July 6, 1936.

resident of Senate
tate Capitol, Harrisburg Pa.

Stop playing politics vote immediate adequate relief ıd prevent starvation.

Philadelphia Citizens Committee on Unemployed Needs.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate ıo now take a recess for half an hour.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, ıe Senate will be in order.

Mr. THOMPSON (Centre). Mr. President, I would like ı interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. IcClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. THOMPSON (Centre). Mr. President, last week ıe Senator from Delaware proposed a plan for the finan- ing of our relief problems, involving approximately the ım of $41,000,000 or thereabouts. Is the Senator from)elaware, as Chairman of the Finance Committee of the enate, or any member of his committee, ready at this me to report our tax bills to finance this $41,000,000 rogram, or any comprehensive program for the financing f relief?

Mr. McCLURE. Mr. President, a meeting of the Finance ommittee has been called for tomorrow for ten o'clock, hen the tax bills which are in the committee will be con- idered.

Mr. THOMPSON (Centre). Mr. President, do I understand by the Senator's answer that the Finance Committee is not ready to report out any tax bills at this session tonight?

Mr. McCLURE. Mr. President, the Senator is correct.

Mr. THOMPSON. Mr. President, do I understand that this situation exists in the face of the fact that relief stops in Pennsylvania today?

Mr. McCLURE. Mr. President, there are no bills in the Finance Committee which would produce immediate revenue, so that the question of relief stopping tonight does not enter into the reporting of bills from the committee.

Mr. THOMPSON (Centre). Mr. President, on behalf of the Democratic side of this House, I wish to serve notice upon the Chairman of the Finance Committee that immediately upon the convening of this Senate tomorrow, the Democratic side of the House will propose motions to discharge the Finance Committee from further consideration of these tax bills and to propose a comprehensive program of relief.

Mr. SHAPIRO. Mr. President, I would like to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. SHAPIRO. Mr. President, was the Finance Committee in its deliberations tonight informed that there is no money for relief after today and that outside of the City of Pittsburgh relief is stopped in Pennsylvania, and that tomorrow there will be no money for relief all over the State of Pennsylvania?

Mr. McCLURE. Mr. President, the Finance Committee was so informed.

Mr. SHAPIRO. Mr. President, was the Finance Committee informed that this information was stated by me last week? I was informed by Dr. de Schweinitz, and so stated in the Senate, that after Saturday most of the State would be without relief, and after Monday all of Pittsburgh would be out of funds for relief, and that tomorrow there would be no money for relief for any city?

Mr. McCLURE. Mr. President, I restate what I have just told the Senator from Centre, Mr. Thompson, that there are no tax bills in the committee which will produce immediate revenue, this week, this month, nor within several months, and that the question of reporting bills to the floor of this Senate is not of immediate importance to meet the problem of providing money for relief at this time.

Mr. SHAPIRO. Mr. President, I would like to ask the Senator from Delaware a further question, if he does not remember that in one of the discussions I had with the Senator some two weeks ago, I called his attention to the fact that there would be no money for relief even if these bills were passed, and that in the decision in the case of Kelly vs. Kalodner, that tax anticipation notes could be used against tax levies, and in that way money could be raised?

Mr. McCLURE. Mr. President, that is correct.

Mr. SHAPIRO. Mr. President, is it not true then, that if tax bills were passed by the Senate within the next three days, that thereupon we could raise money sufficient to carry us through whatever program is suggested, that is, by tax anticipation notes?

Mr. McCLURE. Mr. President, that is true.

Mr. SHAPIRO. Mr. President, and is it not true that

the longer we delay passing this legislation, the longer it will take to get the money by tax anticipation notes?

Mr. McCLURE. Mr. President, that is so.

Mr. SHAPIRO. Mr. President, I would like to ask the Senator from Delaware whether or not the Committee on Finance, or any other committee of the Republican organization, have agreed upon any program, I mean an amount which has been agreed upon for relief.

Mr. McCLURE. Mr. President, will the Senator state that again?

Mr. SHAPIRO. Mr. President, I want to know whether the Republican caucus has agreed upon an amount for which they will appropriate funds?

Mr. McCLURE. Mr. President, they have agreed upon an amount * * *

Mr. SHAPIRO. Mr. President, I am willing to wait until the gentleman interrogated secures the necessary information.

Mr. McCLURE. Mr. President, the Republican caucus has agreed upon an amount of $35,000,000.

Mr. SHAPIRO. Mr. President, I assume that this $35,000,000 is to be charged with the amounts already appropriated for relief?

Mr. McCLURE. Mr. President, yes.

Mr. SHAPIRO. Mr. President, so that for the period beginning June 1st to January 31st, the Republican caucus has agreed upon $35,000,000 for relief?

Mr. McCLURE. Mr. President, that is the sum agreed upon.

Mr. SHAPIRO. Mr. President, has the committee agreed upon any bills by which this $35,000,000 can be raised?

Mr. McCLURE. Mr. President, they have not agreed upon any bills.

QUESTION OF PERSONAL PRIVILEGE

Mr. McGINNIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. McGinnis, will state his question of personal privilege.

Mr. McGINNIS. Mr. President, the Unemployment Insurance Bill passed the House on May 19th. It was transmitted to the Senate and has been in the Committee on Insurance since that date. The Federal Social Security Bill was passed by the Federal Government last August, nearly a year ago. I have always contended that this Senate, whatever it has given in social or humane legislation, has given it grudgingly; the social legislation that has come out of this Senate has come out only after repeated requests, and the demand of the public. If we on this side of the Chamber were desirous of playing politics, we would encourage the pickleing of this bill in the Committee on Insurance, especially since we have our affable Senator Coyne from Allegheny County acting as Chairman of that Committee.

The action of this Senate in the past in pickleing the Old Age Pension Bill, and only bringing out the Old Age Assistance Bill after repeated requests, was one of the things that turned Allegheny County, my county, upside down politically. Two years ago 60,000 Republicans in Allegheny County left the Republican Party and joined the Democratic Party, and one of the real reasons they did that was the action of this Senate in pickleing social and humane legislation. Even now, in the first three weeks of June ths year, 1840 registered as Democrats in the City of Pittsburgh, whereas only 920 Republicans registered. During that same period 710 Republicans changed to Democrats, the first three weeks of June, whereas only 111 Democrats changed to Republicans. So that, because of the attitude of this Senate on social and humane legislation the Republicans have been leaving the Republican Party in our county, and I take it the same in all the counties, like as if they were leaving a sinking ship.

The Republican National platform at Cleveland declared for social security. Now it is apparent, from the way this bill is being held in committee, and from the hearing the other day, that was held in this Chamber, that it is the purpose of our good friends on the other side of this Chamber to kill this bill.

Governor Landon has called a Special Session of the Legislature of his State not only to pass a social security bill but to change the Constitution of Kansas so that they can pass a social security bill. Now, from the hearing the other day it is quite apparent that there is a ganging up on this bill; and the purpose is apparent: If enough States can be induced, enough corporate-ridden States can be induced to gang up on this bill, and kill it in enough States, it will have a very serious effect on the national administration of this bill, and perhaps have an influence on the Supreme Court when that bill comes up before that tribunal for a decision.

In view of what the workers in Pennsylvania have gone through in the last several years, they are concerned about this bill perhaps more than about any bill that has come up in this Senate. What haunts every working man in Pennsylvania tonight and has haunted him for the last several years is that when old age creeps up on him all his savings will be swept out from under his feet, like it has been for the last several years. And I give warning to the Senators on the Republican side that unless they bring this bill out of committee, or vote to bring it out of committee, and pass this legislation, that this fall the contest will not even be interesting for the Democrats.

MOTION TO DISCHARGE COMMITTEE

Mr. McGINNIS. Mr. President, I therefore offer the following motion: That the Committee on Insurance, of this Senate, be discharged from further consideration of Senate Bill No. 41 (House Bill No. 55), so that the same may be returned to the floor of this Senate for constitutional consideration.

Mr. REED (Washington). Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COYNE. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. McGinnis.

The PRESIDENT. Will the Senator from Allegheny, Mr. McGinnis, permit himself to be interrogated?

Mr. McGINNIS. Mr. President, I will.

Mr. COYNE. Mr. President, I would like to ask the Senator from Allegheny County what was said at the meeting on last Wednesday that would indicate they were going to gang up on that bill and keep it in committee.

Mr. McGINNIS. Mr. President, I gather from some of the questions that were asked, that the intention of the

epublican side of this Senate was to postpone action i this bill.

Mr. COYNE. Mr. President, does the Senator from Algheny, Mr. McGinnis, remember any of the questions at were asked?

Mr. McGINNIS. Mr. President, there were a number questions asked,—a number asked.

Mr. COYNE. Mr. President, by whom,—by Democrats?

Mr. McGINNIS. Mr. President, the Senator from Tioga, r. Owlett, I believe, asked a question, or, at least, put it the form of a statement, that he felt that there would e no harm done if the bill were delayed; that if we did ot pass it until next year we would not lose anything y it.

Mr. COYNE. Mr. President, if I remember right, we ad a stenographer take those notes. Will the Senator om Allegheny please tell us the question that Mr. Owlett sked, and who answered it?

Mr. McGINNIS. Mr. President, I have just stated what Ir. Owlett said—whether in the form of a question or statement—I don't care which it was.

Mr. COYNE. Mr. President, I do not know of any good eason why the Senator from Allegheny County, Mr. Mcinnis, should protect the Republicans from the loss of otes. At the last election, and the election before last, Allegheny County any votes lost by Republicans were benefit to the Democrats; and in the future any votes ost in Allegheny County to the Republicans will make ne Democrats better off, and any mistakes along those nes that the Republicans should make—that he referred o—surely will be to the benefit of the Democrats in Alegheny County.

I do not know if he is going to discharge the Committee, rom further consideration of this House Bill No. 55 on he question of lost votes in Allegheny County; but, if o, I think it a very poor reason to discharge a Committee.

Now, last Wednesday afternoon we held that meeting—re started at 2:30, and went on until 6 o'clock. The Demcrats and Republicans alike were very anxious to adourn until tonight, and everybody left for home on Wedesday afternoon; nobody wanted a meeting of that Comnittee at that time. We came here this evening at 9 'clock, and we have been considering other bills in comnittee,—we have no time to call a meeting of the Comnittee to consider the bill on Unemployment Insurance. intend to call a meeting of this Committee tomorrow fternoon to consider this House Bill No. 55.

I was surprised that the Senator from Allegheny, Mr. McGinnis, would be in such a hurry about this bill. It as only been in Committee for a very short time, and ve certainly gave it all the attention we could, and we ad several people before us and we heard all of their rguments for and against the bill. I will assure this ody that I have no intention, on my part, to deny anyody a hearing at a meeting of the Committee, and there vill be a meeting of the Committee tomorrow or the day fter in case this motion does not go through.

Mr. WOODWARD. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. McGinnis.

The PRESIDENT. Will the Senator from Allegheny, Mr. McGinnis, permit himself to be interrogated?

Mr. McGINNIS. Mr. President, I will.

Mr. WOODWARD. Mr. President, I would like to ask the Senator if he is in favor of civil service.

Mr. McGINNIS. Mr. President, I certainly am. I want to state to the Senator from Philadelphia, Mr. Woodward, that this administration is the first administration in the State of Pennsylvania—when it was in power only six months, after we had elected a governor and the House—that a civil service law was passed for the employes of the Liquor Board, having over 2000 of the employes of the Liquor Board under civil service rules.

Mr. WOODWARD. Mr. President, does the Senator from Allegheny, Mr. McGinnis, know that House Bill No. 55 has no civil service provisions in it?

Mr. McGINNIS. Mr. President, I knew that, yes.

Mr. WOODWARD. Mr. President, that there is no civil service provision in House Bill No. 55?

Mr. McGINNIS. Mr. President, I know that.

Mr. WOODWARD. Mr. President, there is no civil service in it.

Mr. McGINNIS. Mr. President, no.

Mr. WOODWARD. Mr. President, the Senator from Allegheny, Mr. McGinnis, knows that?

Mr. McGINNIS. Mr. President, yes.

Mr. WOODWARD. Mr. President, is the Senator from Allegheny, Mr. McGinnis, in favor of the Ohio plan or of the Wisconsin plan?

Mr. McGINNIS. Mr. President, I do not know what the Ohio plan or the Wisconsin plan is.

Mr. WOODWARD. Mr. President, there is a great deal of controversy about the Ohio plan and the Wisconsin plan, and does the Senator from Allegheny, Mr. McGinnis, know that the Senator from Delaware, Mr. McClure, has introduced a bill tonight that contains the best features of those two plans, and it will have civil service rules, and is therefore a much better bill than House Bill No. 55.

Mr. McGINNIS. Mr. President, in answer to the Senator from Philadelphia, Mr. Woodward, I wish to say this, that the Federal bill was passed, as I said before, nearly a year ago. The Social Security Bill has been discussed in this Senate, individually, and by the people throughout this State ever since—it is on every man's and woman's tongue; and to think that we have been in session here for ten weeks and have done practically nothing in this Senate on relief,—we certainly have had time to consider and bring out a proper bill; and to offer a bill at this late date convinces me, individually, that it is offered merely for the purpose of confusing, and to help kill the Social Security Bill.

Mr. BUCKMAN. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. McGinnis.

The PRESIDENT. Will the Senator from Allegheny, Mr. McGinnis, permit himself to be interrogated?

Mr. McGINNIS. Mr. President, I will.

Mr. BUCKMAN. Mr. President, do I understand the Senator to say that the civil service bill, or the provisions of the Liquor Board relating to civil service were passed during the Democratic Administration?

Mr. McGINNIS. Mr. President, Yes, sir.

Mr. BUCKMAN. Mr. President, does not the Senator from Allegheny know that that was passed in the Session of 1933, under the administration of Governor Pinchot?

Mr. McGINNIS. Mr. President, I know this, that the

administration of Governor Pinchot did pass a bill giving an examination to all employes of the Liquor Board, and that ended it; there was no civil service after the examination, and they were just on the same footing as every other employe in the State of Pennsylvania. But last year this administration—this House and this Senate, and the Governor signed it, passed a civil service bill putting all employes except the Board under civil service, and provided for the discharge and promotion of the employes under civil service,—the most complete civil service bill that was ever passed in Pennsylvania.

Mr. BUCKMAN. Mr. President, in order to set the Senator from Allegheny straight, I am sorry he was not here in 1933, for he would, then, know that a bill was passed at that time providing for civil service for the Liquor Board. There may have been some amendments passed to it in 1935; but, I repeat, that bill was passed in 1933, and was in effect when the Democratic administration came in.

Mr. McGINNIS. Mr. President, I disagree with the Senator from Bucks. As I stated before, the bill under the Pinchot administration provided for the examination of prospective employes merely—and let them in, perhaps, on a meritorious basis; but after they were in they were on the same footing as every other employe of the State, without any provision under civil service for discharge or promotion or anything else; and the first civil service law applying to State employes was passed under this administration, and it is a complete one.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. SHAPIRO. Mr. President, from what the Senator from Philadelphia, Mr. Woodward, said about the bill, I assume that is the bill sponsored by the Chamber of Commerce. Is that true?

Mr. McCLURE. Mr. President, no, I introduced the bill.

Mr. SHAPIRO. Mr. President, I understand that the Senator from Delaware introduced the bill. Is he familiar with the plan under this bill?

Mr. McCLURE. Mr. President, I am.

Mr. SHAPIRO. Mr. President, is it not true that it provides for a contribution both by the employer and employe?

Mr. McCLURE. Mr. President, it does.

Mr. SHAPIRO. Mr. President, and doesn't that bill provide for a contribution by the employer according to what is called the merit system?

Mr. McCLURE. Mr. President, it does.

Mr. SHAPIRO. Mr. President, and does it not provide for what is called a special pool fund?

Mr. McCLURE. Mr. President, it provides for a reserve fund for industries, separate and apart from the pool.

Mr. SHAPIRO. Mr. President, in other words, it is true, is it not, that this is a bill that provides that the employe shares in the unemployment insurance only so far as the fund goes in his particular factory?

Mr. McCLURE. Mr. President, that is not so; it provides that the benefits shall be first taken from the Company, which provides the reserve account, but after that account is exhausted the pool is drawn on for the balance.

Mr. SHAPIRO. Mr. President, that is exactly what I am saying; in other words, each concern is to take care of its own employes.

Mr. McCLURE. Mr. President, that is not what it says.

Mr. SHAPIRO. Mr. President, let me repeat the question. It is true, first of all, that each concern pays its contribution into a fund, which belong to the particular employer, and from which his employes draw, and no other employes draw from that fund?

Mr. McCLURE. Mr. President, that is correct.

Mr. SHAPIRO. Mr. President, and subsequently, if there is any shortage it is drawn from what is called a special pool, and after that is exhausted the employe gets no compensation?

Mr. McCLURE. Mr. President, that is so under any bill,—when the pool is exhausted there are no benefits for the employes.

The PRESIDENT. May the Chair observe that the parliamentary status has been changed somewhat from that of special privilege, in view of the motion now pending—as made by the Senator from Allegheny, Mr. Harris, following his special privilege talk.

Mr. SHAPIRO. Mr. President, I desire to speak on the motion to discharge.

Mr. PRESIDENT. The Senator will proceed.

Mr. SHAPIRO. Mr. President, some two or three months ago the Chamber of Commerce of Philadelphia sent out a pamphlet discussing the question of unemployment insurance, and advocated what is know as the Reserve System, which is the system incorporated in the bill introduced tonight by the Senator from Delaware, Mr. McClure.

On May 4th there was introduced, into the Senate, Senate Bill No. 7, which I introduced, and which is based on what is known as the Pool System.

On May 19th House Bill No. 55 came over to this Senate, and it took No. 41 under the Senate numbers; and that also is based on a Pool System.

For the purpose of properly discussing this motion, I should like to call attention to the fact that the Pool System is nothing more nor less than an adaption of what is in vogue in insurance companies to spread the risk and minimize the loss; and under the Pool System those who participate in the Pool Fund,—that is, each employe contributed to a fund which is called the Unemployment Insurance Fund, and that fund is used for the benefit of all employes in the State; and it is only when that fund, plus the accumulations realized on investments, is exhausted that the employe gets no compensation.

In view of the fact that this fund has been established on an actuarial basis, and that the contribution exacted from employers will of itself, all things being equal, and if the experience of the past is any guide, the statute will raise a fund which will not be exhausted—under the amounts allowed under this Act.

It is interesting to note that tonight, after these two bills have been in committee almost three months, a new bill is introduced which sets up what is known as a Reserve Fund, so that only the fund in each factory, each manufacturer's fund, will be available to the employes; so that the districts in the coal-mining region and districts having a larger unemployment rate, will within a

very short period of time exhaust both their original fund in the employers' hands as well as the special so-called pool, to which all employers contribute by a small percentage. There is no question about it, that from the experience of those countries which have adopted unemployment insurance, that the pool fund is the safest on an actuarial basis. There has been no experience which would give us any information on the value and the safety of the reserve fund, none that can be a safe guide. In addition to that, it is interesting to know that we have been told that the committee may have a hearing on Wednesday, but when we look at the fact that these bills have been in the committee's hands since May 4th and May 19th, and all we have listened to in the committee meetings has been the unconstitutionality of the Act, of this Act which is now proposed, and about which the Senator from Philadelphia, Mr. Woodward, speaks so favorably, and contains two of the provisions which raised two of the most important questions.

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, the point of order is that a motion to discharge a committee is not debatable.

The PRESIDENT. The Chair rules that the point of order is well taken.

And the question recurring.

Will the Senate agree to the motion?

The yeas and nays were required by Mr. McGINNIS and Mr. FREY, and were as follows, viz:

YEAS—23

Baumer,	McCreesh,	Reed,	Ruth,
Cavalcante,	McGinnis,	(Washington)	Shapiro,
Frey,	Miller,	Rice,	Sones,
Harris	Prince,	Roberts,	Staudenmeier,
Huffman,	Pytko,	Rodgers,	Thompson,
Kahle,	Rankin,	Rupp,	(Centre)
Law,			

NAYS—22

Aron,	Ealy,	McClure,	Scott,
Batchelor,	Gelder,	Owlett,	Thompson,
Bean,	Graff	Pierson,	(Westmoreland)
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Howell,	(Dauphin)	Woodward,
Coyne,	Mallery,	Salus,	Ziesenheim,

So the question was determined in the negative.

The PRESIDENT. The number required by amended Rule 42 is a majority vote of all the members elected to the Senate. The motion is not agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, there is something that may be stopped by a point of order. You can stop the invasion of an army, but you cannot stop the invasion of an idea, and I think it is pretty nearly time some people realize that there has been an invasion of an idea in this Commonwealth.

I want to continue to discuss that bill, because I think it is very important and I think the people should know just what is going on in this Senate with regard to social legislation. We listened for two hours and a half on Wednesday of last week to an important lawyer to tell us about the constitutionality of a law which we were about to propose, and we listened for fifteen minutes, or less, to the proponents of the bill, who were told that we had no more time to listen to them, because it was five o'clock and we had to go into executive session. We listened to this gentleman from Virginia, who spent a great deal of time in the Senate of Virginia to point out to them that the bill was unconstitutional, and then he came here and he read us his brief which he had submitted, apparently, to the Senate of Virginia. We listened to one man who came from an industry in Philadelphia, and who said that so far as he was concerned, whilst the constitutionality might be of some importance, he thought that it was time that when ameliorative legislation was offered in the State of Pennsylvania, that the benefits to the individual, the human interest and the human importance of that legislation should be given some consideration, and that then you could go at the constitutionality of it, and at the hearing which was held in this Senate, we got fifteen minutes of information from those who knew the human side of it, and two hours from one who knew the constitutional side of it, and I venture the opinion that if this bill is so unconstitutional, that there is no question about it, as the gentleman from Virginia told us, and the best thing for these Senators to do would be to pass the bill, and they would have no further trouble from it, and when the Senator from Delaware introduces a bill which contains two important points they have admitted to be unconstitutional, then I question the necessity of listening to imported lawyers on the unconstitutionality of Senate Bill 41, House Bill 55. The bill suggested provides discrimination in taxation. That is the bill that was introduced tonight, first in its merit system, which gives one man less tax than another, and, secondly, the fact that it grants exemption to people who employ less than eight, and violates that well-known and much discussed provision of the constitution which states that all taxation shall be uniform. If there is any civil service provision to the bill which is before the committee, and I am not talking about my bill, because I have neither pride of authorship, nor desire to foist my opinion on others, and I am perfectly satisfied when Senate Bill 41 comes out, that it may be amended properly on the question of civil service, but I do not think that a committee which had had a bill for two months, of such importance as this one, should attempt to becloud the issue by hiring constitutional lawyers and having people come here who will tell us that which we were told in the committee, which is shocking to anyone who has any intelligence, if not insulting to his intelligence, and that is, that it is better to lose the $20,000,000, which will go into the Federal Treasury if we do not pass an act providing for unemployment insurance, better to lose that than to pass a bill that has not been well considered.

Unemployment insurance is not a new matter. It has existed in England since 1919, it has existed in Germany since long before the war, it was adopted two years ago by Switzerland, and it has existed in at least 15 countries in the world, all of them have had varied experience in it, and now we listen, in Pennsylvania, to an argument from people who should know better, who will be obliged whether we pass a law or not, to pay one per cent this

year and two per cent next year, and three per cent the following year on a total payroll which has been estimated about $25,000,000 for the first year, $50,000,000 for the second, and $75,000,000 for the third, who very well know that if that money is paid and no Act is passed, according to the Social Security Act, it falls into the General Fund of the Federal Government, and no one will receive it, and, of course, it is well to know that the manufacturer and employer will never see it, because once he pays it, it goes to the employe. But the important thing is that if it goes to the Federal Government, the employe does not see it unless we pass an Act, and while this motion to discharge was defeated, not by a majority vote, but by a rule invoked by the Republican members of this Senate, which requires a constitutional majority for a motion which otherwise does not require it, a majority which is only required for appropriation of funds—while it was defeated by that rule, it was not defeated by a majority, and the majority of this Senate is on record tonight that the Senators want an unemployment insurance bill brought out on the floor, so that its merits and demerits may be discussed openly, and it seems to me that ought to be due notice to any organization Republicans or otherwise.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, a short while ago, in the discussion of a motion to discharge the Commmittee on Finance from further consideration of Senate Bill 41, House Bill 55, the Senator from Philadelphia, Mr. Woodward, asked the Senator from Allegheny, Mr. McGinnis, whether he believed in civil service, and then from the following remarks of the Senator from Philadelphia, Mr. Woodward, I gathered that he is in favor of civil service, and the reason why he is opposed to the unemployment insurance bill, House Bill 55, was that it did not contain a provision for civil service. On those remarks of the Senator from Philadelphia, Mr. Woodward, I would like to interrogate him.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Woodward, be interrogated?

Mr. WOODWARD. Mr. President, I will.

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman will state his point of order.

Mr. BUCKMAN. Mr. President, my point of order is that there is nothing before the Senate.

The PRESIDENT. The Chair rules that under the question of personal privilege, the interrogation results from that question. I think it is perfectly in order. I see no objection.

Mr. CAVALCANTE. Mr. President, sometime ago the Senator from Philadelphia introduced a bill in the nature of an amendment to the relief appropriation bill providing for the creation of a Board in the counties to administer relief funds. I would like to ask the Senator from Philadelphia, Mr. Woodward, if in that bill creating those boards he provided for civil service in the selection of the members of the Board and the employes under them.

Mr. WOODWARD. Mr. President, the Board was selected by the Governor, the Courts of Common Pleas and automatically the Chairman of the County Commissioners makes the fifth member of the Board. Is that what the Senator from Fayette means?

Mr. CAVALCANTE. Mr. President, no, it is not. I mean that I want to know from the Senator from Philadelphia whether in his bill he provided for civil service for the selection of those Boards and the employes under them.

Mr. WOODWARD. Mr. President, there were several amendments in the bill and that is one of them, civil service for the employes.

Mr. CAVALCANTE. Mr. President, do I understand now that the bill introduced by the Senator from Philadelphia, Mr. Woodward, does contain a provision for civil service?

Mr. WOODWARD. Mr. President, it did.

Mr. CAVALCANTE. Mr. President, does it now?

Mr. WOODWARD. Mr. President, it does now.

RECESS

Mr. GELDER. Mr. President, I do not like to cut off the flow of oratory, but if we have been sufficiently warned, I would like to move that the Senate do now take a recess for ten minutes, and perhaps we can put out a bill that will assist those in distress.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. GELDER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations reported as committed, Senate Bill No. 105 (House Bill No. 154), entitled:

An Act ratifying, confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund, and providing for the subsequent return from the General Fund of the transferred money.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 104 (House Bill No. 153), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such moneys may be expended, and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments, and ratifying, confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act.

TIME OF NEXT MEETING

Mr. HARRIS offered the following resolution, which was twice read, considered and agreed to:

In the Senate, July 6, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, July thirteenth, at 9:00 o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it recovene on Monday evening, July thirteenth, at 9:00 o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION AUTHORIZING THE PRINTING OF MEMORIAL SERVICES IN HONOR OF THE LATE HONORABLE JAMES E. NORTON

Mr. RUTH offered the following resolution, which was twice read, considered and agreed to:

In the Senate, July 6, 1936.

Resolved (if the House of Representatives concur), That five hundred copies of the proceedings of the memorial service, held in honor of the late Honorable James E. Norton, be printed for the use of the Senate.

CONSIDERATION OF THE CALENDAR

Mr. BUCKMAN. Mr. President, I move that the Senate do now proceed to the consideration of the calendar.

Mr. THOMPSON (Centre). Mr. President, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 74 as follows:

A Joint Resolution proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one of article eight is hereby amended to read as follows

Section 1 Every citizen twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections except elections for the creation or increases of municipal indebtedness subject however to such laws requiring and regulating the registration of electors as the General Assembly may enact

1 He or she shall have been a citizen of the United States at least one month

2 He or she shall have resided in the State one year (or having previously been a qualified elector or native born citizen of the State he or she shall have removed therefrom and returned then six months) immediately preceding the election

3 He or she shall have resided in the election district where he or she shall offer to vote at least two months immediately preceding the election

In the case of elections for the creation or increase of municipal indebtedness the elector shall possess the foregoing qualifications and in addition thereto the elector and his or her spouse shall be the owner in fee simple of real property located within the political subdivision of the Commonwealth the indebtedness of which is proposed to be created or increased

Section 2 The provisions of this amendment shall not become effective until the first day of January one thousand nine hundred and forty

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Mr. RUTH. Mr. President, and gentlemen of the Senate: I am still of the opinion I was last week, that this bill would set up class legislation, and I cannot agree to the bill in its present form for the reason that it would permit some people to vote on increase indebtedness and other people would have to pay for it, so that I ask the members of the Senate to vote "no."

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Aron,	Graff,	Prince,	Staudenmeier,
Batchelor,	Homsher,	Reed,	Thompson,
Bean,	Howell,	(Dauphin)	(Westmoreland)
Buckman,	Mallery,	Rodgers,	Trainer,
Chapman,	McClure,	Rupp,	Woodward,
Coyne,	Owlett	Salus,	Ziesenheim,
Ealy,	Pierson,	Scott,	

NAYS—20

Baumer,	Kahle,	Rankin,	Ruth,
Cavalcante	Law,	Reed,	Shapiro,
Frey,	McCreesh,	(Washington)	Sones,
Gelder,	McGinnis,	Rice,	Thompson,
Harris,	Miller,	Roberts,	(Centre)
Huffman,	Pytko,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 76, as follows:

An Act to authorize the Board of Revision of Taxes in cities of the first class to classify the real estate situated therein so as to discriminate between those parcels employed exclusively for manufacturing purposes and other real estate in such cities and to provide for carrying such classification into effect

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in cities of the first class the Board of Revision of Taxes is hereby authorized immediately after the annual assessment in each year to classify the real estate situated in such cities so as to discriminate between those parcels thereof which are employed and used exclusively for manufacturing purposes and other real estate in such cities And the said Board of Revision said cities at the time of the annual certification of the of Taxes is hereby required to certify to the Council of assessed value of real estate therein the assessed valuation of the real estate employed exclusively for manufacturing purposes And the Council of such cities in determining the rate of taxation for each year are hereby authorized to assess the tax upon the real estate employed exclusively for manufacturing purposes at such proportionate reduction from the tax rate which may be imposed upon the other urban property situated in such cities as the said Council may by ordinance fix and determine It shall be the duty of the Receiver of Taxes of such cities to collect the taxes upon such real estate used exclusively for manufacturing purposes at the rates

Section 2 All acts or parts of acts inconsistent herewith to the extent of such inconsistency be and the same are hereby repealed but this section shall not be construed to repeal the act approved the twenty-fourth day of March one thousand eight hundred and sixty-eight pamphlet laws four hundred and forty-three entitled "A further supplement to an act entitled 'An Act to promote

the more certain and equal assessment of taxes in Philadelphia approved the fourteenth day of March anno domini one thousand eight hundred sixty-five relative to assessments on agricultural and farm land and the suburban portions of said city"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Aron,	Homsher,	Pierson,	Salus,
Batchelor,	Howell,	Prince,	Scott,
Baumer,	Huffman,	Pytko,	Shapiro,
Bean,	Kahle,	Rankin,	Sones,
Buckman,	Law,	Reed,	Staudenmeier,
Chapman,	Mallery,	(Dauphin)	Thompson,
Coyne,	McClure,	Rice,	(Westmoreland)
Ealy,	McCreesh,	Roberts,	Trainer,
Frey,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Rupp,	Ziesenheim,
Harris,	Owlett,	Ruth,	

NAYS—4

Cavalcante,	Reed,	Thompson,
Gelder,	(Washington)	(Centre)

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 6, as follows:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section eight of the Constitution of Pennsylvania is hereby amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein but the debt of the city and county of Philadelphia may be increased in such amount that the total city and county debt of said city and county shall not exceed fifteen (15) per centum upon the assessed value of the taxable realty therein nor shall any municipality or district incur any new debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of taxable property or taxable realty without the consent of the electors thereof at a public election in such manner as shall be provided by law In ascertaining the borrowing capacity of the city and county of Philadelphia at any time there shall be deducted from such debt so much of the debt of said city and county as shall have been incurred or is about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or in the construction purchase or condemnation of any public utility or part thereof or facility therefor to the extent that such public improvement or public utility or part thereof whether separately or in connection with any other public improvement or public utility or part thereof may yield or may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted may be prescribed by the General Assembly

In incurring indebtedness for any purpose the city and county of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking fund sufficient to retire said obligations at maturity the payment to such sinking fund to be in equal or graded annual or other periodical installments Where any indebtedness shall be or shall have been incurred by said city and county of Philadelphia for the purpose of the construction or improvements of public works or utilities of any character from which income or revenue is to be derived by said city and county or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city and county such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred but not in excess of five years from the time of the incurring of such indebtedness and said city and county shall not be required to levy a tax to pay said interest and sinking fund charges as required by section ten article nine of the Constitution of Pennsylvania until the expiration of said period of one year after the completion of said work

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 6, the bill just read, be recommitted to the Committee on Constitutional Changes for the purpose of amendment and consolidation with the following bill.

Mr. ARON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 57 (House Bill No. 74), as follows:

A Joint Resolution proposing an amendment to section eight article nine of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section eight of article nine is hereby amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein but the debt of the city of Philadelphia may be increased in such

amount that the total city debt of said city shall not exceed ten per centum (10) upon the assessed value of the taxable property therein nor shall any such municipality or district incur any new debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of property without the consent of the electors thereof at a public election in such manner as shall be provided by law In ascertaining the borrowing capacity of the city of Philadelphia at any time there shall be deducted from such debt so much of the debt of said city as shall have been incurred is about to be iniurred and the proceeds thereof expended or about to be expended upon any public improvement or in the construction purchase or condemnation of any public utility or part thereof or facility therefor if such public improvement or public utility or part thereof whether separately or in connection with any other public improvement or public utility or part thereof may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted may be prescribed by the General Assembly

In incurring indebtedness for any purpose the city of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking-fund sufficient to retire said obligations at maturity the payment to such sinking-fund to be in equal or graded annual or other periodical instalments Where any indebtedness shall be or shall have been incurred by said city of Philadelphia for the purpose of the construction or improvements of public works or utilities of any character from which income or revenue is to be derived by said city or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred and said city shall not be required to levy a tax to pay said interest and sinking-fund charges as required by section ten article nine of the Constitution of Pennsylvania until the expiration of said period of one year after the completion of said work Provided however That any county city borough township or other municipality or incorporated district may without the consent of the electors thereof increase its indebtedness to the extent of three (3) per centum over and beyond any limitation fixed herein toward the sole purpose of constructing or completing sewage treatment works

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 57 (House Bill No. 74), the bill just read, be recommitted to the Committee on Constitutional Changes.

Mr. ARON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 87, entitled:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent taxes in cities of the first class and school districts of the first class for the tax year one thousand nine hundred and thirty-four and all previous years assessed and levied against any parcel or parcels of real estate are hereby abated without the necessity of further action by the authority levying the tax if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of this act the taxes for the year one thousand nine hundred and thirty-five and all penalties and accrued interest and thirty-three and one-third per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid on or before the first day of November one thousand nine hundred and thirty-six thirty-three and one-third per centum on or before the first day of November one thousand nine hundred and thirty-seven thirty-three and one-third per centum on or before the first day of November one thousand nine hundred and thirty-eight And provided That the respective current taxes on such parcel or parcels of real estate for the years subsequent to the year one thousand nine hundred and thirty-six during such instalment periods assessed and levied by such taxing authority shall be paid before they become delinquent during the then current year if and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provided then and in that event there shall become due and payable for such year a sum equal to one-third of the total amount of the abated penalties and interest in addition to the other payments required to be paid under this Act during that year which said additional sum shall be payable and must be paid at the time the next succeeding installment payment becomes due under this Act If such additional sum is not said paid then the total amount of the abated penalties and interest less the aggregate of any such additional sums theretofore paid shall be received and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion theretof had never been abated and the tax payer shall not thereafter be entitled to any further benefits or privileges under this Act

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 1, page 2, line 3, by inserting after the word "interest" and before the word "and" the following: "thereon"; also page 2, line 17, by striking out after the word "paid" the following: "before they become delinquent"; also page 2, line 18, by inserting after the word "year" and before the word "if" the following: "before they become delinquent"; also page 2, line 22, by inserting after the word "of" and before the word "the" the following: "what would have been"; also page 2, line 23, by inserting after the word "interest" and before the word "in" the following: "had the payment in question been made on time, this sum to be"

Mr. ARON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 Any taxpayer may anticipate the payment

of such delinquent taxes for the tax year one thousand nine hundred and thirty-four and previous years at any time on or before November first one thousand nine hundred and thirty-six by paying the entire amount of such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes assessed and levied for the year one thousand nine hundred and thirty-six shall not be required at the time of such payment

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 2, page 3, line 11, by inserting after the word "thirty-six" and before the word "by" the following: "or of the balance of said delinquent taxes then due at any time thereafter during the installment period herein if the taxpayer is not then in default in the provisions hereof"; also page 3, line 11, by inserting after the word "amount" and before the word "of" the following: "or balance as the case may be"

Mr. ARON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows:

Section 3 This act shall be construed to apply to all such taxes whether or not liens for such taxes have been returned for non-payment or have been filed in the office of the prothonotary of the country or proceedings for the collection of such taxes have been instituted in any court in said county or where real property has been sold to a county city borough town township school district or poor district at a tax sale or on a tax lien and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a county city borough town township school district or poor district at a tax sale or on a tax lien and where the period of redemption has not expired but if the taxpayer desires any judgment entered of record to be satisfied it shall be so marked on order filed by the taxing authority or its solicitor upon payment of the prothonotary's costs only the taxpayer to be liable for the payment of such costs

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 3, page 4, line 1, by inserting after the word "any" and before the word "judgment" the following: "tax lien or"; also page 4, line 3, by striking out after the word "of" the following words "the prothonotary's costs only" and substituting in lieu thereof the following: "all costs actually expended by the taxing authority"; also page 4, line 4, by adding after the word "costs" the word "only"

Mr. ARON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth and fifth sections of the bill were read as follows and agreed to:

Section 4 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at Sheriff's or other judicial sale grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied

For the purposes of this act a tax shall be deemed to become delinquent on the date of its registry as a delinquent tax or on or before the fifteenth day of January of the year following the current year for which the tax in question was levied

Section 5 Any taxpayer shall have the right to pay the delinquent taxes assessed and levied against any parcel or parcels of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision

The sixth section of the bill was read as follows:

Section 6 In all cases of delinquent taxes paid subsequent to June first one thousand nine hundred and thirty-five and on or before November first one thousand nine hundred and thirty-six when the payments were or are made and accepted on the basis of the allowance to the taxpayer of penalties interest and costs or on the basis of the allowance of any of them such allowance or allowances shall stand valid in all respects and shall be so viewed on the audit of the accounts by the tax collector

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 6, page 4, line 25, by striking out the word "when" and insert in lieu thereof the following: "where"

Mr. ARON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventh, eighth and ninth sections of the bill were read as follows and agreed to:

Section 7 Upon application either in person or in writing by any taxpayer the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayer a statement of the delinquent taxes owed by him to such municipal subdivision showing the face amount the penalty if any the interest if any and any costs or other charges in detail against such real property as shown by the records in his custody

Section 8 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for non-payment of taxes before November first one thousand nine hundred and thirty-six and any tax sale shall be adjourned or readjourned as often as may be necessary for this purpose If any tax sale is adjourned or readjourned after advertisement no additional advertisement or notice shall be necessary for the adjourned or readjourned sale No such adjournment or readjournment failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid by the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this Act provided however that in every case where a tax payer avails himself of the privileges or benefits of this Act the period during which payment of the said delinquent taxes are postponed or continued under this Act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes

Section 9 The provisions of this act are severable

and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

The tenth section of the bill was read as follows:

Section 10 The Act approved the sixteenth day of May one thousand nine hundred thirty-five Pamphlet Laws one hundred sixty-six as amended by the Act approved the twenty-first day of June one thousand nine hundred thirty-five Pamphlet Laws four hundred ten shall continue in full force and effect as to any and all taxpayers who have taken advantage of and are not in default in the provisions thereof All other acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 10, page 6, line 23, by striking out the word "full"; also page 6, line 23, by inserting after the word "effect" and before the word "as" the following "only"; also page 6, line 23, by striking out after the word "to" and before the word "taxpayers" the following words: "any and all" and inserting in lieu thereof the following: "those"; also page 6, line 24, by inserting after the word "have" and before the word "taken" the following: "heretofore"; also page 6, line 24, by inserting after the word "of" and before the word "and" the following: "that act by paying the first installment within the installment period provided for in section 1 paragraph (a) thereof and have not become in default and shall not become in default in meeting any subsequent installments provided for in that act and who continue to liquidate their delinquent tax obligations under that act provided however, that if said taxpayer desires any tax lien or judgment entered of record to be satisfied he shall be liable for costs as provided in section 10 of this act"; also page 6, line 24, by striking out after the word "of" the following: "and are not in default in"; also page 6, line 25, by striking out the following words "the provisions thereof"

Mr. ARON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eleventh section of the bill was read as follows and agreed to:

Section 11 This act shall become effective immediately upon final enactment

The title of the bill was read as follows and agreed to:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class, school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof.

And said bill having ben read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 95 (House Bill No. 91), as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of bulding and constructing new dikes levees and river bank protections along the Delaware River at Morrisville Borough Bucks County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred ten thousand dollars ($110,000) or so much thereof as may be required is hereby specifically appropriated to the Department of Forests and Waters for the purpose of building and constructing a new dike levee or river bank protection along the Delaware River at Morrisville Borough between the bridges at Bridge street and Trenton Avenue (Calhoun Street) for a distance of about three thousand (3,000) feet for protection against flood and freshets to the abutting thickly populated lowland area.

The sum appropriated by this act shall be available for use by the Department of Forests and Waters until the dike levee or river bank protection provided for herein shall be built and constructed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 97 (House Bill No. 149), as follows:

An Act to amend an act approved the fourth day of June one thousand nine hundred and thirty-six (Act Number three) entitled "An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and prescribing certain tax liens and providing for the extension thereof" by adding thereto a new section to be known as section six and one-tenth providing for the compensation of delinquent tax collectors their employes and expenses for the collection of delinquent taxes in counties of the second class in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the fourth day of June one thousand nine hundred and thirty-six (Act Number three) entitled "An act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof" is hereby amended by adding thereto a new section to read as follows

Section 6.1 In every county of the second class where the penalties on certain delinquent taxes have been abated under the provisions of this act and where the compensation of the delinquent tax collectors their employes or the expenses incurred by them in the collection of such delinquent taxes have heretofore been paid from the penalties attached by law to such delinquent taxes it shall be lawful for such counties to which this act is applicable to provide as a part of the maintenance and operation of the collection of delinquent taxes upon which the

penalties have been abated such moneys as may be necessary to compensate the delinquent tax collectors their employes and such other necessary expenses as may be incurred in the collection of such delinquent taxes during any period of time prior to the fifteenth day of August one thousand nine hundred and thirty-six such compensation and expenses to be provided for and paid in the same manner as compensation and expenses are provided for and paid in other cases by the respective counties of the second class

And said bill having ben read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT

Mr. REED (Dauphin). Mr. President, I move that Senate Bill No. 98 (House Bill No. 143), on second reading, entitled:

An Act to provide revenue by prohibiting the employment of miners in the bituminous coal mines, unless certificated after examination by a miners' examining board and the payment of certain fees; providing for the appointment of such boards, and defining their powers and duties; and providing penalties

be recommitted to the Committee on Judiciary Special for the purpose of a public hearing.

Mr. PIERSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HARRIS. Mr. President, I always favor public hearings on bills of importance. I now favor a public hearing on the Miner's Certificate Bill, House Bill No. 143, Senate Bill 98, and if the Senator from Dauphin will withdraw his motion to recommit his bill, I will substitute a motion which will provide for a pubilc hearing. I am fearful if this bill is recommitted to the committee that that will end it. I think this motion is a motion to kill the bill and not a motion for a public hearing, if the gentleman will withdraw his motion I will move that this bill be made a Special Order of business for Wednesday afternoon at three o'clock, and at that time I will ask that the Senate go into a Committee of the Whole for the purpose of a public hearing. In doing that it will keep this bill on the calendar, it will prevent it from going back into the committee, where I think it will be killed. I request that the Senator from Dauphin withdraw his motion and substitute the one which I have suggested, which will give a free and open hearing on this bill.

Mr. REED (Dauphin). Mr. President, in reply to the Senator from Allegheny, Mr. Harris, I desire to say that that is the most unusual suggestion I have ever heard, and I also desire to say that I do not understand why the Senator has made the statement that the purpose of this motion is one to kill this bill. This bill was reported to the Senate on Monday evening of last week, brought out from committee on the following day, and many of those interested in this bill desire that it have a public hearing. I am sure that the committee on Judiciary Special, to which this bill was referred, and which the committee reported to the Senate, will, after a public hearing, give the bill fair consideration.

I cannot endorse the suggestion of the Senator from Allegheny, Mr. Harris, which I believe is contrary to all practice in this Senate. When public hearings are held, they are held by a committee having the bill in charge, and I hope therefore, that this motion will be adopted by the Senate to the end that those vitally interested in his bill, both for and against it, may have the opportunity of presenting their reasons before the committee on Judiciary Special.

The PRESIDENT. The Chair might say relative to the parliamentary question raised by the Senator from Allegheny, Mr. Harris, that his suggested motion is strictly in accordance with parliamentary usage under the manual invoked by this Senate.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. THOMPSON (Center) and Mr. FREY.

Mr. THOMPSON (Center). Mr. President, I would like to have verification of the roll.

The roll was verified and was as follows:

YEAS—24

Aron,	Graff,	Prince,	Sones,
Batchelor,	Homsher,	Reed,	Thompson,
Bean,	Law,	(Dauphin)	(Westmoreland)
Buckman,	Mallery,	Rupp,	Trainer,
Chapman,	McClure,	Salus,	Woodward,
Coyne,	Owlett,	Scott,	Ziesenhelm,
Ealy,	Pierson,		

NAYS—21

Baumer,	Huffman,	Rankin,	Ruth,
Cavalcante,	Kahle,	Reed,	Shapiro,
Frey,	McCreesh,	(Washington)	Staudenmeier,
Gelder,	McGinnis,	Rice,	Thompson,
Harris,	Miller,	Roberts,	(Centre)
Howell,	Pytko,	Rodgers,	

So the question was determined in the affirmative.

MOTION TO READ BILLS THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 104 (House Bill No. 153), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such moneys may be expended, and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments, and ratifying, confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 105 (House Bill No. 154), entitled:

An Act ratifying confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate o now adjourn until tomorrow afternoon at two o'clock, n order that the Finance Committee may hold a meeting, vhich will be a rather protracted one.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 P. M. until tomorrow fternoon, July 7, 1936, at two o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, July 6, 1936

The SPEAKER (Roy E. Furman) in the Chair.

The House met at 9:00 P. M.

PRAYER

Reverend W. B. FORNEY, General Secretary, Lord's ay Alliance of Pennsylvania, offered the following prayer:

'Almighty God, Our Heavenly Father, Thou who art the iver of every good and of every perfect gift, we come in hy presence tonight to thank Thee for all of the bless- ıgs with which we have been so richly endowed by Thee. Ve pray that we may recognize Thee as the giver of all nd that it may be our one purpose to serve Thee in life. hou hast blessed our nation, Thou hast poured out Thy pirit richly upon us. We pray, as we are celebrating the reat event that marks the birthday of our nation, we may emember that in every hour when men have needed as- stance and have come to Thee, Thou hast blessed and uided the Ship of State, when it has been tossed upon ımultuous seas. The Ship of State has been directed ight when men have looked to Thee for guidance.

As this House meets tonight to transact business of vital nportance, we pray that Thou will guide the minds of ıe legislators, that Thou wilt grant them the courage of ıeir convictions and help them to remember that it is ıeir duty to see that laws are enacted that will bring elief and blessing to this great Commonwealth of ours.

Bless the Speaker of the House of Representatives, bless ıe members of this body, and grant to them wisdom, we ay. In the Master's name, Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of ednesday, July 1, 1936.

The Clerk proceeded to read the Journal of Wednesday. ıly 1, 1936, when, on motion of Mr. JOHN J. BAKER the ırther reading was dispensed with and the Journal ap- oved.

COMMUNICATIONS

The SPEAKER laid before the House the following com- unication which was read by the Clerk.

MOTOR FUNDS

A communication from the Travelers Protective Asso- ation protesting diversion of Highway Funds.

Referred to the Committee on Appropriations.

PACKAGE BEER DEALERS

Petitions from citizens of New Galilee and Darlington, Pennsylvania, opposing enactment of House Bill No. 105.

Referred to the Committee on Judiciary General.

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

FEDERAL EMERGENCY ADMINISTRATOR OF PUBLIC WORKS

Washington, June 29, 1936.

Honorable Roy E. Furman,
Speaker, House of Representatives,
Harrisburg, Pennsylvania.

My Dear Mr. Furman:

The President has referred to the Secretary of the Interior Resolution No. 25, passed by the House of Representatives of the General Assembly of Pennsylvania on June 15, 1936, memoralizing Congress and the President to pass the Wagner Bill No. S-4424, for slum clearance and low rent housing. I am acknowledging your Resolution in the absence of the Secretary.

As you undoubtedly know, the Bill passed the Senate but was not reported out of the House Committee before adjournment.

It is, however, most gratifying to have evidence of the approval of your legislative body. The future housing activity of the Federal Government cannot now be predicted, but past indications have been that the greatest benefit of a continuing program would accrue to those States best equipped with legislation enabling them legally to exercise local initiative as well as to receive Federal aid. I hope that the interest of your body in this truly important problem of housing will continue and increase in the future.

Sincerely yours,

HORATIO B. HACKETT,
Assistant Administrator.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 67.

An Act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof.

Whereupon,

The Speaker, in the presence of the House, signed the same.

LEAVES OF ABSENCE

The Speaker asked and obtained leave of absence for Mr. SINWELL for the week on account of illness in the family.

Mr. Kilroy asked and obtained leave of absence for Mr. RINN for the week.

Mr. Nagle asked and obtained leave of absence for Mr. CAPUTO for today's session.

Mr. Chervenak asked and obtained leave of absence for Mr. WESTRICK for the week.

Mr. Sloan asked and obtained leave of absence for Mr. STEWART for the week on account of illness.

Mr. Frank E. Snyder asked and obtained leave of absence for Mr. KANE for tonight and tomorrow on account of illness in the family.

RESOLUTIONS

Mr. POWERS offered a resolution which was filed with the Clerk under the rules.

CONGRATULATING HON. LLOYD M. SCHAEFFER

Mr. LaRUE offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 6, 1936.

The personnel of the membership of the House of Representatives for 1935 and 1936 has undergone an unusually large number of changes. Among those who, for the first time at this extraordinary session, enjoy the honor and have assumed the responsibility of lawmakers, is a gentleman from the County of Berks, whom we have gladly welcomed as a fellow member, albeit his advent signified the loss to the General Assembly and to the State of Pennsylvania of the Honorable Wilson G. Sarig, late Speaker of this House, whom we so dearly loved and highly honored and respected.

On the fifth of July, some years ago, a child was born in the Schaeffer family. The child grew to manhood, and, along the way, acquired knowledge and developed ability, both in the legal profession which he now follows, and in the general and specific interests and activities which constitute the life of the individual and of his community. He has served well as Secretary of the Democratic County Committee of Berks County, and in his first few weeks as a legislator, has already given promise of great things to come; therefore be it

Resolved, That we, the fellow members of the Honorable Lloyd M. Schaeffer, do hereby express our hope that he enjoyed a happy birthday, and wish him many more to come, together with health, prosperity, honor and accomplishment, both in his public and his private life; and be it further

Resolved, That a copy of these resolutions be transmitted to the gentleman from Berks, Mr. Schaeffer, by the Chief Clerk of the House of Representatives.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case, dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 92, entitled:

An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith conferring powers and imposing duties on certain county and city officers and on the State Department of Revenue and fixing penalties

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That MEANING OF TERMS As used in this act and unless a different meaning appears from the context

(a) The term "intangible" or "intangibles" shall apply to mean and include all mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section forty hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest is included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section forty hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its share or capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all annuities yielding annually over two hundred dollars

(b) The term "intangible" or "intangibles" shall not apply to mean nor include (1) bank notes or notes discounted or negotiated by any bank or banking institution saving institution or trust company (2) nor loans shares of stock or other securities held by bankers or brokers solely for trading purposes (3) nor accounts or debit balances owing by customers of bankers or brokers in the usual courses of business (4) nor interest bearing accounts in any bank or banking institution savings institution or trust company (5) nor any intangibles owned held or issued by building and loan associations or savings institutions having no capital stock Provided That if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying said tax on any such intangibles as may be held owned by or owing to the said savings institution having no capital stock (6) nor any intangibles owned or held by fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions (7) nor any intangibles owned in their own right by corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes but corporations limited partnerships and joint-stock associations holding intangibles as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed upon all intangibles so held by them as in the case of individuals (8) nor any intangibles hereafter received from any person or persons copartnership or unincorporated association or company non-resident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any State or Government other than this Commonwealth and not doing business with this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company non-resident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth

(c) Intangibles are hereby classified as "current intangibles" and "annual intangibles"

(1) Current intangibles shall include all intangibles that

e made issued or executed to mature or be paid dis-
arged or retired within one year from the date the same
e made issued or executed or within one year from the
te this act takes effect
(2) Annual intangibles shall include all other intangibles
(d) The term "person' shall include a natural person
fuciary partnership association corporation and any and
ery multiple group that may have the capacity to own
hold property or the custody thereof
(e) The term "fiduciary" shall mean and include an
ecutor administrator guardian receiver trustee agent
orney-in-fact and any person group or association of
rsons acting in any trust capacity in the control manage-
ent or operation of any property
(f) The term "stamp" or "stamps" shall have reference
and mean the adhesive stamp provided by the terms
this act to be attached to intangibles
(g) The term "board" shall mean the board of revision
taxes in cities and counties of the first class or the
ard for the assessment and revision of taxes in counties
here such board exists or the board of county commis-
ners in all other counties
(h) In respect to cities coextensive with counties the
m "county" shall include also any such city the term
unty treasurer" or "treasurer" shall include also the
y treasurer of such city the term "county controller"
"controller" shall include the city controller of such
y the term "county solicitor" shall include also the
y solicitor of such city the term "collector of county
xes" "tax collector" or "collector" shall include also the
partment of receiver of taxes of such city and the term
unty commissioners" shall include also the city council
such city and shall not include the county commis-
ners of any such county
(i) The term "tax" shall include any stamp required
be affixed to any intagible
(j) The term taxpayer" shall mean any person re-
ired to pay any tax or affix any stamp required by
e provisions of this act on intagibles
(k) The term "accrue" or "accrual" means the date on
hich any tax imposed by this act on intangibles becomes
e
(l) The term "bank" or "trust company" shall mean
y bank of discount and deposit loan and trust and safe
posit company private bank savings bank or trust com-
ny organized under any law of this State or any bank
ganized under any law of the United States

The second section was read as follows:

Section 2 PRIVILEGE TAX TRANSACTIONS On and
ter the first day of January one thousand nine hundred
d thirty-seven every person resdiing in or domiciled in
y county of this State shall pay a tax to such county
d in cities coextensive with counties to such city and
unty for county or city and county purposes as the
se may be and for State purposes at the rate and in
e manner provided in this act for the right to exer-
se any one or more of the following privileges
(a) Signing executing and issuing intangibles
(b) Selling assigning transferring renewing removing
nsigning mailing shipping trading in and enforcing in-
ngibles
(c) Receiving the income increase issues and profits of
tangibles
(d) Having and possessing the right to transmit the
me by will and of making gifts thereof and therefrom
id of having the right to allow such property to pass
other persons by descent under the intestate laws of
is State
(e) For the right to have such intangibles separately
assified for taxes levied assessed and collected on ac-
unt thereof or measured thereby
Such tax at the rate provided in this act shall be
easured by intangibles wherever located
(a) Owned by any taxpayer except his intangibles hav-
g an actual business situs outside this State
(b) Controlled by any person or fiduciary and having
business situs in this State and in the possession of or
der the control or management of any such person or
duciary

On the question,

Will the House agree to the section?

Mr. McCREARY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 6, line 25, by inserting after the word "and" where it first appears in said line, the following: "during the year one thousand nine hundred and thirty-seven."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 RATE OF TAX A tax at the rate of six mills on each dollar of the value thereof is hereby imposed on all intangibles Such tax shall be payable as follows (a) Six cents of each ten dollars or fractional part thereof of the actual value of every current intangible and (b) six cents per annum or fractional part thereof over one year on each ten dollars of the actual value or fractional part thereof of each annual intangible

On the question,

Will the House agree to the section?

Mr. McCREARY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 3, page 7, line 21, by inserting after the word "tax" where it appears the second time in said line, the following: "for county or city and county purposes."

Amend Sec. 3, page 7, line 22, by striking out the word "six" and inserting in lieu thereof: "four."

Amend Sec. 3, page 7, line 23, by striking out the word "Such" and insert, indented as a paragraph, the following:

"In addition to such tax, an additional emergency State tax at the rate of four mills on each dollar of the value thereof is hereby imposed on all intangibles for the period beginning on the first day of January and ending on the last day of December, one thousand nine hundred and thirty-seven.

During the year one thousand nine hundred and thirty-seven, such taxes shall be payable as follows: (a) Eight cents on each ten dollars or fractional part thereof of the actual value of every current intangible, and (b) eight cents per annum or fractional part thereof over one year on each ten dollars or fractional part thereof of the actual value of each annual intangible.

Subsequent to the year one thousand nine hundred and thirty-seven, the."

Amend Sec. 3, page 7, line 24, by striking out the word "Six" and inserting in lieu thereof: "Four."

Amend Sec. 3, page 7, line 24, by striking out the word "of" and inserting in lieu thereof: "on."

Amend Sec. 3, page 7, line 26, by striking out the word "six" and inserting in lieu thereof: "four."

Amend Sec. 3, page 7, line 27, by inserting after the word "dollars" the following: "or fractional part thereof."

Amend Sec. 3, page 7, line 28, by striking out the words "or fractional part thereof."

On the question,

Wil lthe House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth to the seventeenth sections inclusive were separately read and agreed to as follows:

Section 4 COMPUTATION OF TAX Except as otherwise provided for the purpose of measuring and computing the tax imposed by this act in respect of any intangible and unless and until such intangible has been otherwise assessed and value as authorized by this act (a) any intangible having a face value shall prima facie continuously have an actual value equal to not less than the full value thereof and (b) any intangible not having a face value shall have an actual value in the amount determined by the board and the owner thereof shall cause said amount to be determined

Any intangible listed and traded in on any market recognized by the board shall have an actual value for the purpose of this act equal to the value thereof on such market as of the day such tax accrued

Section 5 ASSESSMENT APPLICATION HEARING Befor the time the tax for any period is due under the terms of this act and before the payment of such tax the owner of any intangible who shall desire or who shall be required by the terms of this act to have the actual value thereof determined or redetermined for the purposes of computing or measuring the tax imposed in respect thereof may apply to the board for such valuation The board shall fix a time and place when and where the applicant may be heard concerning the actual value of such intangible and shall cause or allow evidence concerning the value of such intangible to be introduced and after such hearing the board shall fix the then actual value of such intangible Any taxpayer of such county may appear at such hearing and offer evidence concerning the actual value of any such intangible The board shall prescribe and promulgate rules for the conduct of such hearings and for determining the value of any such intangible

Section 6 ASSESSMENT APPEAL REFUND Any person aggrieved by any order judgment or determination of the board after paying the tax may within thirty days from the entry of such order judgment or determination appeal therefrom to the court of common pleas of the county in which such person resides Such cause shall be tried de novo by the court without a jury on petition filed in such court by the taxpayer so appealing and summons shall issue on such petition to and be served on the board as in other civil actions Either party to such suit may appeal to the Supreme or Superior Court in the same manner as appeals are taken in civil actions Upon the final determination of such suit the court may enter judgment for the refund of any tax paid in excess of that properly required by law or may render judgment against the petitioner for any deficiencies in tax found due

Section 7 METHOD OF PAYMENT Except as otherwise provided in this act such tax shall be paid on account of each intangible by attaching thereto a stamp or stamps for the proper amount of such tax on each intangible at the time and in the manner and amount provided or required by the terms of this act

Section 8 CURRENT INTANGIBLES STAMPING DATE On all current intangibles executed after the taking effect of this act the required stamps as provided by the terms of this act shall be attached within ten days from the time of the execution of such intangible If any current intangible shall not be paid or otherwise discharged at the maturity date thereof as shown by such instrument or within one year from the date of its execution then for the purpose of this act it shall become an annual intangible and be stamped each year in the same manner and amount as other annual intangibles are stamped under the terms of this act

Section 9 ANNUAL INTANGIBLES STAMPING DATE On all annual intangibles executed after the taking effect of this act the stamps representing the tax required in respect thereof for one year from the date of the execution of such intangibles shall be attached within ten days from the time of such execution and hereafter stamps in the proper amount shall be attached thereto on or before ten days after each annual anniversary of such annual intangible until the same is paid retired or di charged according to the terms and provisions of suc annual intangible or in some manner provided in this a

Section 10 MATURITY OF INTANGIBLES BEFOR AND AFTER EFFECTIVE DATE OF ACT On all in tangibles executed after the taking effect of this act ma turing on or before ten days from the date of the execu tion of such intangible the stamps required by this a shall be attached at the time and as a part of such execu tion On all intangibles executed before the taking effect this act and maturing within ten days after the takin effect of this act the stamps required by this act sha be attached within such ten day period and on or be fore the payment or discharge thereof according to th terms of the instrument or in some manner provided i this act

Section 11 INTANGIBLES EXECUTED BUT UNPAI PRIOR TO EFECTIVE DATE OF ACT For the purpos of computing the tax in respect of any intangible execute before and not paid and discharged on or before the tak ing effect of this act such intangible shall be deemed t have been executed on the day this act becomes effectiv for the then unpaid balance thereof either as a curren or annual intangible as determined by the time of it maturity On or before ninety days from the taking effec of this act and on or before the intangible is paid o discharged the tax shall be paid in respect of such in tangible and stamps shall be attached thereto in the same manner as provided for intangibles executed after th taking effect of this act The anniversary date of any such prior existing intangible shall be determined by th date this act becomes effective

Section 12 INTANGIBLES INCAPABLE OF BEING STAMPED COMPUTATION OF TAX The tax on account of and measured by intangibles not susceptible of being stamped or not evidenced by any instrument in writing shall be determined and paid as hereinafter prescribed Within sixty days after this act becomes effective the owner or custodian of any such intangible shall file with the board a sworn report of the amount description and location of such intangible on forms to be prepared by the board and the board shall determine whether such intangible is current or annual and determine the amount of tax due on account thereof and when the same is payable and thereafter within ten days after the thirty-first day of December of each year such person shall file a sworn report with the board on forms prepared by it showing as of December thirty-first the number kind and amount of such intangibles owned or controlled by him since the taking effect of this act or the end of the period covered by his report and the length of time he owned each such intangible At the time of making such report the taxpayer shall pay to the county treasurer or the department of receiver of taxes as the case may be the tax due on account thereof in the amount determined by the board

Section 13 REGISTRATION OF INTANGIBLES PAYMENT OF TAX RECEIPT In lieu of affixing stamps to any annual intangible as provided by this act any person owning or having custody or control of any such annual intangible may cause the same to be registered in the office of the board and then pay to the county treasurer or department of receiver of taxes as the case may be the amount of the tax determined by the board to be due and the county treasurer or department of receiver of taxes as the case may be shall issue to such taxpayer a properly executed receipt showing the amount of tax paid and the property on account of which such tax is paid and the period of time for which such payment was made Such receipt may be attached to such intangible and on request of the taxpayer and on presentation of such intangible the county treasurer or department of receiver of taxes as the case may be shall in a manner to be determined by the board indorse on such intangible the period to the end of which the tax on account of such intangible has been paid

Section 14 COLLECTION OF TAX LIEN PENALTY Any tax imposed by this act if not paid when due shall be entered on the tax duplicate of the city borough town

r township where such taxpayer resides Any such tax ogether with all penalties thereon from the accrual of he tax shall thereupon become a lien as of the date f such entry on the property of such taxpayer located n such county Such lien shall continue until discharged y payment of such tax and all penalty thereon and hall be enforced and collected by the collectors of county axes in the same manner as other delinquent taxes are ollected under the provisions of existing law

Section 15 DEFAULT PENALTY Any person failing o pay the tax imposed by this act on or before the ccrual thereof shall be liable to pay a penalty for each ear or fractional part thereof that such payment is de-eyed Such penalty shall be four times the amount of ne current tax on account of the intangible in respect f which the tax was imposed All unpaid tax and all enalty thereon shall draw interest at the rate of ten er centum per annum from the time such tax accrues

Section 16 RECORD OF INTANGIBLES FROM RE-CORDERS AND PROTHONOTARIES FEES The recorder f deeds and prothonotary of each county shall keep daily record separate and apart from all other records f every intangible entered or assigned of record in his ffice which daily record shall set forth the following nformation (1) The date of the intangible (2) the names f the parties thereto (3) the precise residence of the bligee or person to whose use such intangible is marked r to whom interest is payable (4) if a mortgage a brief escription of the real estate upon which such mort-age is secured (5) the just sum secured by such intan-gible (6) the date or several dates when said sum or ortion thereof shall become due and payable (7) in he case of bonds or judgments entered in the prothono-ary's office whether the same are accompanied with mort-gages A like daily record shall be kept of the number f intangibles together with the amounts thereof and he names of the parties thereto which shall have been hat day satisfied of record It shall be the further duty f the recorder and prothonotary on the first Monday f each month to file such daily record with the board One certificate appended thereto shall be all that is re-quired

The recorder of deeds shall refuse any intangible or ny assignment of any intangible presented to him for ecord unless the instrument evidencing the same has ttached thereto and made a part thereof a certificate igned by the obligee assignee or person entitled to interest r his duly authorized attorney or agent setting forth he precise residence of such obligee assignee or per-on Such certificate shall be recorded with such in-angible or such assignment

The prothonotary before entering any money judgment or plaintiffs other than upon a verdict or order of court hall require delivery to him of a certificate signed by he plaintiff or his attorney or agent setting forth the recise residence address of the plaintiff and upon enter-ng such judgment shall file such certificate at the same umber and term as the judgment and shall include in ts entry on the judgment docket the address set forth n the certificate

Failure on the part of any prothonotary to perform any f the duties hereby imposed upon prothonotaries shall n no way impair the validity of any judgment or the ien thereof

The recorders of deeds and prothonotaries shall be en-itled to receive ten cents for each intangible and for each ssignment or satisfaction of an intangible reported to he board Such fees shall be paid by the county treas-rer on the presentation of proper vouchers and shall e applied in like manner as other fees received by such corders and prothonotaries Provided That no fee shall e allowed in any case where the residence of any obligee r assignee is omitted in such report Provided further hat the amount allowed any prothonotary or recorder hall not exceed the sum of six hundred dollars per annum

Section 17 TRANSMISSION OF INFORMATION TO OTHER COUNTIES Upon obtaining record of the exis-ence within its county of any intangibles that are owned by a person copartnership association or corporation resi-dent or doing business within this State and not a resi-dent of such county or in the case of a copartnership association or corporation not having its principal office within such county the board shall transmit a certified statement of such record to the board of the proper county wherein said person is domiciled or wherein such copartnership association or corporation does business or maintains its principal office and also to further trans-mit to such board a certified statement whenever it shall appear from the record that such intangibles are satisfied Such certified statements shall upon their receipt be filed of record by the board

The eighteenth section was read as follows:

Section 18 ANNUAL RETURNS BY TAXABLES AFFI-DAVIT ADMINISTERING OATHS PENALTY The board shall annually at the time when the assessors re-ceive their books furnish the assessors of the several town-ships boroughs and cities of the respective counties with blanks which shall be prepared and furnished by the State Department of Revenue and for which the county shall pay to the Department of Revenue the actual amount of the cost of preparation and printing Each of said assessors shall furnish a copy of the same to every taxable person copartnership association and corporation in his respective ward district borough or township or to any officer agent employe found at the place of business of any such part-nership association or corporation in his ward district borough or township Upon such blank each taxable person copartnership association and corporation shall make return annually of the aggregate amount of all in-tangibles held owned or possessed by such person co-partnership or corporation either in his her or its own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership association or corporation Such return shall be made and sworn or affirmed to by such taxable person or by a member or officer of such copartnership association or corporation Provided That any corporation association or partnership doing busi-ness in more than one county shall be liable to make such return only in the county in which its principal office within this Commonwealth is situated.

Such affidavit shall be made before the proper assessor or other person authorized to administer oaths and shall set forth that the return is full true and correct to the best of his or her knowledge and belief and shall also show that all taxes imposed by this act on intangibles have been paid and that he has fully complied with all the provisions of this act Such affidavit shall also con-tain such other information as the board may deem advisable for the proper administration of this act Any person who shall wilfully and corruptly make a false and fraudulent return shall be guilty of perjury and upon his or her conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment by separate and solitary con-finement at labor not exceeding seven years and there-upon be forever disqualified from being a witness in any matter of controversy.

The several assessors are hereby authorized to admin-ister the oath or affirmation to any person making the return prescribed by this section for the taking of which oath or affirmation no charge shall be made by the as-sessor Any assessor who shall accept such return from any person or officer required to make the same without requiring the oath or affirmation of such person or officer as herein provided or who shall make any charge for administering such oath or affirmation shall be guilty of a misdemeanor and upon conviction thereof shall be sen-tenced to pay a fine not exceeding five hundred dollars.

On the question,

Will the House agree to the section?

Mr. McCREARY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 18, page 18, by inserting after line 16, the following paragraph: "Any person who shall fail, neglect or refuse to make the return required by this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding two hundred dollars and costs of prosecution, or to undergo imprisonment not exceeding six months or both."

On the question,

Will the House agree to the amendment.

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The nineteenth to the thirtieth section inclusive were separately read and agreed to as follows:

Section 19 VALUATIONS FOR INDEBTEDNESS PURPOSES For the purpose of determining the assessed value of intangibles as a basis for the constitutional right of any county to incur indebtedness upon the assessed valuation of taxible property during the year one thousand nine hundred and thirty-seven the assessments made under the provisions of existing law shall be taken and used but such assessments shall not in any case be used at the basis of valuation for the imposition of the tax during said year During the year one thousand nine hundred and thirty-eight and during each year thereafter the assessed value of intangibles for indebtedness purposes shall be determined by the board by computing the value of all intangibles upon which the tax hereby imposed has been paid during the preceding year using as the basis for such computation the gross amount of the tax on intangibles collected during such year without interest or penalties and the valuation so determined shall be deemed to be the assessed valuation of taxable intangible property under the Constitution and laws of this Commonwealth

Section 20 TAXES DUE FROM ESTATES OF DECEDENTS The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal property of such decedent for the purpose of determining the inheritance tax shall in addition thereto file an affidavit in duplicate setting forth all intangibles included in such inventory or affidavit

The office with whom the same is filed shall forthwith send one of said copies of such affidavit to the board whose duty it shall then be to proceed for the assessment and recovery of the taxes due from such decedent with penalties and interest as above provided and for that purpose to present a claim therefor to the orphans' court of the proper county or to proceed by action or suit at law in any court or competent jurisdiction for such recovery thereof or to take any or all appropriate steps or procedure for the collection of said taxes

Section 21 INTANGIBLES HELD AS COLLATERAL DUTY OF PERSONS HOLDING Every person having or receiving into his possession or custody as collateral or otherwise any intangible on account of which a tax is imposed by this act shall examine such intangible and ascertain that it has been stamped or the tax paid on account thereof No person or officer shall authenticate witness or guarantee any signature to any assignment or transfer of any intangible on account of which a tax is imposed by the provisions of this act unless the stamps or certificates required for the current year appear upon or accompany such intangible All intangibles in possession of any person as collateral or otherwise shall be subject to examination by the board No person holding any such intangible shall be privileged to require the name of the owner the location or description or amount of any intangibles so sought to be examined as a condition precedent to such examination

Section 22 ENFORCEMENT OF ACT RULES AND REGULATIONS The board is hereby charged with the duty of enforcing or causing this act to be enforced and administered and shall prescribe and provide all the necessary forms to be used in connection therewith and may require reports at any time and from any person or officer concerning any matter pertaining to any intangible or any person subject to a tax under the provisions of this act and may examine any person or officer under oath concerning any such intangible and shall make promulgate and enforce such rules of procedure and regulations in any matter connected with the enforcement and administration of this act which may be necessary fully to carry out the provisions thereof Failure to enforce the provisions of this section by the board shall be deemed wilful neglect of duty and punishable by a fine of five hundred dollars ($500) for each such neglect

Section 23 TAX A DEBT ACTION TO RECOVER In addition to all other remedies for the collection of the tax imposed by the provisions of this act such tax as soon as it accrues shall constitute a debt of the person liable for such tax and the board may cause any necessary action to be instituted in the name of the county in any court of competent jurisdiction on relation of the board against such person for the recovery of such tax and all penalties accruing on account of the non-payment thereof Any such suit shall be prosecuted by the county solicitor and in any judgment rendered against the taxpayer in any such suit for any unpaid tax a reasonable attorney fee shall be included for the attorney prosecuting such suit

Section 24 STAMPS PREPARATION CONTRACTS DISTRIBUTION The county commissioners of each county shall within thirty days after the date of final enactment of this act and on or before the first day of July of each year thereafter determine and advice the State Department of Revenue whether such county shall contract for the manufacture of the stamps required by the provisions of this act for use in such county for the ensuing year or whether such county shall purchase such stamps from the Department of Revenue as hereinafter provided the Department of Revenue shall not be required to sell any stamps to any county that has signified its intention to contract for the manufacture of its own stamps or to any county that has failed to signify its intention within the times hereinbefore specified The department may however sell stamps to such counties if the stamps are available without curtailing the supply for the use of the counties that have properly signified their intention to purchase from the department

The county commissioners of any county determining to supply its own stamps and not to purchase the same from the Department of Revenue shall make and execute contracts in behalf of such county for dyes plates and printing necessary for the manufacture of such stamps The board shall have the custody of the stamps dyes plates and other material and things used in the manufacture of such stamps

Contracts for dyes plates printing and other services and supplies necessary for the manufacture and preparation of stamps by the Department of Revenue shall be let and executed in the same manner as contracts for engraving printing and supplies for the use of the various departments of the State government or such work or any part thereof may be done at the various State penal or correctional institutions by the inmates thereof under the conditions prescribed by existing law The Department of Revenue shall have custody of all stamps prepared by it until sold and of all dyes plates and other material and things used in the manufacture of such stamps The cost of procuring such stamps shall be in the first instance be paid out of any appropriation to the Department of Revenue available for such purpose The department shall sell such stamps to the various counties requiring the same at such price as will fully reimburse the Commonwealth for all moneys expended in procuring the same but not at a profit

Adhesive stamps for the purpose of paying the tax levied under the provisions of this act shall be prepared

by the State Department of Revenue or by the county commissioners as the case may be in such form of such denominations and in such quantities as the department or county commisioners may prescribe The year of the issuance of any stamp provided for herein shall be engraved upon the face thereof and no such stamp shall be used in any year other than the year of issue All stamps prepared by the county commissioners for any individual county shall have the name of such county engraved upon the face thereof All stamps prepared by the Department of Revenue shall have a blank space upon the face thereof upon which the name or a distinctive abbreviation of the name of the county where the stamps are to be used shall be printed stamped or written before such stamps are issued by the department No stamp shall be used upon any intangible except such as are taxable in the county the name of which is indicated on the face of such stamp The board shall make provision for the sale of stamps in the office of the county treasurer at such places and at such times as the board may deem necessary

Section 25 STAMPS CANCELLATION Whenever an adhesive stamp is used under the provisions of this act the person using or affixing it shall write or stamp thereon the initials of his name and the date when the same is affixed or used and shall mutilate the stamp in such manner that it cannot be used again.

Section 26 APPLICATION FOR ASSESSMENT AND COMPUTATION OF TAX On application of any person the board shall determine the amount of tax due on account of any intangible in respect of which the tax provided by this act is imposed and issued to such person such receipt release waiver certificate or acquittance as will show the release of such intangible from any lien on account of such tax

Section 27 SALE OF STAMPS BY COUNTY TREASURER The county treasurer as a part of his official duty and without additional salary or compensation shall receive from the board from time to time the stamps provided to be used under the terms of this act Such treasurer shall be chargeable with the full amount of all stamps delivered to him and shall sell such stamps and collect the money therefor and deposit the same in the proper designated depository to the credit of the county Within thirty days after the end of the calendar year one thousand nine hundred and thirty-seven and within thirty days after the end of each calendar year hereafter each county treasurer shall return to the board all stamps in his possession bearing the date of the preceding year and receive proper credit therefor

Section 28 UNUSED STAMPS DISPOSITION At the end of each calendar year any person owning and having any unused stamps of the issue of that year in his possession may within twenty days from the end of such year and not thereafter surrender such stamps to the county treasurer The treasurer shall receive such stamps and deliver to such person a like amount of stamps dated and usable in the then current year Each county treasurer shall keep a record in the form and manner provided by the board of all stamps so surrendered and deliver such stamps to the board and receive credit therefor all in accordance with the rules of the board The board may under regulations prescribed therefor by it provide for the reissue of stamps in lieu of stamps destroyed by fire or unavoidable casualty

Section 29 RECORDING INSTRUMENTS CONDITIONS No instrument securing the payment of any debt evidenced by any intangible as defined by this act shall be admitted to record in this State until all taxes then due as provided by this act have been paid on account of the intangible so secured by such instrument

Section 30 UNSTAMPED INTANGIBLES ENFORCEABILITY No intangible in respect of and by which the tax imposed by this act is measured shall be valid or enforceable nor shall the same be sold assigned transferred renewed removed consigned mailed or shipped unless and until all taxes and penalties accrued on account thereof shall have been paid Any sale renewal or assignment of any such intangibles on account of and by which the taxes imposed by this act are measured have not been paid shall be null and void

The thirty-first second was read as follows:

Section 31 ACT CONSTRUED The tax hereby imposed shall be in lieu of all other taxes except estate or transfer inheritance taxes and except the temporary tax imposed by the act approved the twenty-second day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred fourteen) known as the "State Personal Property Tax Act" and its amendments which might have been or might be imposed upon intangibles or against the owners or holders thereof by virtue of the provisions of any law of this State enacted prior to the passage of this act No State or local tax except transfer inheritance and estate taxes and except the temporary tax imposed by the act approved the twenty-second day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred fourteen) known as the "State Personal Property Tax Act" and its amendments shall be imposed upon any intangibles on account of which a tax is imposed by the provisions of this act by virtue of the provisions of any other law of this State enacted prior to the passage of this act

On the question,

Will the House agree to the section?

Mr. McCREARY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 31, page 26, lines 7 to 11, both inclusive, by striking out the words "and except the temporary tax" in line 7, all of lines 8, 9 and 10, and the words "sonal Property Tax Act and its amendments" in line 11.

Amend Sec. 31, page 26, lines 16 to 20, both inclusive, by striking out the words "and except the temporary tax im-" in line 16, all of lines 17, 18 and 19, and the words "Property Tax Act and its amendments" in line 20.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The thirty-second to the thirty-eighth sections inclusive were separately read and agreed to as follows:

Section 32 EXTENSION OF TIME FOR PAYMENT The board or county treasurer with the approval in writing of the board may at any time upon good cause being shown extend the time not to exceed ninety days within which any taxpayer may pay any taxes accrued or accruing under the provisions of this act Such extension may be granted to such taxpayer with or without penalty or interest and during any such extension any taxpayer may enforce sell assign transfer renew remove consign mail or ship any intangible in respect of which such extension was granted The board may grant such extension upon such terms and conditions as it shall deem just and may require the taxpayer to execute a satisfactory bond to secure the payment of any tax found to be due.

Section 33 STAMPS UNAVAILABLE EXTENSION In case at any time after the passage of this act stamps have not been prepared and distributed at the time any tax imposed by this act accrues then the taxpayer shall have ten days after such stamps are prepared and distributed as provided by the terms of this act within which to procure and affix any stamps required by the provisions of this act All penalties provided by this act shall be suspended during the time such stamps are not available If during such time any person shall desire to

enforce sell assign transfer renew remove consign mail or ship any such intangible the tax required by this act may be paid to the country treasurer and a receipt therefor shall be attached to such intangible.

Section 34 POWERS OF BOARD The board shall have the authority of and the powers conferred by the general laws of this State concerning taxation for the administration of this act and such laws hereby are extended to and made a part of this act so far as applicable for the purposes of assessing and collecting taxes imposed by this act and such taxes omitted through mistake inadvertence or fraud.

Section 35 FAILURE TO PAY TAX OR CANCEL STAMPS PENALTY Whoever makes signs issues authenticates or accepts or causes to be made signed issued authenticated or accepted any instrument document or paper of any kind or description whatsoever evidencing any intangible or any assignment or transfer thereof without the tax thereon being paid or stamps affixed in accordance with the provisions of this act or whoever makes use of any adhesive stamp to denote any tax imposed by this act without cancelling or obliterating such stamp as in this act provided is guilty of a misdemeanor and upon conviction shall pay a fine of not less than twenty-five dollars nor more than five hundred dollars or be imprisoned not less than thirty-days nor more than six months or both for each such offense.

Section 36 STAMPS PROHIBITED PRACTICES PENALTY Whoever fraudulently cuts tears or removes from any vellum parchment paper instrument writing or document evidencing any intangible on account of or in respect of which any tax is imposed by this act any adhesive stamp used in compliance with the provisions of this act or whoever fraudulently uses joins fixes or places to with or upon any such evidence of intangible on account or in respect of which any tax is imposed by this act any adhesive stamp which has been cut torn or removed from any other evidence of intangible or whoever fraudulently uses joins fixes or places to with or upon any evidence of intangible any adhesive stamp of insufficient value of any forged counterfeited or altered stamp or whoever wilfully removes or alters the cancelling or defacing marks of or otherwise prepares any adhesive stamps with intent to use or cause the same to be used after it has already been used or knowingly or wilfully buys sells offers for sale or gives away any washed or restored adhesive stamp to any person for use or knowingly and without lawful excuse has in his possession any washed or restored or altered stamp which has been removed from any vellum parchment paper instrument writing or document or whoever knowingly or wilfully prepares buys sells offers for sale or has in his or its possession any counterfeited stamps is guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or be imprisoned for not less than one year nor more than five years or both at the discretion of the court.

Section 37 ENFORCEMENT OFFICERS DIVULGING INFORMATION PENALTY Whoever being or having been a county official or member of the board of any county or being or having been a clerk employe or agent of any such officer or board divulges except in the performance of his duties or upon order of the board or in any reports required by law as the case may be or when called upon to testify in any court or proceedings any information acquired by him in the exercise of the powers vested in him by any of the provisions of this act or while claiming to exercise such powers in respect to the transactions or business of any person to whom this act is applicable shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars nor more than five hundred dollars and shall thereafter be disqualified from acting in any official capacity whatsoever in connection with the assessment or collection of taxes.

Section 38 REQUIRING PERSON BORROWING TO PAY TAX USURY It is unlawful for any person in loaning money at interest to any person which transaction is taxable as an intangible under the provisions of this act to require the person borrowing the same to pay the tax imposed thereon by this act In all cases where such tax shall have been paid by the borrower the same shall be considered usury and be subject to the laws governing the same.

The thirty-ninth section was read as follows:

Section 39 PAYMENT OF PART OF COUNTY TAX TO STATE One-third of the gross amount of all taxes collected by each county or city and county shall be paid by the treasurer of such county or city and county into the General Fund of the State Treasury through the Department of Revenue for general State purposes Such payments shall be made on the first days of June and December of each year

On the question,

Will the House agree to the section?

Mr. McCREARY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 39, page 30, line 19, by inserting after the word "PAYMENTS" the following: "OVER."

Amend Sec. 39, page 30, lines 19 and 20, by striking out the words "PART OF COUNTY TAX TO."

Amend Sec. 39, page 30, line 20, by inserting after the word "STATE" the following: "TAX."

Amend Sec. 39, page 30 line 20, by striking out the words "One-third" and inserting in lieu thereof: "One-half."

Amend Sec. 39, page 30, line 24, by inserting after the word "county" where it appears the second time in said line, the following: "during the year one thousand nine hundred and thirty-seven."

Amend Sec. 39, page 30, lines 25 and 26, by striking out the words "June and December of each year" and inserting in lieu thereof: "each month during the year one thousand nine hundred and thirty-seven; and final settlement shall be made not later than the first day of April, one thousand nine hundred and thirty-eight."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fortieth and forty-first sections were separately read and agreed to as follows:

Section 40 TAX FOR STATE PURPOSES All scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable in the year one thousand nine hundred and thirty-seven and annually thereafter for State purposes at the rate of four mills on each dollar of the nominal value thereof Provided That whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such indebtedness under the provisions of the second section of this act that the corporation has assumed such indebtedness or the

payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of section two of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year and for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in section two of this act Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deduction from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest-bearing accounts in any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief association and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and point-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint stock administrators holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all script bonds certificates and evidences of indebtedness made taxable under this section are not taxable under section two of this act and that only such script bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under section two of this act

Section 41 VALIDITY If any clause sentence paragraph or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder of this act but shall be confined in its operation to the clause sentence paragraph or part thereof which is directly involved in the controversy in which such judgment shall have been rendered It is hereby declared as the legislative intent that this act would have been adopted had such invalid provisions not been included therein The tax imposed by virtue of this act shall be levied and collected as in this act provided irrespective of the nature or character of such tax

The forty-second section was read as follows:

Section 42 REPEALS The act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and its amendments is hereby repealed Provided That its provisions shall continue in force for the purpose of enforcing payment of any tax payable thereunder for the year one thousand nine hundred and thirty-six and for any year or years prior thereto

The act approved the seventeenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand eight hundred four) entitled "An act relative to certain judgments prescribing duties of prothonotaries and repealing prior legislation" is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

This act does not repeal and shall not affect any of the provisions of the act approved the twenty-second day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" nor its amendments

On the question,

Will the House agree to the section?

Mr. McCREARY. Mr. Speaker, I desire to offer the following amendments.

The Speaker. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 42, page 36, lines 1 to 4, both inclusive, by striking out all of lines 1, 2 and 3, and the words "of the provisions of the" in line 4, and inserting in lieu thereof: The

Amend Sec. 42, page 36, lines 17 and 18, by striking out the words "nor its amendments" and inserting in lieu thereof: is hereby repealed: Provided that its provisions

shall remain in force for the purpose of enforcing payment of any tax payable thereunder for the year one thousand nine hundred and thirty-six.

All other acts and parts of acts inconsistent herewith are hereby repealed.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to provide revenue for state and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith conferring powers and imposing duties on certain county and city officers and on the State Department of Revenue and fixing penalties

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 156, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State departments

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—199.

Achterman,	Duffort,	Mallen,	Serrill,
Alexander,	Eberharter,	Mason,	Shaw,
Allen,	Eroe,	McCreary,	Shepard,
Altenburg,	Falkenstein,	McDermott,	Shortz,
Andrews,	Ferko,	McDevitt,	Shreiner,
Anthony,	Finnerty,	McElroy,	Shugarts,
Arnold,	Fitch,	McHenry,	Siegel,
Atkins,	Flanagan,	McKinney,	Simon,
Aukerman,	Flinchbaugh,	Melchiorre,	Simpson,
Baine,	Flynn,	Mentzer,	Sloan,
Baker, F. T.,	Forrest,	Merrell,	Smith, J. A.,
Baker, J. J.,	Gates,	Moomaw,	Smith, W. G.,
Baldi,	Gerard,	Mooney,	Snyder, F. E.,
Barber,	Gillette,	Moore,	Snyder, J. L.,
Barnhardt,	Greenstein,	Moran,	Sowers,
Beadman,	Habbyshaw,	Moul,	Sproul,
Bernhard,	Haberlen,	Muir,	Stank,
Blumberg,	Hagerty,	Murrin,	Stevens,
Boose,	Haluska,	Munley,	Stockham,
Boyd, R.,	Hamilton, F. P.,	Nagel,	Stone,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stott,
Bradley,	Harkins,	O'Keefe,	Sumney,
Brancato,	Harmuth,	Ominsky,	Surface,
Brennan,	Hartman,	O'Neill,	Sweeney,
Brown, H. S.,	Hefferon,	Panton,	Tahl,
Brown, J. E.,	Hermansen,	Parks,	Terry,
Brownfield,	Hetrick,	Patterson, Cliff,	Tronzo,
Brumbaugh,	Hindman,	Patterson, J. W.,	Trout,
Burke,	Hirsch,	Pearson,	Tumelty,
Cannon,	Hoffner,	Perry,	Turner,
Carr,	Holland,	Peters,	Van Allsburg,
Carson,	Holstrom,	Pfaff,	VanSickle,
Castor,	Hoopes,	Phillips,	Wall,
Chervenak,	Horst,	Piole,	Wasserman,
Coakley,	Jackson,	Powers,	Weidemann,
Cochran,	Jones,	Reising,	Weiss,
Cohen,	Kelder,	Reynolds,	Welliver,
Coleman,	Kelso,	Rhys,	Welsh,
Condon,	Kenney,	Roan,	White,
Coolahan,	Kilroy,	Robinson,	Wickersham,
Cooper,	Kinney,	Rooney,	Winner,
Cordier,	Klingler,	Root,	Witkin,
Davies,	Kobelak,	Royer,	Wood,
Decker,	LaRue,	Ruffennach,	Woodside,
Denning,	Linderman,	Sarraf,	Yeakel,
Dent,	Long,	Scanlon,	Yourishin,
Diehl,	Longaker,	Schaeffer,	Zappala,
Dilley,	Lovett,	Schrock,	Zimmerman,
Downey, G. E.,	Lynch,	Schrope,	Furman,
Downey, J. J.,	Male,	Schwab,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL DROPPED FROM CALENDAR

Mr. BURKE. Mr. Speaker I move that House Bill No. 123, Printer's No. 152, entitled:

An Act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes of funds realized or estimated to be collectible from the sale thereof

on page 1 of today's calendar, bills on third reading postponed, be dropped from the calendar.

The motion was agreed to.

COMMITTEE GRANTED PERMISSION TO MEET

Mr. COHEN asked and obtained permission of the House for the Committee on Appropriations to meet during the session of the House.

ANNOUNCEMENT

The SPEAKER. The Chair has a very important announcement to make. Tomorrow afternoon, at 2:30 o'clock, a special rodeo performance will be given at the Hershey Training School by the Pennsylvania State Police for the members of the General Assembly. All members of this House are cordially invited to attend. It is suggested that any member who desires transportation shall notify the Chief Clerk's Office before 12:00 o'clock tomorrow. Cars will leave the Capitol plaza for Hershey not later than 1:30 o'clock.

REPORTS FROM COMMITTEES

Mr. SARRAF, from the Committee on Appropriations, reported as amended, House Bill No. 133, entitled

An Act making an appropriation to the Department of Welfare for the purpose of rehabilitating and replacing real and personal property of State-aided hospitals damaged or destroyed by flood.

Mr. EROE, from the Committee on Appropriations, reported as committed, House Bill No. 58, entitled:

A Supplement to act number seventy-seven-A, approved the twentieth day of July, one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-

ıve Appropriation Acts, page seventy-one), entitled "An ct to provide for the ordinary expenses of the Executive, egislative, and Judicial Departments of the Commonvealth, interests on the public debt, and the support of he public schools for two years beginning June first, one housand nine hundred and thirty-five; and for the payıent of bills incurred and remaining unpaid at the close f the fiscal year ending May thirty-first, one thousand ine hundred and thirty-five," providing for additional ppropriations to certain departments, boards and comıissions.

Miss BRANCATO, from the Committee on Appropriaions, re-reported as amended, House Bill No. 18, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and exıenses defining the purposes for which such monies may ıe expended and prescribing the powers and duties of he State Emergency Relief Board and certain State Deıartments.

STATEMENT BY MR. HOLLAND

Mr. HOLLAND asked and obtained unanimous consent o make the following statement:

Mr. Speaker and members of the House, the members f this House received in their mail today a letter from he Pennsylvania Retail Malt Beverage Association signed y Rubin H. Miller, President, in which he refers to this House as "a saloon controlled Legislature" due to the fact hat his association is interested in passing House Bill No. 105, giving the right to grocery stores, drug stores, delicatessen stores and with the possibility of bootblacks, garages, filling stations and what-not to sell beer.

In answer to Mr. Miller, I wish to state on behalf of he members of this House that no one controls the indiidual member whether it be brewery, liquor dealer or is own association, which has been organized for his own ersonal gain.

In further answer to Mr. Miller's concealed threat of aving the retail merchants of Pennsylvania organize to defeat the members of this House who are seeking-reelection, I wish to state that he only represents a very small minority. The grocery and drug trade of this Commonwealth as a whole do not want to dispense beer.

When Mr. Miller states that the members of this House are disregarding the public demand for beer service in grocery and drug stores, he is insulting the public of Pennsylvania. A good bill for the benefit of all will always be given consideration as far as I am concerned and I need not have the advice of the paid lobbyist. I vote as my constituents back home want me to vote and no influence exercised by these lobbyists asking for special legislation will be considered by me, and I know I speak for every member of this House.

RECESS

The SPEAKER. The Chair will now declare a recess for the duration of the exercises in celebration of Independence Day to be held pursuant to Resolution No. 50 which will be conducted by the Chairman of that Committee, the gentleman from Philadelphia, Mr. Finnerty.

AFTER RECESS

The SPEAKER. (Roy E. Furman) in the Chair.

The SPEAKER. The time of the recess having expired the House will be in order.

The Chair on behalf of the House wishes to thank the Committee and those people who took part in this very appropriate entertainment.

ADJOURNMENT

Mr. LYNCH. Mr. Speaker, I move that this House do now adjourn until tomorrow at 11:30 A. M.

The motion was agreed to, and (at 11:29 P. M.) the House adjourned until Tuesday, July 7, 1936, at 11:30 A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

l. 19. HARRISBURG, PA., TUESDAY, JULY 7, 1936. No. 29.

SENATE

TUESDAY, JULY 7, 1936.

ıe Senate met at 2 o'clock P. M.

ıe PRESIDENT (Lieutenant-Governor Thomas Ken-r) in the Chair.

PRAYER

ıe Chaplain, Rev. William E. Howard, D. D., offered following prayer:

ır Father in Heaven, the crying need of our Republic, Commonwealth and our citizenship is men of prayer. is true because the nations of the earth are wander-far afield in their efforts to find solutions to the per-ing problems which vex the world today. They are ing upon human wisdom; they should seek Divine ısel. They are trusting men; they need God. Speed day, O God, when leaders of thought shall seek Thee seek Thee earnestly until they find Thee.

elp every member of this Legislature and every offi-of our State to exclaim, as did the disciples of the ıt Master, "Lord, teach us to pray." The key of er will unlock the treasure-vault of Heaven and e the riches of the King Eternal to be bestowed ı an impoverished world. This key is in our hands. ıt us faith and courage to use it.

ır prayer is offered in the name of our Master. Amen.

JOURNAL APPROVED

ıe PRESIDENT. A quorum of the Senate being ent the Clerk will read the Journal of the preceding on.

ıe Clerk proceeded to read the Journal of the pre-ıg session, when, on motion of Mr. HUFFMAN, the ıer reading was dispensed with, and the Journal was oved.

QUESTION OF PERSONAL INQUIRY

r. THOMPSON (Centre). Mr. President, I desire to rogate the Senator from Delaware, Mr. McClure.

ıe PRESIDENT. Will the Senator from Delaware, McClure, permit himself to be interrogated.

r. McCLURE. Mr. President, I will be glad to be rogated.

r. THOMPSON (Centre). Mr. President, will the tor from Delaware kindly inform me as to whether ot the Committee on Finance is prepared at this time eport out tax legislation?

r. McCLURE. Mr. President, the Senate Committee on nce will have reported to the floor this afternoon House Bill No. 43 and House Bill No. 100. Sub-committees have been appointed this morning to amend House Bills Nos. 19, 26, 27, 28, and 88. The Committee on Finance was in session from ten o'clock this morning until one o'clock this afternoon. The sub-committees met and went into conference until two o'clock.

Mr. THOMPSON (Centre). Mr. President will the Senator from Delaware inform the Senate as to what is anticipated as the return from House Bill No. 19?

Mr. McCLURE. Mr. President if the increase is from six per cent. to ten per cent., the income would be $10,-150,000.

Mr. THOMPSON (Centre). Mr. President, what is anticipated as a return from House Bill No. 26?

Mr. McCLURE. Mr. President, House Bills Nos. 26, 27 and 28 are included together. The revenue from those measures would be $40,000,000, and there is no subdivision of the revenue by the Department of Labor, in connection with these bills.

Mr. THOMPSON (Centre). Mr. President, what is the anticipated return from House Bill No. 43?

Mr. McCLURE. Mr. President, there will be practically no revenue from House Bill No. 43.

Mr. THOMPSON (Centre). Mr. President, what is the anticipated return from House Bill No. 88?

Mr. McCLURE. Mr. President, there is no estimate of revenue, from the Department of Revenue, on House Bill No. 88. In fact, for some reason, they did not include it in their letter to me.

Mr. THOMPSON (Centre). Mr. President, what is the anticipated revenue from House Bill No. 100?

Mr. McCLURE. Mr. President, House Bill No. 100—it is estimated by the Department of Revenue the tax will be $1,000,000 per biennium.

You understand, that is a half million for twelve months, and about $460,000, probably, for the ten months remaining of the present biennium.

Mr. THOMPSON (Centre). Mr. President and the estimates concerned with these other taxes are for the remainder of the present biennium; is that correct?

Mr. McCLURE. Mr. President, will the Senator from Centre ask that question in another way? I did not quite understand it.

Mr. THOMPSON (Centre). Mr. President, the estimated yield from the other taxes, under House Bills Nos. 19, 26, 27 and 28, is for the balance of the present biennium; is that correct?

Mr. McCLURE. Mr. President, those taxes are paid once a year, and will be on a yearly basis.

Mr. THOMPSON (Centre). Mr. President, on a yearly basis?

Mr. McCLURE. Mr. President, yes.

Mr. THOMPSON (Centre). Mr. President, do we understand that we have reasonable assurance that such bills will be reported out as promptly as they can be handled by the Committee and corrected by the subcommittees; is that correct?

Mr. McCLURE. Mr. President, I am not committing the Committee on Finance to any definite action, but it was evident this morning that it was their intent to report these bills out after they are amended.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND CUMBERLAND COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 7, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Nancy Spahr, of Mechanicsburg, Cumberland County, for appointment as a member of the Board of Trustees of the Mothers' Assistance Fund of Cumberland County (to fill a vacancy), until June 1, 1939, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 7, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

WESTMORELAND COUNTY

L. Alexander Sculco, New Kensington, July 19, 1936.

ALLEGHENY COUNTY

T. D. Jacobs, Pittsburgh, July 27, 1936.

ERIE COUNTY

W. Tighe Heinlein, Erie, July 27, 1936.
Miss Frances L. Mahoney, Erie, July 27, 1936.
Harry R. Zoll, Erie, July 31, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 7, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

CAMBRIA COUNTY

Mrs. Margaret Schmidt, Johnstown.

CHESTER COUNTY

Mrs. Mary K. Eisenbrey, Phoenixville.

LEHIGH COUNTY

Fred H. Schantz, Allentown.

PHILADELPHIA COUNTY

Louis G. Waring, 4724 Chester Ave., Philadelphia.

VENANGO COUNTY

A. M. McKean, Clintonville.

GEORGE H. EARLE

HOUSE MESSAGES

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, July 6, 1936

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, July thirteenth, at 9:00 o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening, July thirteenth, at 9:00 o'clock Eastern Standard Time.

RESOLUTION AUTHORIZING THE PRINTING OF FIVE HUNDRED COPIES OF THE MEMORIAL SERVICE FOR THE LATE HONORABLE JAMES E. NORTON

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, July 6, 1936

Resolved (if the House of Representatives concur), That five hundred copies of the proceedings of the memorial service, held in honor of the late Honorable James E. Norton, be printed for the use of the Senate.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No 18 (Senate Bill No. 108), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

Which was committed to the Committee on Appropriations.

House Bill No. 58 (Senate Bill No. 109), entitled:

A Supplement to act number seventy-seven-A, approved the twentieth day of July, one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-five, Appropriation Acts, page seventy-one), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-five; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-five," providing for additional appropriations for certain departments, boards and commissions.

Which was committed to the Committee on Appropriations.

)LUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 109

also presented extract from the Journal of the House presentatives, which was twice read as follows, con- d and agreed to:

In the House of Representatives,

olved (if the Senate concur), That House Bill No. rinter's No. 153, entitled:

Act to authorize and empower municipalities and hips, separately or jointly, to erect and construct control works and improvements within or without territorial limits, and to expend moneys and incur edness for such purposes

alled from the Governor for the purpose of amend-

ered, That the Clerk inform the House of Represen- s accordingly.

REPORTS FROM COMMITTEES

EALY, from the Committee on Finance, reported as itted, Senate Bill No. 31 (House Bill No. 43), en-

Act to further amend section twenty-seven of the proved the first day of June one thousand eight hun- eighty-nine (Pamphlet Laws four hundred twenty) d "A further supplement to an act entitled 'An act vide revenue by taxation' approved the seventh day e Anno Domini one thousand eight hundred seventy- by increasing the rate of tax.

from the Committee on Finance, reported as com- l, Senate Bill No. 79 (House Bill No. 100), entitled:

Act to further amend the title to re-enact and further l paragraph (e) of section one and to further amend n thirty-nine of the act approved the twentieth day ne one thousand nine hundred nineteen (Pamphlet five hundred twenty-one) entitled as amended "An oviding for the imposition and collection of certain upon the transfer of property passing from a de- who was a resident of this Commonwealth at the f his death and of property within this Common- n of a decedent who was a non-resident of the Com- ealth at the time of his death defining and taxing ers made in contemplation of death and making it ful for any corporation of this Commonwealth or al banking association located therein to transfer ck of such corporation or banking association stand- the name of any such decedent until the tax on the er has been paid and providing penalties and citing n acts for repeal" by defining as a transfer and taxing ght of survivorship in property as to which such exists and providing for the extension of the Com- ealth's lien on real property for a further period of

COYNE, from the Committee on Executive Nomina- reported with favorable recommendation, the follow- minations made by His Excellency, the Governor of mmonwealth:

BERS OF THE BOARD OF TRUSTEES OF HARRIS- BURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., May 4, 1936.

e Honorable, the Senate of the Commonwealth of ennsylvania:

onformity with law, I have the honor to nominate e advice and consent of the Senate, the following:

. Ludes, Harrisburg, from August 26, 1935, for the f four years, and until his successor is qualified.

Charles S. Davis, Steelton, from August 26, 1935, for the term of four years, and until his successor is qualified.

Warren Kauffman, Millersburg, from August 27, 1935, for the term of four years, and until his successor is qualified.

Merle W. Allen, Carlisle, from August 27, 1935, for the term of four years, and until his successor is qualified.

George E. Lloyd, Mechanicsburg, from August 30, 1935, for the term of four years, and until his successor is qualified.

GEORGE H. EARLE

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

H. R. Hostetler, Clairton.
Harry E. Kingan, Duquesne.
Louis P. Lehr, Etna.
Miss Helen Ready, 5820 Center Ave., Pittsburgh.
Sol A. Seligsohn, 413 S. Dithridge St., Pittsburgh.

BLAIR COUNTY

James H. Hay, Altoona.

CENTRE COUNTY

Miss Mary L. Hartle, Bellefonte.

DAUPHIN COUNTY

Mrs. Ethel E. Kawel, Harrisburg.

ERIE COUNTY

W. Everett Benson, Erie.

FAYETTE COUNTY

S. C. Robinson, Uniontown.

LANCASTER COUNTY

Miss Margaret E. Harkins, Lancaster.

MONTGOMERY COUNTY

Ralph N. Campbell, Conshohocken.

NORTHAMPTON COUNTY

Mrs. Marie Lynn Ealer, Pen Argyl.
Miss Sara A. Young, Bangor.

NORTHUMBERLAND COUNTY

Louis Cohen, Mount Carmel.

PHILADELPHIA COUNTY

Miss Kathleen M. Coll, 1318 Real Estate Trust Bldg., Philadelphia.
Miss Mary T. Lavin, North American Bldg., Phila.
Thomas J. McOscar, 3465 Cresson St., Philadelphia.
Miss Anna H. Scherz, 2240 N. Broad St., Philadelphia.
Miss Clara M. Winch, 1410 N. Front St., Philadelphia.

SCHUYLKILL COUNTY

LeRoy C. Shellenberger, Pottsville.

UNION COUNTY

Elwood Bailey, Lewisburg.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Frey,	McCreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Rupp,	Ziesenheim,
Harris,	Owlett,	Ruth,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. HARRIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his question of personal privilege.

Mr. HARRIS. Mr. President, the conferees appointed to adjust the differences between the House and Senate on the question of the Mothers' Assistance, and also dealing with the question of the right to appoint and the complaint on the part of many about the manner in which a number of the Trustees have been removed.

The City of Pittsburgh has three daily newspapers, one morning and two afternoon. One of these papers is strongly a Republican paper; the other two had been for many years, but since the incumbency of the Governor, they are strongly in favor of his policies. They have been pro-Democratic in reference to the present administration; they differ perhaps in national politics.

I desire to read into the record, or have read by the Chair and written into the record, three editorials dealing with this very important issue. I exhibit the editorial from the Pittsburgh Press, pro-Roosevelt and pro-Earle. In this editorial they strongly advise the Democratic Party to accept the amendment proposed by the Senate. They state this in the editorial very strongly. I will read only the last paragraph:

"And so, we urge Governor Earle and Administrati leaders to ask the House to recede from its present po tion and agree, if necessary, to the Senate amendment the mothers' assistance bill. Final enactment of the b is the major issue, not the method of appointing boar By permitting the quarrel over the latter to delay t former, the Administration only is putting the cart b fore the horse."

That is the Pittsburgh Press.

The Sun-Telegraph prints a lengthy editorial along th same line. They criticize the state government placin the sole appointing of the Trustees in the Governor, an recommend that the Democratic Party recede from the position and agree to the change.

AID FOR MOTHERS

Responsibility for Blocking It Rests on the Democrat House

The Republican Senate and the Democratic House Harrisburg are deadlocked over the enabling act whic would permit the Commonwealth to receive Federal con tributions to the Mothers' Assistance Fund.

If the Democrats follow the course that they have pre viously pursued in similar controversies they soon will b charging the Republicans with "playing politics with hu man misery." But in this case the shoe is on the othe foot.

The bill has failed of final enactment because of the re fusal of the House to accept a Senate amendment whic would change the system under which the trustees of th Mothers' Assistance Fund are chosen.

Under the terms of the Mothers' Assistance Fund law a it now stands, the Legislature appropriates a certai amount for the aid of mothers with dependent childre whose husbands are dead or confined in a mental hospita The money is granted to counties on condition that th County Commissioners appropriate a like amount.

Notwithstanding that the county has to match the State appropriation, the local authorities have no voice in th selection of the trustees who administer the fund. All the seven members of each county board of the Mother Assistance Fund are appointed by the Governor.

Now the Senate proposes to change that by having th board consist of nine members, of whom three will b chosen by the Governor, three by the County Commission ers, and three by the judges of the Common Pleas Cour

This would give the local authorities the voice that the now lack, and would be in keeping with the principl laid down by Gov. Earle for the selection of the trustee of the University of Pittsburgh. Because the universit receives State aid he demanded the right to be allowe to appoint some of the trustees.

The House refuses to accept the Senate amendment be cause it would take some patronage away from the Gov ernor.

The trustees of the Mothers' Assistance Fund receiv no salaries, but they employ the board's paid workers an also pass on applications for mothers' assistance.

In recent years their authority has been extended, s that they now also pass on applications for old age pen sions and pensions for the blind.

The trusteeships are potentially valuable, therefore, i the hands of spoilsmen, for political purposes.

Not much attention was paid to the political value these positions until the present administration came int power at Harrisburg. According to Senator Frank Harris, Gov. Earle has dismissed 125 Mothers' Assistanc Fund trustees whose terms had still some time to run, an replaced them with trutees of his own choice. From 192 to 1935 there were only two such dismissals, Harris says.

Moreover, under this administration the political affilia tions of the Mothers' Assistance Fund workers are receiv ing an amount of attention that we believe was neve given before.

The Senate amendment, by giving the County Commis sioners and the judges of the Common Pleas Court, as we

he Governor, a voice in the selection of the trustees ld help to take the Mothers' Assistance Fund out of spoils system and make its administration less a mat- of partisan politics.

is the Democrats, opposing the proposed change, who playing politics with human misery.

lso the Pittsburgh Post-Gazette (July 6, 1936), a Re- lican paper, and in their editorial they point out that two papers which have been pro-State and pro-Ad- istration, advise that the Democrats recede from their tion and agree to the amendments of the Senate. In of the paragraphs they criticize severely the dismis- and asking for the resignations for many members he Boards of Trustees.

AME PLACED UPON DEMOCRATS FOR DELAYING MOTHERS' AID

n the deadlock of the Republican State Senate and the nocratic House over the bill to enable the Common- lth to receive Federal contributions to the Mothers' istance Fund, public opinion is placing the responsi- y for delay upon the Democrats. This is shown by the that newspapers that ordinarily support the Earle ninistration are now joining in urging it to compromise. he Senate charges that the House is clearly putting poli- above the interests of the needy mothers through hold- out against an amendment designed to prevent patron- raids or political interference in the administration nothers' assistance and pensions for the aged and blind. or a quarter of a century members of the county boards rusted with the administration of mothers' assistance e appointed by the Governor. Their apparent free- n from politics until recently was indicated by the fact in 1934 they were called upon as well to look after pension interests of the aged and the blind.

is stated that in the 12 years up to 1935 only two hers' assistance trustees were dismissed. Then sud- ly in the Earle administration changes in board mem- ships were started upon a wholesale basis. The Sen- was told that in 18 months under Governor Earle 125 tees were removed.

he trustees draw no salaries, but they appoint paid kers of the boards. It was charged that the adminis- ion made changes in the trusteeships to open the way a patronage rush on the paid jobs, just as in the in- ces of State Teachers Colleges and some other institu- s in which the boards were changed.

he amendment proposed by the Senate would have lt with this condition and would at the same time have ognized the right of the counties, which contribute to fund, to a voice in the administration of mothers' as- ance. It would enlarge the boards to nine members distribute the appointing power—the Governor to ne three members, Common Pleas Court three and the nty Commissioners three.

s that would come as close as possible to the elimina- n of politics, putting the interests of the needy upper- st, the Democratic House has been put in a hard posi- n to explain its opposition, its insistence that the ap- nting power be left wholly with the Governor.

Ir. President, I ask that these editorials be read and ted in the Journal.

he PRESIDENT. If there is no objection, the edi- als will be spread upon the Journal. The Chair hears e.

QUESTION OF PERSONAL PRIVILEGE

Ir. WOODWARD. Mr. President, I rise to a question ersonal privilege.

he PRESIDENT. The Senator from Philadelphia, Mr. odward, will state his question of personal privilege.

Ir. WOODWARD. Mr. President, I also have an edito- , appearing in a Republican newspaper, and request that it be printed in the Legislative Journal. It is the leading editorial in today's Harrisburg Telegraph, calling for the merit system in Pennsylvania. I have notified Republican caucus that unless the Committee on Constitutional Changes considers this bill seriously, I will try to get 26 men to vote for the discharge of the Committee from further consideration of the bill, and I am now standing up in the Senate to invite the coadjutators for this purpose. I hope all the Democratic Senators sign up, and enough Republican Senators to make up the 26 names, in case the Committee does not send out the bill. I understand there is no particular malice on the part of the Committee, but the unfortunate fact is, the chairman of the Committee is so engaged, his time so occupied by serving on sub-committees that he has no time to give to this measure; therefore anybody who thinks as I do on this measure—that civil service should be made part of the law in Pennsylvania—will sign up. Any subscriptions will be thankfully received.

The PRESIDENT. What was the request of the Senator from Philadelphia, Mr. Woodward?

Mr. WOODWARD. Mr. President, that if the Committee on Constitutional Changes will not report out the amendment to the Constitution, to set up civil service in Pennsylvania I would like to get 26 names to discharge the Committee from further consideration.

The PRESIDENT. If there is no objection, the request for leave to print is granted. The Chair hears none.

CHISELING PUBLIC FUNDS

Upwards of one-half of all the money that government spends goes for the salaries and wages of officials and employes. Offices and jobs therefore comprise the largest and most productive field of operation for the spoilsman. A substantial turnover in public employment follows every election, national or local, as those belonging to the defeated party are turned out to make room for the victors.

No one contends that the persons turned out are less efficient than their successors. The employes thus evicted from public jobs owed their own appointments to the earlier operation of the spoils system, and they yield to the inevitable with not much more complaint than was raised by the slaves of oriental potentates when diversion was provided for visitors by cutting off a few heads.

All beneficiaries of the spoils system realize that their jobs depend on political victory and they work zealously for the party. Indeed, they sometimes do far more work for the party than they do for the public. The whole point of the spoils system is that they shall first serve the party and then, as convenient, serve the public who pay their salaries.

The common sense remedy for this abuse is the merit system. In order to understand the proper sphere within which the merit system should apply, it is necessary to grasp the distinction between the function of policy determination and that of administration. The business of government involves both—policies must first be determined, and then carried out. In a democracy the people decide what the policies shall be, and it is proper that candidates for office should seek to influence the popular opinion and decision. This is the field for the politician, who tries to persuade people that his ideas and plans are superior to those of his opponent.

Since the function of the politician is to represent the people in the formulation of their policies, he may change his tune if he finds that the people prefer another. No really good politician ever blushes for changing his stand after learning what the people want. He would not be a good politician if he could not do this gracefully.

After a policy is determined upon, its execution must be performed by expert administrators. There is no room in administration for the politician or his methods. Competent impartial administrative capacity is what counts. Our mistake has been that we have permitted the poli-

tician to extend his influence and control far beyond legitimate limits, with the result that administration is incompetent, expensive and at times corrupt.

The distinction can be illustrated in the case of a bridge. The decision to build one and the purposes it is to serve, whether for pedestrians, vehicles, rapid transit trains, or all three, are questions of public policy. Such decisions the people can make and it is proper for politicians to argue the pros and cons in reaching a decision.

Neither the politicians nor the people can build the bridge. This is a job for experts. There is no such thing as Republican or Democratic steel, cement or bedrock. It is all very well for the politician to use blarney or any other shafts from the quiver of persuasion during the campaign to settle the policy. If the engineer tries such methods in building the bridge he will have a wreck on his hands. When the politician insists on contaminating the efficiency of administration by filling administrative or employe positions with his henchmen, without regard to their qualifications, the public gets less and pays more for it. This is what happens when the spoils system is the basis of selecting large numbers of the public personnel.

Under the merit system all strictly administrative positions would be filled on a merit basis. In the few places where a good civil service system is found, this has proved to be the best method yet developed to select the most capable persons for many ordinary types of public service, whether for routine operations such as clerks or foremen, or for the minor administrative posts such as bureau chiefs.

One of the most important first steps that we can take toward the improvement of our public administration and the reduction of its cost is to establish clearly the boundary between policy determination and administration and then keep all political influence out of the latter. The best assurance of accomplishing this is through a sound, strictly applied merit system.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 87, as follows:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent taxes in cities of the first class and school districts of the first class for the tax year one thousand nine hundred and thirty-four and all previous years assessed and levied against any parcel or parcels of real estate are hereby abated without the necessity of further action by the authority levying the tax if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of this act the taxes for the year one thousand nine hundred and thirty-five and all penalties and accrued interest and thirty-three and one-third per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid on or before the first day of November one thousand nine hundred and thirty-six thirty-three and one-third per centum on or before the first day of November one thousand nine hundred and thirty-seven thirty-three and one-third per centum on or before the first day of November one thousand nine hundred and thirty-eight And provided That the respective current taxes on such parcel or parcels of real estate for the years subsequent to the year one thousand nine hundred and thirty-six during such installment periods assessed and levied by such taxing authority shall be paid during the then current year before they become delinquent if and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provided and in that event there shall become due and payable such year a sum equal to one-third of what would been the total amount of the abated penalties and int had the payment in question been made on time sum to be in addition to the other payments quired to be paid under this Act during that which said additional sum shall be payable and be paid at the time the next succeeding ins ment payment becomes due under this Act. If additional sum is not said paid then the total amoun the abated penalties and interest less the aggregat any such additional sums theretofore paid shall be ceived and added to the unpaid taxes with the s force and effect as if such abated penalties and inte or portion theretof had never been abated and the payer shall not thereafter be entitled to any further b fits or privileges under this Act

Section 2 Any taxpayer may anticipate the payn of such delinquent taxes for the tax year one thous nine hundred and thirty-four and previous years at time on or before November first one thousand nine h dred and thirty-six or of the balance of said delinqu taxes then due at any time thereafter during the inst ment period herein if the taxpayer is not then in defau the provisions hereof by paying the entire amount balance as the case may be of such delinquent taxes receive the benefit of this act and in such cases paym of the taxes assessed and levied for the year one thous nine hundred and thirty-six shall not be required at time of such payment.

Section 3 This act shall be construed to apply to such taxes whether or not liens for such taxes have b returned for non-payment or have been filed in office of the prothonotary of the country or proceedi for the collection of such taxes have been instituted any court in said county or where real property has b sold to a county city borough town township school trict or poor district at a tax sale or on a tax lien the period of redemption has not expired but this shall not be construed to apply to cases where real pr erty has been sold other than to a county city boro town township school district or poor district at a sale or on a tax lien and where the period of redempt has not expired but if the taxpayer desires any judgm entered of record to be satisfied it shall be so marked order filed by the taxing authority or its solicitor u payment of all costs actually expended by the tax authority the taxpayer to be liable for the payment such costs

Section 4 The benefits of this act shall extend to accrue to any successful bidder or purchaser at Sher or other judicial sale grantee transferee mortgagee other party in interest in the parcel or parcels of estate against which the above mentioned taxes h been assessed and levied

For the purposes of this act a tax shall be deemed become delinquent on the date of its registry as a linquent tax or on or before the fifteenth day of Janu of the year following the current year for which tax in question was levied

Section 5 Any taxpayer shall have the right to the delinquent taxes assessed and levied against any cel or parcels of real estate without being required pay the delinquent taxes assessed and levied against other parcel or parcels of real estate in the same w district or other municipal subdivision

Section 6 In all cases of delinquent taxes paid s sequent to June first one thousand nine hundred thirty-five and on or before November first one thous nine hundred and thirty-six where the payments were are made and accepted on the basis of the allowance the taxpayer of penalties interest and costs or on basis of the allowance of any of them such allowa or allowances shall stand valid in all respects and sh be so viewed on the audit of the accounts by the collector

Section 7 Upon application either in person or in w ing by any taxpayer the tax levying authorities the collector the receiver or receivers of taxes or the per or persons charged with the collection of such delinqu

s or the person or persons in whose custody the rds of such delinquent taxes are kept shall fur- to such d linquent axpayer a statement of the nquent taxes owed by him to such municipal sub- sion showing the face amount the penalty if any the rest if any and any costs or other charges in detail inst such real property as shown by the records in custody

ection 8 In order to enable the taxpayer to receive full benefits of this act no real property shall be l for non-payment of taxes before November first one usand nine hundred and thirty-six and any tax sale ll be adjourned or readjourned as often as may be essary for this purpose If any tax sale is adjourned readjourned after advertisement no additional adver- ment or notice shall be necessary for the adjourned or djourned sale No uch adjournment or readjournment ure to advertise or hold any such tax sale shall in- date the lien of any tax due and unpaid by the lien ll such taxes shall be fully preserved during the en- installment period herein provided for if the tax- er avails himself of the privileges or benefits of this provided however that in every case where a tax er avails himself of the privileges or benefits of this the period during which payment of the said delin- nt taxes are postponed or continued under this Act ll not be included in computing and determining ether or not any right of the tax assessing and levying hority has been barred or lost by reason of the pro- ons of any statute or statutes now existing or here- er enacted limiting the right of the said tax levying l assessing authorities to file preserve or maintain the n of the said taxes

Section 9 The provisions of this act are severable l if any of the provisions hereof are held to be un- stitutional the decision shall not be construed to im- r any other provision of this act It is hereby de- red as the legislative intent that this act would have n adopted had such unconstitutional provision not been luded herein

Section 10 The Act approved the sixteenth day of y one thousand nine hundred thirty-five Pamphlet ws one hundred sixty-six as amended by the Act ap- oved the twenty-first day of June one thousand nine ndred thirty-five Pamphlet Laws four hundred ten shall ntinue in force and effect only as to those taxpayers o have heretofore taken advantage of that act by pay- the first installment within the instalment period pro- led for in Section one paragraph (a) thereof and have become in default and shall not become in default in eting any subsequent instalments provided for in that and who continue to liquidate their delinquent tax ligations under that act provided however That if said xpayer desires any tax lien or judgment entered of rec- l to be satisfied he shall be liable for costs as provided section ten of this act All other acts and parts of acts neral local and special inconsistent herewith be and the ne are hereby suspended during the time this act shall in effect

Section 11 This act shall become effective immediately on final enactment

And said bill having been read at length the third time, d agreed to,

And the amendments made thereto having been printed required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provi- ns of the Constitution, and were as follows, viz:

YEAS—47

on,	Homsher,	Prince,	Salus,
itchelor,	Howell,	Pytko,	Scott,
aumer,	Huffman,	Rankin,	Shapiro,
an,	Kahle,	Reed,	Sones,
ckman,	Lanius,	(Dauphin)	Staudenmeier,
valcante,	Law,	Reed,	Thompson,
apman,	Mallery,	(Washington)	(Centre)
yne,	McClure,	Rice,	Thompson,
aly,	McCreesh,	Roberts,	(Westmoreland)
Frey,	McGinnis,	Rodgers,	Trainer,
Gelder,	Miller,	Rupp,	Woodward,
Graff,	Owlett,	Ruth,	Ziesenheim,
Harris,	Pierson,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 95 (House Bill No. 91), entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes levees and river bank protections along the Delaware River at Morrisville Borough Bucks County.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Frey,	McGreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Rupp,	Ziesenheim,
Harris,	Owlett,	Ruth,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 97 (House Bill No. 149), entitled:

An Act to amend an act, approved the fourth day of June, one thousand nine hundred and thirty-six (Act No. 3), entitled "An act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof," by adding thereto a new section to be known as section six and one-tenth; providing for the compensation of delinquent tax collectors, their employes and expenses for the collection of delinquent taxes in counties of the second class in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Frey,	McCreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Rupp,	Ziesenheim,
Harris,	Owlett,	Ruth,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 104 (House Bill No. 153), as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two million dollars ($2,000,000) is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the monies appropriated to it among the several counties of this Commonwealth for work relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for the payment of salaries wages or other compenation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such monies as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices room storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 5 The action of the Governor Auditor General and State Treasurer in making the sum of two million dollars ($2,000,000) available for expenditure for unemployment relief by the State Emergency Relief Board prior to the effective date of this act in accordance with Concurrent Resolution Serial number forty-two approved by the Governor is hereby ratified confirmed and validated

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 105 (House Bill No. 154), as follows:

An Act ratifying confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the action of the Governor the Auditor General and the State Treasurer in transferring to the General Fund the sum of one million dollars ($1,000,000) from the Liquid Fuels Tax Fund and the sum of one million dollars ($1,000,000) from the Liquor License Fund in accordance with Concurrent Resolution Serial number forty-two approved by the Governor in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board is hereby ratified confirmed and validated To the extent to which such transfers make it necessary for the use of the moneys transferred from the Liquid Fuels Tax Fund and the Liquor License Fund for their ordinary purposes shall be postponed but not otherwise modified

Section 2 The amounts transferred under this act from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund shall be repaid to the Liquid Fuels Tax Fund and the Liquor License Fund out of the General Fund not later than May thirty-first one thousand nine hundred thirty-seven

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. THOMPSON (Centre). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Centre, Mr. Thompson, will state his question of personal privilege.

Mr. THOMPSON (Centre). Mr. President, it seems to be sort of a field day in regard to editorials.

The PRESIDENT. The Chair might suggest a new rule, providing for leave to print.

Mr. THOMPSON (Centre). Mr. President, I have an editorial before me from the Daily Intelligencer of Doylestown, Pennsylvania, under date of Wednesday, June 3, 1936; and I observe on page 2 of the Doylestown Daily Intelligencer that the ownership and management of the paper is declared as follows: President, Joseph R. Grundy.

This article is entitled Haycock's Road Improvement Job, and proceeds with the most laudatory statements and praise for the work that the W. P. A. is doing in Bucks County. I would like to have this editorial spread upon the Senate Journal; and, in pursuance of the praise Mr. Grundy has allotted to W. P. A. in his newspaper, would call upon this special committee to withdraw their harassing of such a splendid institution.

The PRESIDENT. If there is no objection, the editorial will be printed in the Journal of the Senate. The Chair hears none.

HAYCOCK'S ROAD IMPROVEMENT JOB

W. P. A. Workers Face a Test in Blasting Rocks Out of Roads—Some Curves Removed and Grades Improved

Applebachsville, June 3—Haycock township, under the W. P. A. project is getting road improvement. Here the majority of the roads of the township—and all those listed as projects—are picturesque in their naturalistic setting, but dangerous narrow twisting trails running over terrain where the resistance was least, rock bottom and rock-bound on either side.

In a trifle over five months a group of one hundred fifty men, later weeded out to one hundred men, have accomplished 30 percent of the work that had been outlined, it is claimed.

When the first draft of labor from relief rolls reported, some difficulties were experienced; some men didn't care to work at any job; others disliked discipline or supervision, others refused to obey safety regulations, and others were plainly not physically fit for the work. Old men were given lighter work.

A noticeable divergence from regular procedure is apparent all along the line on these projects. Admittedly one of the largest in the State for rural relief, one of the farm-to-market projects, involving an expenditure, estimated, of over $147,000, these workers are at work in groups ranging from three, a drill team, to eight or ten men. Industry has been rewarded and the men who have persevered have been advanced to $71.50, the top for common labor, and those especially efficient in their work have been made foremen, at $90 a month. From a low of 36 to 50 inches per day, the drill teams have worked up to an average of close to eighty inches, the record going to a team composed of Harvey Slifer, Rudolph Chassar and Gabriel Gubich, with the high of 154 inches for the day. One of the best drill teams, Edward Frey, Calvin Styer and William Transue, average between 108 and 112 inches daily, through a heavy hard type of rock.

This work involves not only the straightening of roads and necessary fills, but drainage, scraping and the ultimate covering with crushed stone.

In spite of the large number of men engaged on it, compensation for injuries has been held at a minimum, less than seventy-five dollars having been paid out for this work, and about half of this going to one man who had the only serious injury. Each man is equipped with shatter-proof glasses and woe to the man who refuses to wear them!

Masons and carpenters drawn from the ranks have partly constructed a bridge on the road leading from Applebachsville school house to Richlandtown, and this will eliminate one of the worst Winter hazards of the children attending this school. After every heavy thaw or storm during the Winter and Spring months, children had to wade through water over shoe tops to reach the school, but a 300 feet fill is being made here and a bridge four feet over the normal water level will care for the flow of water. Nine feet stone wings will divert the water and prevent washing of road bed, while the heavy plank bridge, treated with macadam, will care for all traffic. On the overflow side of the road, a further fill has been made and huge boulders will prevent washing of the road-bed and help to divert water to the under-bridge channel.

In 1880 A. Peterman decided to see to the matter of a tombstone for himself, but a return to health prevented the use of the stone he carved and this was later placed in a stone fence, and when he died some time later he was buried in the Catholic Church Cemetery, near Nockamixon. The farm is now deserted and in eliminating a curve this stone was removed and carried by the superintendent to its new resting place, a rock in the wing-wall of this bridge.

Credit should be given land-owners in general for their co-operation in this work. A specially large strip was given by Norman Snyder in order to eliminate a dangerous curve, the new road-bed running through the Snyder woodland. Another good-sized grant was made by the Federal Land Bank, and this permitted running the road about twenty-five feet outside of the property line on one side of the road, making for greater safety to the children of the family inhabiting the house which the road passes at this point. This grant also provided many loads of fill material, badly needed.

The only equipment so far used are a grader and large scarifier, all other work being hand work, men breaking blasted boulders with 16 pound sledge hammers and using six pound hammers for drilling. Perfectly synchronized this hand drilling is a pretty piece of work and under the system this work has advanced rapidly. A long strip of road side is already drilled and waiting for the blasting which is under the supervision of Jacob Kramer, an expert powder man. He has blasted, with the aid of a crew of three men, all boulders on the construction and has been called on for help with other P. W. A. projects where great difficulty was involved. Blasting within eight feet of a house is a job requiring care and shows good workmanship.

Poles belonging to the Bell Telephone Company will be removed, as they are in many cases, now in the center of the new road-bed. Naturally only the worst of these curves have been eliminated as the cost would have been prohibitive but the new roads will be hard surfaced with comfortable grades, winding enough to retain the rural charm but straight enough so as not to present a hazard to the driver.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until five o'clock this afternoon.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, The Senate will be in order.

REPORTS FROM COMMITTEES

Mr. REED (Dauphin). Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED, from the Committee on County Government reported as committed, Senate Bill No. 82 (House Bill No. 77), entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by permitting the taxation for State purposes of property taxable for county purposes by making provision with regard to penalties and for duplicate returns by taxpayers and for the use thereof and by making certain information confidential and imposing penalties

Mr. WOODWARD. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODWARD, from the Committee on State Government re-reported as committed, Senate Bill No. 50, entitled:

An Act to limit the amount of moneys allocated to and expended in counties by the State Emergency Relief Board Board for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with the care of the poor for the maintenance of unemployable residents and requiring such political subdivisions to make certain reports.

Also from the Committee on Judiciary General reported as committed, Senate Bill No. 46, entitled:

An Act relating to proceedings for the forfeiture of rights, privileges or franchises of corporations making claim against street railway, traction or motor power companies in certain cases; and providing for the disposition of rights, privileges or franchses forfeted and for contracts relating thereto.

Mr. MALLERY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY, from the Committee on Military Affairs, reported as committed, Senate Bill No. 101 (House Bill No. 63), entitled:

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and five, entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensng the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townshps within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring extra fees for the assignment of special registration plates

Also from the Committee on Judiciary General reported as committed, Senate Bill No. 54 (House Bill No. 73), entitled:

An Act to enable persons associations partnerships and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or descriptions providing for bonds with confessions of judgments regulating the assignment and release of such mortgages and designating the operation and effect of the lien of such mortgages.

Mr. EALY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on Judiciary General reported as committed, Senate Bill No. 68 (House Bill No. 70), entitled:

An Act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for assessment of benefits against property benefited, and against municipalities, counties and townships, and for their collection; providing for appeals; conferring certain powers on municipalities, counties and townships, the Public Service Commission and the Department of Highways; and making an appropriation.

Mr. EALY. Mr. President, I wish to make a statement in regard to the bill just reported by me from Committee. The Committee on Judiciary General decided that House Bill No. 70 (Senate Bill No. 68), should be considered by a sub-committee for purposes of revision. One part of this bill, relating to an appropriation, was to be stricken out. And in order to save time it is agreed that the bill be read the first and second times, with the understanding that it then be recommitted to the Committee on Judiciary General for amendment.

REPORTS FROM COMMITTEES

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 7, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

CAMBRIA COUNTY

Mrs. Margaret Schmidt, Johnstown.

CHESTER COUNTY

Mrs. Mary K. Eisenbrey, Phoenixville.

LEHIGH COUNTY

Fred H. Schantz, Allentown.

PHILADELPHIA COUNTY

Louis G. Waring, 4724 Chester Ave., Philadelphia.

VENANGO COUNTY

A. M. McKean, Clintonville.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 7, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

WESTMORELAND COUNTY

L. Alexander Sculco, New Kensington, July 19, 1936.

ALLEGHENY COUNTY

T. D. Jacobs, Pittsburgh, July 27, 1936.

ERIE COUNTY

W. Tighe Heinlein, Erie, July 27, 1936.
Miss Frances L. Mahoney, Erie, July 27, 1936.
Harry R. Zoll, Erie, July 31, 1936.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. RICE,

That rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. RICE,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Frey,	McCreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Rupp,	Ziesenheim,
Harris,	Owlett,	Ruth,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. RICE. Mr. President, I move that the Executive Session do now rise.

Mr. ROGERS. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. RODGERS. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RODGERS, from the Committee on Legislative Apportionment reported as amended, the following Resolution:

COMMITTEE TO STUDY SENATORIAL REAPPOINTMENT

In the Senate, June 29, 1936.

Whereas, The Constitution makes it mandatory that after each decennial census that there be a reappointment of Senatorial Districts into fifty senatorial districts of compact and contiguous territory as nearly equal in population as may be, and each district shall be entitled to elect one Senator. Each county containing one or more ratios or population shall be entitled to one Senator for each ratio, and to an additional Senator for a surplus of population exceeding three-fifths of a ratio, but no county shall form a separate district unless it shall contain four-fifths of a ratio, except where the adjoining counties are each entitled to one or more Senators, when such county may be assigned a Senator on less than a ratio, and no county shall be entitled to separate representation exceeding one-sixth of the whole number of Senators. No ward, borough or township shall be divided in the formation of a district. The Senatorial ratio shall be ascertained by dividing the whole population of the State by the number fifty, and

Whereas, This provision has been ignored by the Legislature; and

Whereas, Several attempts have been made to have this mandate carried out; therefore be it

Resolved, That the President pro tempore appoint a committee of seven (7) members of the Senate of Pennsylvania and the purpose of this committee will be to make a survey of the State and to recommend to the next session of the Legislature a comprehensive plan of reappointment to provide for fifty (50) senatorial districts in conformity with Article II, Section XVI of the Constitution.

MOTION TO PRINT

Mr. RODGERS. Mr. President, I move that the resolution reported from Committee by me be printed for the use of the Senate.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. THOMPSON (Centre). Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON, from the Committee on State Government reported as amended, Senate Bill No. 90 (House Bill No. 98), entitled:

An Act to create a State Planning Board prescribing its powers and duties imposing certain duties upon political subdivisions and making an appropriation.

MOTION TO READ BILLS THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 31 (House Bill No. 43), entitled:

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," by increasing the rate of tax.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 46, entitled:

An Act relating to proceedings for the forfeiture of rights, privileges or franchises of corporations making claim against street railway, traction or motor power companies in certain cases; and providing for the disposition of rights, privileges or franchises forfeited and for contracts relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 54 (House Bill No. 73), entitled:

An Act to enable persons associations partnership and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or description providing for bonds with confessions of judgments regulating the assignment and release of such mortgages and designating the operation and effect of the lien of such mortgages.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 68 (House Bill No. 70), entitled:

An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for assessment of benefits against property benefited and against municipalities counties and townships and for their collection providing for appeals conferring certain powers on municipalities counties and townships and the Department of Highways and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 79 (House Bill No. 100), entitled:

An Act to further amend the title, to re-enact and further amend paragraph (e) of section one, and to further amend section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (Pamphlet Laws, five hundred twenty-one), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal", by defining as transfers, and taxing, the right of survivorship in property as to which such right exists, and providing for the extension of the Commonwealth's lien on real property for a further period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 82 (House Bill No. 77), entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by permitting the taxation for State purposes of property taxable for county purposes by making provision with regard to penalties and for duplicate returns by taxpayers and for the use thereof and making certain information confidential and imposing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 90 (House Bill No. 98), entitled:

An Act to create a State Planning Board prescribing its powers and duties imposing certain duties upon political subdivisions and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 101 (House Bill No. 63), entitled:

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and five, entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damage caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by requiring extra fees for the assignment of special registration plates.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RESOLUTION GRANTING THE USE OF SENATE CHAMBER FOR COMMITTEE HEARING

Mr. STAUDENMEIER offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 7, 1936.

Resolved, That the use of the Senate Chamber be granted to the Committee on Judiciary Special for a hearing on the Bituminous Coal Mine Certificate Bill, Senate Bill No. 98 (House Bill No. 143) on Tuesday evening, July 14th.

Mr. STAUDENMEIER. Mr. President, I would like to say, for the information of the Senators, that the hearing will be held at eight o'clock.

BILL INTRODUCED

Mr. LAW. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LAW read in place and presented to the Chair Senate Bill No. 110, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

COMMUNICATION FROM THE MEMBERS OF THE CHURCH OF THE EPIPHANY, PHILADELPHIA

Mr. McCREESH. Mr. President, I present the following communication and ask that it be read and placed on the record.

July 6, 1936.

Hon. John J. McCreesh
State Senate, Harrisburg, Pa.

We are thoroughly disgusted and filled with indignation at the way the members of our State Senate have dealt with the problem of relief for the unemployed at this Special Session of the Legislature. For two months the Senate has quibbled played politics and failed to do anything with one of the greatest and most serious problems confronting the State of Pennsylvania the providing of adequate relief for thousands of our fellow citizens the majority of whom are young children who through no fault of their own are in need We respectfully remind the members of the State Senate that in these United States Government exists for the welfare of all the people and that its officials present not themselves but the people who elect them with utmost sincerity we call upon you and the other members of the State Senate as our representatives to treat this problem of relief for the unemployed with the broad mindness sympathy honesty and seriousness which it demands and without further delay to provide definite and adequate relief by State appropriation for our unfortunate citizens.

July 6, 1936.

Wm. N. Parker Rector of the Church of the Epiphany Sherwood 57th and Baltimore Avenue Philadelphia and the following members of this Church Oscar D. Thomas, Mabel Quigley James L. Shrenk Etta M Todd Rebecca R Patterson Mr and Mrs Wm S Gibson L. W. Parsons Mildred W Person Mary F Conway Walter M Kalmey Joseph Lloyd Wm T Davies Sadie Wallace F P Pero Theodore Anderson Mr and Mrs Arnold A Wright Mr and Mrs Arthur H Davis C G Diller Mr and Mrs H Mills Ida M Siegrist Florence E Wilds Maurice A Audsley Lydia A Audsley Beatrice Audsley Jessie V Perry Mr and Mrs Allan Hanson Anna Scudder Mrs E E Hendrickson Edward E Hendrickson Jr Marie R Maertens Franklin Pyfer Mr and Mrs Joseph C Grover Eleanor S Craig Mary E Cross Caroline Taubel Mrs Thomas Taylor Elizabeth Goddard Mary C Parker Isabel T Martin Marie T Martin Mary E Mills Anna H Speer Mrs R M Woods Richard M Woods William Woods Rachel G Markell Elizabeth Martin.

The PRESIDENT. If there is no objection the communication will be printed in the Journal. The Chair hears none.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow at 12 o'clock, noon.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:50 P. M. until Wednesday, July 8, 1936, at 12 o'clock noon.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 7, 1936

The House met at 11:30 A. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

As the hart panteth for the water brook, so longeth our souls for Thee, O God. We shall be satisfied when we awake in Thy likeness.

Help us to continue to seek Thee, that we might know Thee better, that we might love Thee more, to the end, Heavenly Father, that we shall be more and more like Thee.

Grant that we may know the blessedness that comes from hungering and thirsting after righteousness.

Grant, Heavenly Father, Thy blessing upon the Speaker of this House and all of the members. Bless the families that are at home. Take care of their various interests. In His name and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. WEIDEMANN the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 76. (HOUSE BILL No. 158)

An Act to authorize the Board of Revision of Taxes in cities of the first class to classify the real estate situated therein so as to discriminate between those parcels employed exclusively for manufacturing purposes and other real estate in such cities and to provide for carrying such classification into effect.

Referred to the Committee on Cities.

RESOLUTION INTRODUCED AND REFERRED

By MR. POWERS. RESOLUTION No. 35.

In the House of Representatives, July 6, 1936.

Each general election brings about a more or less extensive change in the membership of the House of Representatives. New faces appear in the places of experienced members at the opening of each regular session of the General Assembly. Practically all of these new members are unacquainted with legislative procedure and practices, and ofttimes with the structure and operation of the government of the Commonwealth and its municipalities.

Much time can be saved, and smoother and more efficient work can be accomplished during the early period of deliberations, if the members without previous parliamentary experience could be trained, before taking their seats, in the methods and practices, established by law and by rules and custom, that are essential for a prompt and effective carrying out of the functions of legislators; therefore be it

Resolved, That during the month of December immediately preceding each regular session of the General Assembly, the Chief Clerk of the House of Representatives provide instruction in parliamentary procedure as it is applied in this House, and in the details of the system of State and local governments as they exist in this Commonwealth; such instruction to be given on such dates and at such places as shall be most convenient to the newly elected members who are about to enter upon their first term as members of the General Assembly.

Referred to the Committee on Rules.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 6, 1936.

Resolved (if the House of Representatives concur) That five hundred copies of the proceedings of the memorial services held in honor of the late Honorable James E. Norton be printed for the use of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 6, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, July thirteenth, at 9:00 o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening, July thirteenth, at 9:00 o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVES OF ABSENCE

Mr. DILLEY asked and obtained leave of absence for himself for the remainder of the week.

Mr. ANTHONY asked and obtained leave of absence for himself for the remainder of the week.

Mr. HINDMAN asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. HOFFNER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. WALL asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. JAMES L. SNYDER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. GILLETTE asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. TERRY asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. McKinney asked and obtained leave of absence for Mr. MERRELL for the remainder of the week.

Mr. ZIMMERMAN asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. KELDER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. Trout asked and obtained leave of absence for Mr. WOOD for the remainder of the week.

Mr. LYNCH asked and obtained leave of absence for himself for the remainder of the week after today's session.

COMMITTEE GRANTED PERMISSION TO MEET DURING SESSION

Mr. CHERVENAK asked and obtained permission of the House for the Committee on Constitutional Amendments to meet during the session of the House.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 133, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of rehabilitating and replacing real and personal property of State-aidd hospitals damaged or destroyed by flood.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 92, as follows:

An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith conferring powers and imposing duties on certain county and city officers and on the State Department of Revenue and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That MEANING OF TERMS As used in this act and unless a different meaning appears from the context

(a) The term "intangible' or "intangibles" shall apply to mean and include all mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section forty hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section forty hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its share or capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all annuities yielding annually over two hundred dollars

(b) The term "intangible" or "intangibles" shall not apply to mean nor include (1) bank notes or notes discounted or negotiated by any bank or banking institution saving institution or trust company (2) nor loans shares of stock or other securities held by bankers or brokers solely for trading purposes (3) nor accounts or debit balances owing by customers of bankers or brokers in the usual courses of business (4) nor interest bearing accounts in any bank or banking institution savings institution or trust company (5) nor any intangibles owned held or issued by building and loan associations or savings institutions having no capital stock Provided That if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying said tax on any such intangibles as may be held owned by or owing to the said savings institution having no capital stock (6) nor any intangibles owned or held by fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions (7) nor any intangibles owned in their own right by corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes but corporations limited partnerships and joint-stock associations holding intangibles as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed upon all intangibles so held by them as in the case of individuals (8) nor any intangibles hereafter received from any person or persons copartnership or unincorporated association or company non-resident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any State or Government other than this Commonwealth and not doing business with this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company non-resident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth

(c) Intangibles are hereby classified as "current intangibles" and "annual intangibles"

(1) Current intangibles shall include all intangibles that are made issued or executed to mature or be paid discharged or retired within one year from the date the same are made issued or executed or within one year from the date this act takes effect

(2) Annual intangibles shall include all other intangibles

(d) The term "person' shall include a natural person fiduciary partnership association corporation and any and every multiple group that may have the capacity to own or hold property or the custody thereof

(e) The term "fiduciary" shall mean and include an executor administrator guardian receiver trustee agent attorney-in-fact and any person group or association of persons acting in any trust capacity in the control management or operation of any property

(f) The term "stamp" or "stamps" shall have reference to and mean the adhesive stamp provided by the terms of this act to be attached to intangibles

(g) The term "board" shall mean the board of revision of taxes in cities and counties of the first class or the board for the assessment and revision of taxes in counties where such board exists or the board of county commissioners in all other counties

(h) In respect to cities coextensive with counties the

term "county" shall include also any such city the term "county treasurer" or "treasurer" shall include also the city treasurer of such city the term "county controller" or "controller" shall include the city controller of such city the term "county solicitor" shall include also the city solicitor of such city the term "collector of county taxes" "tax collector" or "collector" shall include also the department of receiver of taxes of such city and the term "county commissioners" shall include also the city council of such city and shall not include the county commissioners of any such county

(i) The term "tax" shall include any stamp required to be affixed to any intagible

(j) The term taxpayer" shall mean any person required to pay any tax or affix any stamp required by the provisions of this act on intagibles

(k) The term "accrue" or "accrual" means the date on which any tax imposed by this act on intangibles becomes due

(1) The term "bank" or "trust company" shall mean any bank of discount and deposit loan and trust and safe deposit company private bank savings bank or trust company organized under any law of this State or any bank organized under any law of the United States

Section 2 PRIVILEGE TAX TRANSACTIONS On and after the first day of January one thousand nine hundred and thirty-seven every person residing in or domiciled in any county of this State shall pay a tax to such county and in cities coextensive with counties to such city and county for county or city and county purposes as the case may be and during the year one thousand nine hundred and thirty-seven for State purposes at the rate and in the manner provided in this act for the right to exercise any one or more of the following privileges

(a) Signing executing and issuing intangibles

(b) Selling assigning transferring renewing removing consigning mailing shipping trading in and enforcing intangibles

(c) Receiving the income increase issues and profits of intangibles

(d) Having and possessing the right to transmit the same by will and of making gifts thereof and therefrom and of having the right to allow such property to pass to other persons by descent under the intestate laws of this State

(e) For the right to have such intangibles separately classified for taxes levied assessed and collected on account thereof or measured thereby

Such tax at the rate provided in this act shall be measured by intangibles wherever located

(a) Owned by any taxpayer except his intangibles having an actual business situs outside this State

(b) Controlled by any person or fiduciary and having a business situs in this State and in the possession of or under the control or management of any such person or fiduciary

Section 3 RATE OF TAX A tax for county or city and county purposes at the rate of four mills on each dollar of the value thereof is hereby imposed on all intangibles

"In addition to such tax, an additional emergency State tax at the rate of four mills on each dollar of the value thereof is hereby imposed on all intangibles for the period beginning on the first day of January and ending on the last day of December, one thousand nine hundred and thirty-seven.

During the year one thousand nine hundred and thirty-seven, such taxes shall be payable as follows: (a) Eight cents on each ten dollars or fractional part thereof of the actual value of every current intangible, and (b) eight cents per annum or fractional part thereof over one year on each ten dollars or fractional part thereof of the actual value of each annual intangible.

Subsequent to the year one thousand nine hundred and thirty-seven the tax shall be payable as follows (a) Four cents on each ten dollars or fractional part thereof of the actual value of every current intangible and (b) four cents per annum or fractional part thereof over one year on each ten dollars or fractional part thereof of the actual value of each annual intangible

Section 4 COMPUTATION OF TAX Except as otherwise provided for the purpose of measuring and computing the tax imposed by this act in respect of any intangible and unless and until such intangible has been otherwise assessed and value as authorized by this act (a) any intangible having a face value shall prima facie continuously have an actual value equal to not less than the full value thereof and (b) any intangible not having a face value shall have an actual value in the amount determined by the board and the owner thereof shall cause said amount to be determined

Any intangible listed and traded in on any market recognized by the board shall have an actual value for the purpose of this act equal to the value thereof on such market as of the day such tax accrued

Section 5 ASSESSMENT APPLICATION HEARING Before the time the tax for any period is due under the terms of this act and before the payment of such tax the owner of any intangible who shall desire or who shall be required by the terms of this act to have the actual value thereof determined or redetermined for the purposes of computing or measuring the tax imposed in respect thereof may apply to the board for such valuation The board shall fix a time and place when and where the applicant may be heard concerning the actual value of such intangible and shall cause or allow evidence concerning the value of such intangible to be introduced and after such hearing the board shall fix the then actual value of such intangible Any taxpayer of such county may appear at such hearing and offer evidence concerning the actual value of any such intangible The board shall prescribe and promulgate rules for the conduct of such hearings and for determining the value of any such intangible

Section 6 ASSESSMENT APPEAL REFUND Any person aggrieved by any order judgment or determination of the board after paying the tax may within thirty days from the entry of such order judgment or determination appeal therefrom to the court of common pleas of the county in which such person resides Such cause shall be tried de novo by the court without a jury on petition filed in such court by the taxpayer so appealing and summons shall issue on such petition to and be served on the board as in other civil actions Either party to such suit may appeal to the Supreme or Superior Court in the same manner as appeals are taken in civil actions Upon the final determination of such suit the court may enter judgment for the refund of any tax paid in excess of that properly required by law or may render judgment against the petitioner for any deficiencies in tax found due

Section 7 METHOD OF PAYMENT Except as otherwise provided in this act such tax shall be paid on account of each intangible by attaching thereto a stamp or stamps for the proper amount of such tax on each intangible at the time and in the manner and amount provided or required by the terms of this act

Section 8 CURRENT INTANGIBLES STAMPING DATE On all current intangibles executed after the taking effect of this act the required stamps as provided by the terms of this act shall be attached within ten days from the time of the execution of such intangible If any current intangible shall not be paid or otherwise discharged at the maturity date thereof as shown by such instrument or within one year from the date of its execution then for the purpose of this act it shall become an annual intangible and be stamped each year in the same manner and amount as other annual intangibles are stamped under the terms of this act

Section 9 ANNUAL INTANGIBLES STAMPING DATE On all annual intangibles executed after the taking effect of this act the stamps representing the tax required in respect thereof for one year from the date of the execution of such intangibles shall be attached within ten days from the time of such execution and hereafter stamps in the proper amount shall be attached thereto on or before ten days after each annual anniversary of such annual intangible until the same is paid retired or discharged according to the terms and provisions of such annual intangible or in some manner provided in this act

Section 10 MATURITY OF INTANGIBLES BEFORE ND AFTER EFFECTIVE DATE OF ACT On all in- ngibles executed after the taking effect of this act ma- uring on or before ten days from the date of the execu- on of such intangible the stamps required by this act hall be attached at the time and as a part of such execu- on On all intangibles executed before the taking effect of his act and maturing within ten days after the taking ffect of this act the stamps required by this act shall e attached within such ten day period and on or be- ore the payment or discharge thereof according to the erms of the instrument or in some manner provided in his act

Section 11 INTANGIBLES EXECUTED BUT UNPAID RIOR TO EFECTIVE DATE OF ACT For the purpose f computing the tax in respect of any intangible executed efore and not paid and discharged on or before the tak- ig effect of this act such intangible shall be deemed to ave been executed on the day this act becomes effective or the then unpaid balance thereof either as a current r annual intangible as determined by the time of its aturity On or before ninety days from the taking effect f this act and on or before the intangible is paid or ischarged the tax shall be paid in respect of such in- ngible and stamps shall be attached thereto in the same anner as provided for intangibles executed after the king effect of this act The anniversary date of any ch prior existing intangible shall be determined by the te this act becomes effective

Section 12 INTANGIBLES INCAPABLE OF BEING TAMPED COMPUTATION OF TAX The tax on account f and measured by intangibles not susceptible of being amped or not evidenced by any instrument in writing hall be determined and paid as hereinafter prescribed 'ithin sixty days after this act becomes effective the wner or custodian of any such intangible shall file with he board a sworn report of the amount description and cation of such intangible on forms to be prepared by he board and the board shall determine whether such tangible is current or annual and determine the amount tax due on account thereof and when the same is pay- ble and thereafter within ten days after the thirty- st day of December of each year such person shall e a sworn report with the board on forms prepared r it showing as of December thirty-first the number nd and amount of such intangibles owned or controlled r him since the taking effect of this act or the end of he period covered by his report and the length of time e owned each such intangible At the time of making ch report the taxpayer shall pay to the county treas- er or the department of receiver of taxes as the case ay be the tax due on account thereof in the amount etermined by the board

Section 13 REGISTRATION OF INTANGIBLES PAY- ENT OF TAX RECEIPT In lieu of affixing stamps to ny annual intangible as provided by this act any per- n owning or having custody or control of any such nnual intangible may cause the same to be registered the office of the board and then pay to the county easurer or department of receiver of taxes as the case ay be the amount of the tax determined by the board be due and the county treasurer or department of ceiver of taxes as the case may be shall issue to such xpayer a properly executed receipt showing the amount tax paid and the property on account of which such x is paid and the period of time for which such pay- ent was made Such receipt may be attached to such tangible and on request of the taxpayer and on pre- ntation of such intangible the county treasurer or de- rtment of receiver of taxes as the case may be shall a manner to be determined by the board indorse on ch intangible the period to the end of which the tax account of such intangible has been paid

Section 14 COLLECTION OF TAX LIEN PENALTY ny tax imposed by this act if not paid when due shall entered on the tax duplicate of the city borough town township where such taxpayer resides Any such tax gether with all penalties thereon from the accrual of e tax shall thereupon become a lien as of the date of such entry on the property of such taxpayer located in such county Such lien shall continue until discharged by payment of such tax and all penalty thereon and shall be enforced and collected by the collectors of county taxes in the same manner as other delinquent taxes are collected under the provisions of existing law

Section 15 DEFAULT PENALTY Any person failing to pay the tax imposed by this act on or before the accrual thereof shall be liable to pay a penalty for each year or fractional part thereof that such payment is delayed Such penalty shall be four times the amount of the current tax on account of the intangible in respect of which the tax was imposed All unpaid tax and all penalty thereon shall draw interest at the rate of ten per centum per annum from the time such tax accrues

Section 16 RECORD OF INTANGIBLES FROM RECORDERS AND PROTHONOTARIES FEES The recorder of deeds and prothonotary of each county shall keep a daily record separate and apart from all other records of every intangible entered or assigned of record in his office which daily record shall set forth the following information (1) The date of the intangible (2) the names of the parties thereto (3) the precise residence of the obligee or person to whose use such intangible is marked or to whom interest is payable (4) if a mortgage a brief description of the real estate upon which such mortgage is secured (5) the just sum secured by such intangible (6) the date or several dates when said sum or portion thereof shall become due and payable (7) in the case of bonds or judgments entered in the prothonotary's office whether the same are accompanied with mortgages A like daily record shall be kept of the number of intangibles together with the amounts thereof and the names of the parties thereto which shall have been that day satisfied of record It shall be the further duty of the recorder and prothonotary on the first Monday of each month to file such daily record with the board One certificate appended thereto shall be all that is required

The recorder of deeds shall refuse any intangible or any assignment of any intangible presented to him for record unless the instrument evidencing the same has attached thereto and made a part thereof a certificate signed by the obligee assignee or person entitled to interest or his duly authorized attorney or agent setting forth the precise residence of such obligee assignee or person Such certificate shall be recorded with such intangible or such assignment

The prothonotary before entering any money judgment for plaintiffs other than upon a verdict or order of court shall require delivery to him of a certificate signed by the plaintiff or his attorney or agent setting forth the precise residence address of the plaintiff and upon entering such judgment shall file such certificate at the same number and term as the judgment and shall include in its entry on the judgment docket the address set forth in the certificate

Failure on the part of any prothonotary to perform any of the duties hereby imposed upon prothonotaries shall in no way impair the validity of any judgment or the lien thereof

The recorders of deeds and prothonotaries shall be entitled to receive ten cents for each intangible and for each assignment or satisfaction of an intangible reported to the board Such fees shall be paid by the county treasurer on the presentation of proper vouchers and shall be applied in like manner as other fees received by such recorders and prothonotaries Provided That no fee shall be allowed in any case where the residence of any obligee or assignee is omitted in such report Provided further That the amount allowed any prothonotary or recorder shall not exceed the sum of six hundred dollars per annum

Section 17 TRANSMISSION OF INFORMATION TO OTHER COUNTIES Upon obtaining record of the existence within its county of any intangibles that are owned by a person copartnership association or corporation resident or doing business within this State and not a resident of such county or in the case of a copartnership

association or corporation not having its principal office within such county the board shall transmit a certified statement of such record to the board of the proper county wherein said person is domiciled or wherein such copartnership association or corporation does business or maintains its principal office and also to further transmit to such board a certified statement whenever it shall appear from the record that such intangibles are satisfied Such certified statements shall upon their receipt be filed of record by the board

Section 18 ANNUAL RETURNS BY TAXABLES AFFIDAVIT ADMINISTERING OATHS PENALTY The board shall annually at the time when the assessors receive their books furnish the assessors of the several townships boroughs and cities of the respective counties with blanks which shall be prepared and furnished by the State Department of Revenue and for which the county shall pay to the Department of Revenue the actual amount of the cost of preparation and printing Each of said assessors shall furnish a copy of the same to every taxable person copartnership association and corporation in his respective ward district borough or township or to any officer agent employe found at the place of business of any such partnership association or corporation in his ward district borough or township Upon such blank each taxable person copartnership association and corporation shall make return annually of the aggregate amount of all intangibles held owned or possessed by such person copartnership or corporation either in his her or its own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership association or corporation Such return shall be made and sworn or affirmed to by such taxable person or by a member or officer of such copartnership association or corporation Provided That any corporation association or partnership doing business in more than one county shall be liable to make such return only in the county in which its principal office within this Commonwealth is situated.

Such affidavit shall be made before the proper assessor or other person authorized to administer oaths and shall set forth that the return is full true and correct to the best of his or her knowledge and belief and shall also show that all taxes imposed by this act on intangibles have been paid and that he has fully complied with all the provisions of this act Such affidavit shall also contain such other information as the board may deem advisable for the proper administration of this act Any person who shall wilfully and corruptly make a false and fraudulent return shall be guilty of perjury and upon his or her conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment by separate and solitary confinement at labor not exceeding seven years and thereupon be forever disqualified from being a witness in any matter of controversy.

The several assessors are hereby authorized to administer the oath or affirmation to any person making the return prescribed by this section for the taking of which oath or affirmation no charge shall be made by the assessor Any assessor who shall accept such return from any person or officer required to make the same without requiring the oath or affirmation of such person or officer as herein provided or who shall make any charge for administering such oath or affirmation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars. Any person who shall fail, neglect or refuse to make the return required by this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding two hundred dollars and costs of prosecution, or to undergo imprisonment not exceeding six months or both."

Section 19 VALUATIONS FOR INDEBTEDNESS PURPOSES For the purpose of determining the assessed value of intangibles as a basis for the constitutional right of any county to incur indebtedness upon the assessed valuation of taxible property during the year one thousand nine hundred and thirty-seven the assessments made under the provisions of existing law shall be taken a used but such assessments shall not in any case be us at the basis of valuation for the imposition of the t during said year During the year one thousand ni hundred and thirty-eight and during each year thereaft the assessed value of intangibles for indebtedness pu poses shall be determined by the board by computing t value of all intangibles upon which the tax hereby in posed has been paid during the preceding year using the basis for such computation the gross amount of t tax on intangibles collected during such year witho interest or penalties and the valuation so determined sha be deemed to be the assessed valuation of taxable i tangible property under the Constitution and laws of th Commonwealth

Section 20 TAXES DUE FROM ESTATES OF DEC DENTS The executor of every will and the administrat of every estate at the time of filing with the register wills or clerk of the orphans' court the inventory a appraisal of such estate or of any affidavit setting for the real and personal property of such decedent for t purpose of determining the inheritance tax shall in add tion thereto file an affidavit in duplicate setting forth a intangibles included in such inventory or affidavit

The office with whom the same is filed shall forthwi send one of said copies of such affidavit to the boa whose duty it shall then be to proceed for the asses ment and recovery of the taxes due from such decede with penalties and interest as above provided and for th purpose to present a claim therefor to the orphans' cou of the proper county or to proceed by action or suit law in any court or competent jurisdiction for such re covery thereof or to take any or all appropriate ste or procedure for the collection of said taxes

Section 21 INTANGIBLES HELD AS COLLATERA DUTY OF PERSONS HOLDING Every person having receiving into his possession or custody as collateral otherwise any intangible on account of which a tax imposed by this act shall examine such intangible an ascertain that it has been stamped or the tax paid account thereof No person or officer shall authentica witness or guarantee any signature to any assignment transfer of any intangible on account of which a tax imposed by the provisions of this act unless the stamp or certificates required for the current year appear upo or accompany such intangible All intangibles in posses sion of any person as collateral or otherwise shall be sub ject to examination by the board No person holding an such intangible shall be privileged to require the name the owner the location or description or amount of an intangibles so sought to be examined as a condition pre cedent to such examination

Section 22 ENFORCEMENT OF ACT RULES AN REGULATIONS The board is hereby charged with th duty of enforcing or causing this act to be enforced an administered and shall prescribe and provide all the nec essary forms to be used in connection therewith and ma require reports at any time and from any person or office concerning any matter pertaining to any intangible any person subject to a tax under the provisions of th act and may examine any person or officer under oat concerning any such intangible and shall make promulgat and enforce such rules of procedure and regulations any matter connected with the enforcement and adminis tration of this act which may be necessary fully to carr out the provisions thereof Failure to enforce the pro visions of this section by the board shall be deemed wilf neglect of duty and punishable by a fine of five hundre dollars ($500) for each such neglect

Section 23 TAX A DEBT ACTION TO RECOVER addition to all other remedies for the collection of th tax imposed by the provisions of this act such tax soon as it accrues shall constitute a debt of the perso liable for such tax and the board may cause any necessar action to be instituted in the name of the county in an court of competent jurisdiction on relation of the boar against such person for the recovery of such tax and a penalties accruing on account of the non-payment there Any such suit shall be prosecuted by the county solicito and in any judgment rendered against the taxpayer

ny such suit for any unpaid tax a reasonable attorney e shall be included for the attorney prosecuting such uit

Section 24 STAMPS PREPARATION CONTRACTS ISTRIBUTION The county commissioners of each ounty shall within thirty days after the date of final nactment of this act and on or before the first day of ily of each year thereafter determine and advice the tate Department of Revenue whether such county shall ontract for the manufacture of the stamps required by ne provisions of this act for use in such county for the nsuing year or whether such county shall purchase such amps from the Department of Revenue as hereinafter rovided the Department of Revenue shall not be required sell any stamps to any county that has signified its ntention to contract for the manufacture of its own stamps to any county that has failed to signify its intention ithin the times hereinbefore specified The department ay however sell stamps to such counties if the stamps e available without curtailing the supply for the use the counties that have properly signified their intention purchase from the department

The county commissioners of any county determining supply its own stamps and not to purchase the same om the Department of Revenue shall make and execute ntracts in behalf of such county for dyes plates and rinting necessary for the manufacture of such stamps The oard shall have the custody of the stamps dyes plates and her material and things used in the manufacture of ch stamps

Contracts for dyes plates printing and other services nd supplies necessary for the manufacture and prepara- on of stamps by the Department of Revenue shall be t and executed in the same manner as contracts for ngraving printing and supplies for the use of the va- ous departments of the State government or such work r any part thereof may be done at the various State enal or correctional institutions by the inmates thereof nder the conditions prescribed by existing law The epartment of Revenue shall have custody of all stamps repared by it until sold and of all dyes plates and other aterial and things used in the manufacture of such amps The cost of procuring such stamps shall be in ne first instance be paid out of any appropriation to ne Department of Revenue available for such purpose he department shall sell such stamps to the various ounties requiring the same at such price as will fully eimburse the Commonwealth for all moneys expended procuring the same but not at a profit

Adhesive stamps for the purpose of paying the tax evied under the provisions of this act shall be prepared y the State Department of Revenue or by the county ommissioners as the case may be in such form of such enominations and in such quantities as the department r county commisioners may prescribe The year of the ssuance of any stamp provided for herein shall be en- raved upon the face thereof and no such stamp shall e used in any year other than the year of issue All amps prepared by the county commissioners for any ndividual county shall have the name of such county ngraved upon the face thereof All stamps prepared y the Department of Revenue shall have a blank space pon the face thereof upon which the name or a dis- nctive abbreviation of the name of the county where ne stamps are to be used shall be printed stamped or ritten before such stamps are issued by the department o stamp shall be used upon any intangible except such s are taxable in the county the name of which is indi- ated on the face of such stamp The board shall make rovision for the sale of stamps in the office of the ounty treasurer at such places and at such times as the oard may deem necessary

Section 25 STAMPS CANCELLATION Whenever an dhesive stamp is used under the provisions of this act ne person using or affixing it shall write or stamp there- n the initials of his name and the date when the same affixed or used and shall mutilate the stamp in such anner that it cannot be used again.

Section 26 APPLICATION FOR ASSESSMENT AND COMPUTATION OF TAX On application of any person the board shall determine the amount of tax due on account of any intangible in respect of which the tax provided by this act is imposed and issued to such person such receipt release waiver certificate or acquittance as will show the release of such intangible from any lien on account of such tax

Section 27 SALE OF STAMPS BY COUNTY TREASURER The county treasurer as a part of his official duty and without additional salary or compensation shall receive from the board from time to time the stamps provided to be used under the terms of this act Such treasurer shall be chargeable with the full amount of all stamps delivered to him and shall sell such stamps and collect the money therefor and deposit the same in the proper designated depository to the credit of the county Within thirty days after the end of the calendar year one thousand nine hundred and thirty-seven and within thirty days after the end of each calendar year hereafter each county treasurer shall return to the board all stamps in his possession bearing the date of the preceding year and receive proper credit therefor

Section 28 UNUSED STAMPS DISPOSITION At the end of each calendar year any person owning and having any unused stamps of the issue of that year in his possession may within twenty days from the end of such year and not thereafter surrender such stamps to the county treasurer The treasurer shall receive such stamps and deliver to such person a like amount of stamps dated and usable in the then current year Each county treasurer shall keep a record in the form and manner provided by the board of all stamps so surrendered and deliver such stamps to the board and receive credit therefor all in accordance with the rules of the board The board may under regulations prescribed therefor by it provide for the reissue of stamps in lieu of stamps destroyed by fire or unavoidable casualty

Section 29 RECORDING INSTRUMENTS CONDITIONS No instrument securing the payment of any debt evidenced by any intangible as defined by this act shall be admitted to record in this State until all taxes then due as provided by this act have been paid on account of the intangible so secured by such instrument

Section 30 UNSTAMPED INTANGIBLES ENFORCEABILITY No intangible in respect of and by which the tax imposed by this act is measured shall be valid or enforceable nor shall the same be sold assigned transferred renewed removed consigned mailed or shipped unless and until all taxes and penalties accrued on account thereof shall have been paid Any sale renewal or assignment of any such intangibles on account of and by which the taxes imposed by this act are measured have not been paid shall be null and void

Section 31 ACT CONSTRUED The tax hereby imposed shall be in lieu of all other taxes except estate or transfer inheritance taxes which might have been or might be imposed upon intangibles or against the owners or holders thereof by virtue of the provisions of any law of this State enacted prior to the passage of this act No State or local tax except transfer inheritance and estate taxes shall be imposed upon any intangibles on account of which a tax is imposed by the provisions of this act by virtue of the provisions of any other law of this State enacted prior to the passage of this act

Section 32 EXTENSION OF TIME FOR PAYMENT The board or county treasurer with the approval in writing of the board may at any time upon good cause being shown extend the time not to exceed ninety days within which any taxpayer may pay any taxes accrued or accruing under the provisions of this act Such extension may be granted to such taxpayer with or without penalty or interest and during any such extension any taxpayer may enforce sell assign transfer renew remove consign mail or ship any intangible in respect of which such extension was granted The board may grant such extension upon such terms and conditions as it shall deem just and may require the taxpayer to execute a

satisfactory bond to secure the payment of any tax found to be due.

Section 33 STAMPS UNAVAILABLE EXTENSION In case at any time after the passage of this act stamps have not been prepared and distributed at the time any tax imposed by this act accrues then the taxpayer shall have ten days after such stamps are prepared and distributed as provided by the terms of this act within which to procure and affix any stamps required by the provisions of this act All penalties provided by this act shall be suspended during the time such stamps are not available If during such time any person shall desire to enforce sell assign transfer renew remove consign mail or ship any such intangible the tax required by this act may be paid to the country treasurer and a receipt therefor shall be attached to such intangible.

Section 34 POWERS OF BOARD The board shall have the authority of and the powers conferred by the general laws of this State concerning taxation for the administration of this act and such laws hereby are extended to and made a part of this act so far as applicable for the purposes of assessing and collecting taxes imposed by this act and such taxes omitted through mistake inadvertence or fraud.

Section 35 FAILURE TO PAY TAX OR CANCEL STAMPS PENALTY Whoever makes signs issues authenticates or accepts or causes to be made signed issued authenticated or accepted any instrument document or paper of any kind or description whatsoever evidencing any intangible or any assignment or transfer thereof without the tax thereon being paid or stamps affixed in accordance with the provisions of this act or whoever makes use of any adhesive stamp to denote any tax imposed by this act without cancelling or obliterating such stamp as in this act provided is guilty of a misdemeanor and upon conviction shall pay a fine of not less than twenty-five dollars nor more than five hundred dollars or be imprisoned not less than thirty-days nor more than six months or both for each such offense.

Section 36 STAMPS PROHIBITED PRACTICES PENALTY Whoever fraudulently cuts tears or removes from any vellum parchment paper instrument writing or document evidencing any intangible on account of or in respect of which any tax is imposed by this act any adhesive stamp used in compliance with the provisions of this act or whoever fraudulently uses joins fixes or places to with or upon any such evidence of intangible on account or in respect of which any tax is imposed by this act any adhesive stamp which has been cut torn or removed from any other evidence of intangible or whoever fraudulently uses joins fixes or places to with or upon any evidence of intangible any adhesive stamp of insufficient value of any forged counterfeited or altered stamp or whoever wilfully removes or alters the cancelling or defacing marks of or otherwise prepares any adhesive stamps with intent to use or cause the same to be used after it has already been used or knowingly or wilfully buys sells offers for sale or gives away any washed or restored adhesive stamp to any person for use or knowingly and without lawful excuse has in his possession any washed or restored or altered stamp which has been removed from any vellum parchment paper instrument writing or document or whoever knowingly or wilfully prepares buys sells offers for sale or has in his or its possession any counterfeited stamps is guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or be imprisoned for not less than one year nor more than five years or both at the discretion of the court.

Section 37 ENFORCEMENT OFFICERS DIVULGING INFORMATION PENALTY Whoever being or having been a county official or member of the board of any county or being or having been a clerk employe or agent of any such officer or board divulges except in the performance of his duties or upon order of the board or in any reports required by law as the case may be or when called upon to testify in any court or proceedings any information acquired by him in the exercise of the powers vested in him by any of the provisions of this act or while claiming to exercise such powers in respect to the transactions or business of any person to whom this act is applicable shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars nor more than five hundred dollars and shall thereafter be disqualified from acting in any official capacity whatsoever in connection with the assessment or collection of taxes.

Section 38 REQUIRING PERSON BORROWING TO PAY TAX USURY It is unlawful for any person in loaning money at interest to any person which transaction is taxable as an intangible under the provisions of this act to require the person borrowing the same to pay the tax imposed thereon by this act In all cases where such tax shall have been paid by the borrower the same shall be considered usury and be subject to the laws governing the same.

Section 39 PAYMENT OVER OF STATE TAX One-half of the gross amount of all taxes collected by each county or city and county during the year one thousand nine hundred and thirty-seven shall be paid by the treasurer of such county or city and county into the General Fund of the State Treasury through the Department of Revenue for general State purposes Such payments shall be made on the first days of each month during the year one thousand nine hundred and thirty-seven and final settlement shall be made not later than the first day of April one thousand nine hundred and thirty-eight

Section 40 TAX FOR STATE PURPOSES All scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable in the year one thousand nine hundred and thirty-seven and annually thereafter for State purposes at the rate of four mills on each dollar of the nominal value thereof Provided That whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such indebtedness under the provisions of the second section of this act that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of section two of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year and for the ensuing year and the person to whom notice is so given

shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in section two of this act Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deduction from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest-bearing accounts in any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial socieites labor unions and labor union relief association and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and point-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint stock administrators holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all script bonds certificates and evidences of indebtedness made taxable under this section are not taxable under section two of this act and that only such script bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under section two of this act

Section 41 VALIDITY If any clause sentence paragraph or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder of this act but shall be confined in its operation to the clause sentence paragraph or part thereof which is directly involved in the controversy in which such judgment shall have been rendered It is hereby declared as the legislative intent that this act would have been adopted had such invalid provisions not been included therein The tax imposed by virtue of this act shall be levied and collected as in this act provided irrespective of the nature or character of such tax

Section 42 REPEALS The act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and its amendments is hereby repealed Provided That its provisions shall continue in force for the purpose of enforcing payment of any tax payable thereunder for the year one thousand nine hundred and thirty-six and for any year or years prior thereto

The act approved the seventeenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand eight hundred four) entitled "An act relative to certain judgments prescribing duties of prothonotaries and repealing prior legislation" is hereby repealed

The act approved the twenty-second day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" is hereby repealed Provided That its provisions shall remain in force for the purpose of enforcing payment of any tax payable thereunder for the year one thousand nine hundred and thirty-six

All other acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. McCREARY. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 58, entitled:

A Supplement to act number seventy-seven-A approved the twentieth day of July one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-five Appropriation Acts page seventy-one) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-five" providing for additional appropriations to certain departments boards and commissions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197

Achterman,	Duffort,	Male,	Schwab,
Alexander,	Eberharter,	Mallen,	Serrill,
Allen,	Eroe,	Mason,	Shaw,
Altenburg,	Falkenstein,	McCreary,	Shepard,
Andrews,	Ferko,	McDermott,	Shortz,
Anthony,	Finnerty,	McDevitt,	Shreiner,
Arnold,	Fitch,	McElroy,	Shugarts,
Atkins,	Flanagan,	McHenry,	Siegel,
Aukerman,	Flinchbaugh,	McKinney,	Simon,
Baine,	Flynn,	Melchiorre,	Simpson,
Baker, F. T.,	Forrest,	Mentzer,	Sloan,
Baker, J. J.,	Gates,	Moomaw,	Smith, J. A.,
Baldi,	Gerard,	Mooney,	Smith, W. G.,
Barber,	Gillette,	Moore,	Snyder, F. E.,
Barnhardt,	Greenstein,	Moran,	Snyder, J. L.,
Beadman,	Habbyshaw,	Moul,	Sowers,
Bernhard,	Haberlen,	Muir,	Sproul,
Blumberg,	Hagerty,	Murrin,	Stank,
Boose,	Haluska,	Munley,	Stevens,
Boyd, R.,	Hamilton, F. P.,	Nagel,	Stockham,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stone,
Bradley,	Harkins,	O'Keefe,	Stott,
Brancato,	Harmuth,	Ominsky,	Sumney,
Brennan,	Hartman,	O'Neill,	Surface,
Brown, H. S.,	Hefferon,	Panton,	Sweeney,
Brown, J. E.,	Hermansen,	Parks,	Tahl,
Brownfield,	Hetrick,	Patterson, Cliff,	Terry,
Brumbaugh,	Hindman,	Patterson, J. W.,	Tronzo,
Burke,	Hirsch,	Pearson,	Trout,
Cannon,	Hoffner,	Perry,	Tumelty,
Carr,	Holland,	Peters,	Turner,
Carson,	Holstrom,	Pfaff,	VanAlisburg,
Castor,	Hoopes,	Phillips,	VanSickle,
Chervenak,	Horst,	Piole,	Wall,
Coakley,	Jackson,	Powers,	Wasserman,
Cochran,	Jones,	Reising,	Weidemann,
Cohen,	Kelder,	Reynolds,	Weiss,
Coleman,	Kelso,	Rhys,	Welliver,
Condon,	Kenney,	Roan,	Welsh,
Coolahan,	Kilroy,	Robinson,	White,
Cooper,	Kinney,	Rooney,	Wickersham,
Cordier,	Klingler,	Root,	Winner,
Davies,	Kobelak,	Royer,	Witkin,
Decker,	LaRue,	Ruffennach,	Woodside,
Denning,	Linderman,	Sarraf,	Yeakel,
Dent,	Long,	Scanlon,	Yourishin,
Diehl,	Longaker,	Schaeffer,	Zappala,
Dilley,	Lovett,	Schrock,	Zimmerman,
Downey, G. E.,	Lynch,	Schrope,	Furman,
Downey, J. J.,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

RECESS

Mr. WITKIN. Mr. Speaker, I move that this House do now take a recess for ten minutes.

The motion was agreed to.

AFTER RECESS

The time of recess having expired the House reconvened. The SPEAKER (Roy E. Furman) in the Chair.

RESOLUTION

INCREASING WINE CONSUMPTION

Mr. BARBER asked and obtained unanimous consent to offer the following resolution which was read by the Clerk for the information of the House:

In the House of Representatives, July 7, 1936.

Whereas, It is reported that the per capita consumption of wines in the Commonwealth of Pennsylvania is considerably less than in most other States; and

Whereas, Increased use of wines in the Commonwealth of Pennsylvania would be in the interests of temperance and moderation; and

Whereas, Wines are generally conceded to be healthful; and

Whereas, Pennsylvania ranks high among the grape growing states of the Union; and

Whereas, Increased consumption of wine in the Commonwealth of Pennsylvania would result in additional profits to the State Store system of Pennsylvania, and give impetus to grape and wine industries of our Commonwealth;

Now, Therefore, Be It Resolved, That the Pennsylvania Liquor Control Board be requested to collect and compile statistics with reference to the per capita consumption of wines in the various states of the Union; and

Be It Resolved, That the Pennsylvania Liquor Control Board investigate as to the manner in which wines are sold to the consumer in the various states; and

Be It Resolved, That the Pennsylvania Liquor Control Board investigate the possibilities of increasing the consumption of wine through an educational campaign and estimate the cost thereof; and

Be It Resolved, That reports and findings of the Pennsylvania Liquor Control Board be reported to the General Assembly at its next regular session.

The SPEAKER. The resolution will be filed with the Clerk.

BILL INTRODUCED

Mr. ANDREWS asked and obtained unanimous consent to introduce a bill the title of which was read as follows:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes secured by, and payable from, current revenues levied, assessed, collectible and/or accruing during such fiscal year; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on, and the repayment of such loans; and making an appropriation.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 18, as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty million five hundred seventy-seven thousand seven hundred eighty-nine dollars ($40,577,789) is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the monies appropriated to it among the several counties of this Commonwealth for work relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 Out of the appropriation made by this act the State Emergency Relief Board shall from time to time allocate to the State Veterans' Commission an aggregate of one hundred ninety-five thousand dollars ($195,000) for the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means

Section 5 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such monies as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 6 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WITKIN. Mr. Speaker and members of the House, this bill providing for an appropriation of $40,577,000 and some dollars, together with the previous appropriations that we have made in this House, to wit, nine million, two million, and four million, provides for unemployment relief the total sum of $55,000,000.

There is controversy presently existing as to whether or not this figure of $55,000,000 is the correct figure. I am frank to say to the membership of this House that I do not think it is. However, it is important that this legislation be speeded, and with the knowledge of the fact that the members of the Senate, and particularly the Republican membership of the Senate, are giving careful study to the figures that they believe in their judgement to be correct, I intend to vote in favor of this bill in order to expedite its passage and enactment into law.

In so doing, I do not subscribe to the fact that the figure of $55,000,000 is the correct figure—I definitely state that I do not think that it is, but I am going to vote in the affirmative in order that the bill may go over to the Senate, and if it is amended or changed, a conference committee will then undoubtedly be appointed and I trust that the conferees, which will then be appointed, will endeavor to reach an amicable solution so that the unemployed in Pennsylvania may not be affected improperly.

Mr. COHEN. Mr. Speaker and members of the House, I wish to thank the gentleman from Philadelphia for the kind aid he is affording the Democratic majority in the passage of this bill. However, our best available figures indicate that the total of this appropriation, plus the appropriations that have already been passed by this House, which approximate the figure of $55,000,000, in reality and actually $54,294,000, represents the best available study of relief requirements from now until sometime in the middle of next year. You will notice that we have taken from the bill the restricting clauses that relegate or restrict this particular appropriation up until January 31, 1937. It is our hope that these moneys will last longer, but upon the available information supplied to us from all reliable sources available, the figure that is presented to this House represents the least adequate amount for relief requirements that can be appropriated at this particular session.

Mr. HOOPES. Mr. Speaker and members of the House, I do not feel that I would be true to the groups that I represent if I did not say something on this bill.

As has been said by the majority and minority floor leaders, it provides an appropriation, together with what has already been appropriated, of fifty-five million dollars to cover a period from May of this year until at least January 31st of next year, or possibly longer; I understood the majority floor leader to say until about some time the middle of next year. That is a very general statement and something which I think should be analyzed to some extent before we rush this measure through.

On several occasions, during the past few weeks, I have given some figures to the House to indicate the standards of relief which are being handed out at the present time by the SERB. I think it is generally agreed that the figures which are included in this bill will not permit of any substantial improvement in the standards of relief. According to the figures which were given to us by Dr. DeSchweinitz last week, the average for all relief purposes, except administration, during May was twenty-four cents per day per person, which is certainly not ample to live upon at the present time, in view of the fact that everybody agrees that the cost of living has increased seventeen per cent during the past year.

In that connection there is one feature to which I want to call particular attention to those members of the House who may not be primarily interested in the welfare of the unemployed, but are concerned with their local taxation problems back home.

If we are only going to allow for rent the sum of $1.77 per family per month, which is what the SERB figures for May shows was allowed, I think it should be obvious to everyone that it is impossible for families on relief to pay a rent sufficient or for the landlords to pay their taxes, with the result that your local communities are going to have increased difficulties in collecting your local taxes.

It also should be obvious that if you are going to limit the appropriation for relief to such an extent that you will have to take off of the SERB direct relief rolls a large number of persons and families and shift them to the poor boards and other local agencies, you are going to increase the burden upon your real estate taxpayers who pay the expenses of those agencies.

It, therefore, seems to me that before we rush this bill through, we should have a thorough discussion of just what it involves for the unemployed of Pennsylvania. This is the tenth week of this legislative session. I am sure that we all want to get through and go back home; the prospect of staying in Harrisburg through July and August is anything but inviting, but I do not believe that the majority of us are so anxious to get back home that we want to go before we have done the job for which this special session was primarily called, namely, taking care of the unemployed for the rest of the biennium, or at least until such time as the regular session next year will have the opportunity to carefully study the situation, and make the necessary appropriations and provide the taxes necessary to raise the funds. If we pass this appropriation bill, and I understand that there is going to be substantial opposition to it on the other side, but if we do pass it and go home, I am here today prophesying that one or two things will have to happen. Either the unemployed of Pennsylvania will not be adequately cared for or we will have to have another special session, and I do not believe that any of us want to come back to Harrisburg again for another special session before this year is out.

Now, just for a minute, let us look at these figures. I am not going to tire you by going into the details as I have done on a number of previous occasions, although I feel it is most important to a true understanding of this relief problem. Just let us consider the probabilities of the situation, dealing in the large figures, as we have been doing during our discussions of this matter in this special session. Dr. De Schweinitz tells us that the need will be approximately six million dollars a month. That is based upon several assumptions. The first is that the number on relief at the present time will not substantially increase or change during the next seven months, except that WPA has promised to take over thirty thousand which will supposedly reduce the relief rolls substantially during that period, and such a reduction is necessary if we are going to continue to maintain relief in Pennsylvania on the present standards. Mind you, when I say the "present standards," that means $1.77 per month for relief, it means clothing at the rate of $3.76 per month per family, and it means a food allowance of $20.45 per month for a family of nearly four persons.

Now, members of the House, I submit that those standards are insufficient, and they will not bear any further reduction, that any attempt to lower the standards below what they are now, is going to mean actual starvation, particularly for the children, and an investigation of the figures will show you that a great majority of the persons on relief are children. They are the ones that can least stand a reduction in standards, they are the ones who will suffer the most if those standards are cut down, and I do not believe that is what you want.

Ever since I have been in this House we have been told "it is no use treating this relief as a permanent thing, as a permanent problem; prosperity is just around the corner, everything will be all right in a short time."

Now, right on that point I think I should call the attention of the members of this House at this time to some of the figures that have been given out by the Relief Board within the last few days, at least within the past week. I have here the Pennsylvania Relief Bulletin for the first quarter of 1936, and I think every member of the House has received a copy of this bulletin, both here and at his home. According to the figures published in the appendix, table 1, the number of persons on direct relief in Pennsylvania in May, 1933, was 449,743. By May, 1934, one year later, this figure was reduced substantially, about 100,000, and it looked like we were getting somewhere, but then when we come forward another year, to May, 1935, we find the figure back up again to 447,125, or within two thousand of the number at the lowest period of the depression. In May of 1935 the figure was slightly over 447,000, and if you will remember, that was before the start of the WPA. Now, then, there has been a great deal of propaganda to the effect that we are recovering from the depression, that we are on the way back to prosperity. Figures have been broadcast, saying that production is back to normal, even a little bit above the normal for the ten-year period prior to 1929, and there is no question about the truth of those figures, but what has been the effect of this return to prosperity on unemployment in Pennsylvania, and that is a question which I think every member of this House should consider seriously in voting upon this measure. If you will get the figures from the Relief Board for May, 1936, you will find that there were 176,000 persons on direct relief. If you will compare that figure with the figure of May a year ago, you will find a difference of about 273,000, and that seems to bear out the impression that we are on the way back to prosperity, but then, on the other hand, if you will consult the WPA figures,—Dr. De Schweinitz states in a letter to Senator Gelder last week that the number of cases being cared for by the WPA in Pennsylvania was 272,000. If you add that to the 176,000 that are on direct relief, you get a figure of 448,000, which is approximately the same that it was in May, 1933, which is supposedly the bottom of the depression. In other words, direct relief and work relief in Pennsylvania will have about as many people to care for as they had at the worst period of the depression, and then when we consider those figures in the light of further information given to us by the Director of the Relief Board, namely, of the many thousands of cases which in 1933 were on the direct relief, have been transferred as unemployables to your poor boards and other agencies. We do not have the exact figure for the number, but they say many thousands, and if you add the many thousands to the 448,000, to total on direct relief and WPA, you get a figure which is even higher than that which we had on direct relief at the worst period in the depression.

I bring these figures before you members of the House, because they show conclusively that the problem of unemployment has not been solved, that private industry is not putting the unemployed back to work, even though they are producing practically as much as they did in the period of prosperity. The increase in the use of machinery has displaced workers to the extent that something like a half million less men produced in Pennsylvania as much as they were producing before, when those persons were employed. So we have to face the problem of the probability that private industry is not going to take very many off relief during the next seven months. We have faced it with the further fact that at this period of the year in

any parts of the State there are quite a number of persons who are unemployed during the winter months, that have casual jobs in private industry. Those persons are going to become unemployed during the next few months. We have to face it further, and I feel this is more important than any of the others, with the certainty of the fact that as the winter months approach, many of the WPA projects have got to close down, they cannot operate through the winter on many of these outdoor projects, which are employing 272,000 in Pennsylvania at the present time. When those projects close down for the Winter, and when these persons casually employed in private industry are laid off, your direct relief rolls are going to increase, and the amounts which you have proposed in this appropriation bill are going to prove to be entirely insufficient, and then we are going to be up against the situation that the unemployed in Pennsylvania are either going to do without relief or we are going to have to have an increased appropriation which at that time will mean another special session of the Legislature.

Members of the House, we have had five special sessions during the past three terms of this Legislature. Do we want to add the expense of another one this year? Would not be better judgment for us to appropriate a larger sum of money without indication of how long it must last, but with the understanding that it is to be used properly and without waste and without extravagance, to take care of the unemployed as their needs show that it is necessary? Would it not be better to appropriate on that basis, and then if it proved that the figures that the gentlemen have estimated are sufficient, there would not be anything wasted? It would only mean that the next Legislature would have a little longer breathing spell, that they would not have to jump in and take care of the unemployment relief appropriation at once, when they came into session in the beginning of next year. I can see no disadvantage in increasing the appropriation, either from the viewpoint of the taxpayer or the Legislature or any one else, when you look at it from a long range view point, in taking care of the social problem we are met here to solve. If we do not do it that way and have to come back here, then we are certainly convicted of being inefficient and failing to do our duty, and we will be more unpopular than if we acted it boldly and bravely at the present time, and at the same time give the unemployed some assurance that they are going to have relief.

In conclusion, I want to make one other point. Do you think that it is fair to those persons who are involuntarily unemployed, who through no fault of their own are never able to obtain employment, to be continually faced with a dead line, beyond which there is no money for relief? How would you like to be on relief and have your family dependent for food, clothing and shelter and the other necessities of life upon a relief voucher, which you expected to get in this morning's mail, and then learned from the papers ithis morning that that voucher had not been mailed because the Legislature had made no appropriation? Now, that is what has happened to thousands of unemployed in Berks County and to thousands in the other counties throughout the State of Pennsylvania. That is what has happened repeatedly during the past month and what will likely happen again, unless we treat this problem on the basis of a long term program, rather than on the basis of trying to cover up for a few weeks.

Members of the House, we have been in session here since May 4th. When we started, relief was cared for one week in advance. They did not need any until May 11th. We have been here now ten weeks, and relief is exhausted. We are falling behind, it seems to me, rather than gaining. Are we going to consider this problem carefully or are we just going to rush this measure through, and go home and just forget about it until they are exhausted again, and then be forced to come back here again, and compel the taxpayers, whom some of you seem to be concerned about, to pay another half million dollars for an unnecessary, another special session of the Legislature. I appeal to you to consider this problem before you rush this bill through.

Mr. YOURISHIN. Mr. Speaker, I intend to vote for this measure in view of the fact that I am happy to hear that both sides of the House have agreed on $55,000,000. However, I still believe that the $55,000,000 is inadequate to take care of relief until the 31st day of January next year. However, in order to continue relief I am going to vote for this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—198

Achterman,	Downey, J. J.,	Maie,	Shaw,
Alexander,	Duffort,	Mallen,	Shepard,
Allen,	Eberharter,	Mason,	Shortz,
Altenburg,	Eroe,	McCreary,	Shreiner,
Andrews,	Falkenstein,	McDermott,	Shugarts,
Anthony,	Ferko,	McDevitt,	Siegel,
Arnold,	Finnerty,	McElroy,	Simon,
Atkins,	Fitch,	McHenry,	Simpson,
Aukerman,	Flanagan,	McKinney,	Sloan,
Baine,	Flinchbaugh	Melchiorre,	Smith, J. A.,
Baker, F. T.,	Flynn	Mentzer,	Smith, W. G.,
Baker, J. J.,	Forrest,	Moomaw,	Snyder, F. E.,
Baldi,	Gates,	Mooney,	Snyder, J. L.,
Barber,	Gerard,	Moore,	Sowers,
Barnhardt,	Gillette,	Moran,	Sproul,
Beadman,	Greenstein,	Moul,	Stank,
Bernhard,	Habbyshaw	Muir,	Stevens,
Blumberg	Haberlen,	Murrin,	Stockham
Boose,	Hagerty,	Munley,	Stone,
Boyd, R.,	Haluska,	Nagel,	Stott,
Boyer,	Hamilton, F. P.,	Nothnagle,	Sumney,
Bradley,	Hamilton, R. S.,	O'Keefe,	Surface,
Brancato,	Harkins,	Ominsky,	Sweeney
Brennan,	Harmuth,	O'Neill,	Tahl,
Brown, H. S.	Hartman,	Panton,	Terry,
Brown, J. E.,	Hefferon,	Parks,	Tronzo,
Brownfield,	Hermansen	Patterson, C.,	Trout,
Brumbaugh	Hetrick,	Patterson, J. W.,	Tumelty,
Burke,	Hindman	Pearson,	Turner,
Cannon,	Hirsch,	Perry,	VanAllsburg,
Caputo,	Hoffner,	Peters,	VanSickle,
Carr,	Holland,	Pfaff,	Wall,
Carson,	Holstrom	Phillips	Wasserman,
Castor,	Hoopes,	Piole,	Weidemann,
Chervenak	Horst,	Powers,	Weiss,
Coakley,	Jackson,	Reising,	Welliver,
Cochran,	Jones,	Reynolds	Welsh,
Cohen,	Kelder,	Rhys,	White,
Coleman	Kelso,	Roan,	Wickersham,
Condon,	Kenney,	Robinson	Winner,
Coolahan	Kilroy,	Rooney,	Witkin,
Cooper,	Kinney,	Root,	Woodside,
Cordier,	Klingler,	Royer,	Yeakel,
Davies,	Kobelak,	Ruffennach	Yourishin,
Decker,	LaRue,	Scanlon,	Zappala,
Denning,	Linderman	Sarraf,	Zimmerman,
Dent,	Long,	Schaeffer	Furman,
Diehl,	Longaker,	Schrock,	Schwab,
Dilley,	Lovett,	Schrope	Serrill,
Downey, G. E.,	Lynch,		

NAYS—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. FRANK E. SNYDER filed the following reason for his vote:

I am voting for this bill, because I believe by doing so, it will reach the Senate, and a conference committee appointed, and the amount substantially reduced.

Mr. SPROUL filed the following reasons for his vote:

To expedite the passage of an appropriation for relief I am voting in favor of this bill so that a final figure may be arrived at more speedily in a joint conference committee of both houses in case the Senate figures are less than those provided herein. Some basis must be agreed upon and my affirmative vote does not necessarily indicate full approval of the amount stated, but a step towards its solution.

RESOLUTION

RECALLING HOUSE BILL No. 109 FROM THE GOVERNOR

Mr. SHORTZ offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 7, 1936.

Resolved (if the Senate concur), That House Bill No. 109, Printer's No. 153, entitled "An act to authorize and empower municipalities and townships, separately or jointly, to erect and construct flood control works and improvements within or without their territorial limits, and to expend moneys and incur indebtedness for such purposes," be recalled from the Governor for the purposes of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

CONGRATULATIONS

Miss BRANCATO asked and obtained unanimous consent to offer a resolution which was twice read, considered and unanimously adopted as follows:

In the House of Representatives, July 7, 1936.

Whereas, Joseph H. Miller, Legislative Correspondent for the Philadelphia Inquirer, has recently been seen smiling for no apparent or obvious reason; and

Whereas, Due inquiry has been made and the mystery disclosed in that at 9:40 A. M. on Thursday, July 2, 1936, there was born to Joseph H. Miller and Beatrice, his wife, a daughter, Judith Gail Miller; therefore be it

Resolved, That the House of Representatives of the General Assembly extends to Joseph H. Miller and his wife, their congratulations upon the birth of a daughter; and be it further

Resolved, That the Chief Clerk of the House be instructed to send a copy of this resolution to the happy and proud parents.

BILL REFERRED

By Mr. ANDREWS. HOUSE BILL No. 159.

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/o other expenses of the State government during the fisca year ending the thirty-first day of May, one thousan nine hundred thirty-seven, evidenced by tax anticipatio notes secured by, and payable from, current revenue levied, assessed, collectible and/or accruing during suc fiscal year; defining the powers and duties of the Gove nor, the Auditor General and the State Treasurer in re lation thereto; providing for the payment of interest o and the repayment of, such loans; and making an appro priation.

Referred to the Committee on Ways and Means.

RESOLUTION INTRODUCED AND REFERRED

By Mr. BARBER. RESOLUTION No. 3

In the House of Representatives, July 7, 1936.

Whereas, It is reported that the per capita consump tion of wines in the Commonwealth of Pennsylvania considerably less than in most other States; and

Whereas, Increased use of wines in the Commonwealt of Pennsylvania would be in the interests of temperanc and moderation; and

Whereas, Wines are generally conceded to be health ful; and

Whereas, Pennsylvania ranks high among the grap growing states of the Union; and

Whereas, Increased consumption of wine in the Com monwealth of Pennsylvania would result in addition profits to the State Store system of Pennsylvania, an give impetus to grape and wine industries of our Com monwealth;

Now, Therefore, Be It Resolved, That the Pennsylvani Liquor Control Board be requested to collect and compil statistics with reference to the per capita consumptio of wines in the various states of the Union; and

Be It Resolved, That the Pennsylvania Liquor Contro Board investigate as to the manner in which wines ar sold to the consumer in the various states; and

Be It Resolved, That the Pennsylvania Liquor Contro Board investigate the possibilities of increasing the con sumption of wine through an educational campaign an estimate the cost thereof; and

Be It Resolved, That reports and findings of the Penn sylvania Liquor Control Board be reported to the Genera Assembly at its next regular session.

Referred to the Committee on Rules.

ANNOUNCEMENT

July 7, 1936

Dear Member:

In addition to the Rodeo which is being held by th Pennsylvania State Police at the State Police Barrack in Hershey this afternoon at 2:30 P. M., a golf matc between players representing the Democratic and Re publican side of the House will take place at the Hershe Park Golf Club.

The Hershey Park Club is serving a very sumptuou dinner following the golf match and any member wh attends the Rodea or the golf match is assured of a excellent meal and service to be served approximately a six o'clock. The price of this special dinner is 1.50 pe plate.

If it is your intention to attend the dinner, kindly sig your name to this letter and notify the Chief Clerk office immediately.

Signed: William E. Habbyshaw
George R. Holstrom
Arnold M. Blumberg
Committee

All those who are going to attend the dinner please notify Chief Clerk so proper arrangements can be made.

Important: All those who are going to play golf meet at rear of house immediately after adjournment

ADJOURNMENT

Mr. SHUGARTS. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12.00 o'clock noon.

The motion was agreed to, and (at 1.22 P. M.) the House adjourned until Wednesday, July 8, 1936, at 12.00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., WEDNESDAY, JULY 8, 1936. No. 30.

SENATE

WEDNESDAY, JULY 8, 1936

The Senate met at 12 o'clock noon.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Our Father in heaven, what possibilities and potentialities are wrapped up in man! He is Thy child, sprung from Thy loins, bearing Thy likeness, inheriting Thy kingdom. True, he has wandered far from home and wasted his substance with riotous living. He has clothed himself with the rags of sinfulness and engaged in labor unworthy of his high estate, even striving to satisfy his hunger with the husks of selfishness and greed. Yet the image of his Father, covered by the stains of waywardness and the filth of sin, still persists. If he will but arise and go back home, Thou wilt meet him on the highway, give him a new robe, put shoes on his feet and a ring on his hand and spread a royal feast in his honor. Then the Father's image will again flash from his countenance.

Lead all of us, O God, to return to Thee, and abide in our Father's presence, under the influence of His love. In the name of our Elder Brother, we ask it. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WOODWARD, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. HOMSHER asked and obtained leave of absence for the Senator from Somerset Mr. Ealy.

PETITION FAVORING ENACTMENT OF APPROPRIATE RELIEF LEGISLATION

Mr. PYTKO presented petition signed by Mr. T. A. Russell, Mr. J. Newton Jones, Mr. Charles H. Miller and others favoring enactment of $55,000,000 relief appropriation bill.

Which was referred to the Committee on Appropriations.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

APPROVAL OF SENATE BILL NO. 67

July 7, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 67, Printer's No. 9, entitled "An Act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof."

GEORGE H. EARLE.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 8, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BERKS COUNTY

Mrs. Della N. Esterly, Mount Penn.

CLEARFIELD COUNTY

F. J. McCormack, DuBois.

LANCASTER COUNTY

J. Rankin Wiley, Peach Bottom.

MONTGOMERY COUNTY

Charles W. Barnes, Cheltenham.

PHILADELPHIA COUNTY

Raymond R. Bosworth, 1453-55 N. 52nd St., Philadelphia.

WESTMORELAND COUNTY

J. W. Burroughs, Trafford.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 8, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the

following person for reappointment as a Notary Public, for a term of four years to compute from the date set opposite her name:

WESTMORELAND COUNTY

Miss Eliza Anne Peterson, Ligonier, July 12, 1936.

GEORGE H. EARLE.

REPORT FROM COMMITTEE

Mr. COYNE, from the Committee on Executive Nominations, reported with favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointment:

Frank Babnis, of Mercer, Mercer County, as Justice of the Peace in the Township of Jefferson, Mercer County, until the first Monday in January, 1938.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. RICE,

That Rule 38 which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing.

Which was agreed to.

Whereupon,

A motion was made by Mr. RICE,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Aron,	Harris,	Miller,	Ruth,
Batchelor,	Harvey,	Owlett,	Scott,
Baumer,	Homsher,	Pierson,	Shapiro,
Bean,	Howell,	Prince,	Staudenmeier,
Buckman,	Huffman,	Pytko,	Thompson,
Cavalcante,	Lanius,	Reed,	(Centre)
Chapman,	Law,	(Dauphin)	Thompson,
Coyne,	Mallery,	Rice,	(Westmoreland)
Frey,	McClure,	Roberts,	Trainer,
Gelder,	McCreesh,	Rodgers,	Woodward,
Graff,	McGinnis,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. RICE. Mr. President, I move that the Executive Session do now rise.

Mr. RODGERS. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. ARON, from the Committee on Finance, reported as amended, Senate Bill No. 28 (House Bill No. 19), entitled:

An Act to amend section three of the act, approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations, joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax for a limited period of time.

Mr. HUFFMAN, from the Committee on Finance, reported as amended, Senate Bill No. 30 (House Bill No. 27), entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (Pamphlet Laws, four hundred fourteen), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation." by increasing the rate of tax; removing certain exemptions; changing the listing date, the date of filing reports, and the date and manner of payment of the tax; and making further provision with regard to penalties.

RESOLUTION RELATIVE TO CONTINUING THE WEEK'S SESSION UNTIL FRIDAY

Mr. WOODWARD offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 8, 1936.

Resolved, if the House of Representatives concur, that the Senate remain in session until after 12:01 A. M. Friday to act upon the tax legislation reported by the Finance Committee.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 50, entitled:

An Act to limit the amount of moneys allocated to and expended in counties by the State Emergency Relief Board for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with the care of the poor for the maintenance of unemployable residents; and requiring such political subdivisions to make certain reports.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Aron,	Harris,	Miller,	Ruth,
Batchelor,	Harvey,	Owlett,	Salus,
Baumer,	Homsher,	Pierson,	Scott,
Bean,	Howell,	Prince,	Staudenmeier,
Buckman,	Huffman,	Pytko,	Thompson,
Cavalcante,	Lanius,	Reed,	(Centre)
Chapman,	Law,	(Dauphin)	Thompson,
Coyne,	Mallery,	Rice,	(Westmoreland)

Frey,	McClure,	Roberts,	Trainer,
Gelder,	McCreesh,	Rodgers,	Woodward,
Graff,	McGinnis,		

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 104 (House Bill No. 153), on third reading, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such moneys may be expended, and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments, and ratifying, confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 105 (House Bill No. 154), on third reading, entitled:

An Act ratifying confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 31 (House Bill No. 43), as follows:

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by increasing the rate of tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" as amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (Pamphlet Laws six hundred sixty-eight) be and the same is hereby further amended to read as follows

Section 27 That from and after the passage of this act every incorporated company or limited partnership whatever whether the same be incorporated formed or organized under the laws of this or any other State or Territory and doing business within this Commonwealth and liable to taxation therein which is not subject to the taxes imposed by the twenty-first or twenty-fourth sections of this act except incorporated banks and savings institutions having capital stock and foreign insurance companies shall annually upon the fifteenth day of March of each year make report to the Department of Revenue setting forth the entire amount of net earnings or income received by said company or limited partnership from all sources during the preceding year and such other information as the Department may require and upon such net earnings or income the said company association or limited partnership as the case may be shall pay into the State Treasury through the Department of Revenue for the use of the Commonwealth within the time prescribed by law for the payment of State taxes settled by the Department of Revenue [three] six per centum upon such annual net earnings or income in addition to any taxes on personal property to which it may be subject under the first section of this act The penalty for failure to make such report shall be as provided by law Provided That this section shall not apply to corporations and limited partnerships chartered or organized for manufacturing purposes

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred thirty-six and thereafter

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 31 (House Bill No. 43), the bill just read, be recommitted to the Committee on Finance.

Mr. McCLURE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 46, as follows:

An Act relating to proceedings for the forfeiture of rights privileges or franchises of corporations making claim against street railway traction or motor power companies in certain cases and providing for the disposition of rights privileges or franchises forfeited and for contracts relating thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever a claim is made against any street railway traction or motor power company heretofore or hereafter incorporated under the laws of this Commonwealth by any corporation which has or shall have forfeited or abandoned any of its rights privileges or franchises by misuser nonuser or other act or omission upon or by reason of any contract agreement sale or lease of or respecting such rights privileges or franchises such forfeiture or abandonment may be decreed under proceedings by quo warranto or in any proceeding in which such claim as aforesaid is made the writ of quo warranto in such cases may be issued by the several courts of common pleas in the form and manner now provided by law upon the suggestion of the city borough township or municipality in which such rights privileges or franchises are located or upon the suggestion of the street railway traction or motor power company or stockholder of the same against which such claim aforesaid is made

Section 2 Upon a final decree of the court in all proceedings within the provisions of this act establishing the

forfeiture or abandonment of rights privileges or franchises of any corporation such of the said rights privileges or franchises so decreed to have been forfeited as are in the possession of used or exercised by and essential and indispensable for the continued public service of the street railway traction or motor power company against which claim was made shall vest in and become owned and controlled by the city borough township or municipality in which they are located and the court in which proceedings are had shall so decree Any city borough township or municipality which shall own and control and in which shall be vested under the provisions of this section any such forfeited rights privileges or franchises shall be and is hereby authorized to enter into contracts of lease or otherwise for the use and exercise of such rights privileges or franchises with any street railway traction or motor power company upon such terms and conditions and for such time or times as may be agreed upon Provided however That the term of any such contract shall never be for a longer period than fifty years And provided further That the approval of the Public Service Commission in accordance with existing law first be had and obtained

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 54 (House Bill No. 73), as follows:

An Act to enable persons associations partnerships and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or descriptions providing for bonds with confessions of judgments regulating the assignment and release of such mortgages and designating the operation and effect of the lien of such mortgages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person association partnership or corporation may enter into an agreement with and borrow funds from the Government of the United States or any department agency or instrumentality thereof including among others the Reconstruction Finance Corporation and the RFC Mortgage Company on the security of the obligation of the borrower and the repayment of any funds so borrowed or of any then existing indebtedness to the United States or any department agency or instrumentalitv thereof may be evidenced by a bond containing a confession of judgment secured by a chattel mortgage upon any chattel or chattels of any kind or description Such mortgage shall be a lien against the chattel or chattels thereby conveyed and shall be good and available in law against any subsequent purchasers or execution creditors upon the recording thereof as hereinafter directed Such mortgage must be in writing signed by the mortgagor or his agent duly authorized and constituted and duly acknowledged by some person authorized to take acknowledgment of deeds Provisions contained in such chattel mortgage that property of the same class as is covered by the chattel mortgage shall be included in the mortgage lien if acquired by the mortgagor subsequent to the execution of the chattel mortgage and prior to its extinguishment and provisions that the chattel mortgage may secure future advances to be made by the mortgagee at its option within a period of three (3) years from the execution of such chattel mortgage but not to exceed in the aggregate an amount stated in said chattel mortgage and that all advances so made shall be secured by such chattel mortgage equally and to the same extent as the amount originally advanced on the security of such mortgage and that all such future advances shall be a lien upon the property therein described from the time of the recording of such chattel mortgage good and valid against and superior to all rights of subsequent creditors purchasers mortgagees and other lienors and encumbrances and any of them and provisions that the chattel mortgage may include replacements of any of the mortgaged property therein described shall be valid and binding

Section 2 The chattel mortgage mentioned in the preceding section when executed and acknowledged as hereinbefore provided shall be recorded in the office for the recording of deeds for the county in which the mortgaged property is actually located at the time of the execution of such chattel mortgage and such recorder is hereby required to index and to record the same at length in a book to be by him kept in his said office to be provided at the expense of said county and to be called "Chattel Mortgage Book" and he shall duly certify the record of all such instruments in the manner provided by law for mortgages on real estate and such recorder shall be entitled to charge and receive for services rendered hereunder the following fees

For recording each chattel mortgage seventy-five cents ($.75)

For noting assignment on the margin of the page on which the chattel mortgage is recorded twenty-five cents ($.25)

For noting release or satisfaction or extension of each such chattel mortgage and the date thereof on the margin of the page of the book where the chattel mortgage is recorded twenty-five cents ($.25)

Such chattel mortgage shall except between parties thereto take effect and be valid only from the the time of recording as herein provided and in case of more than one chattel mortgage the first recorded shall have preference and be first paid out of the proceeds of the sale of the property mortgaged Such mortgage shall remain a lien on the mortgaged property as between the parties thereto until paid but as to third parties shall not remain a lien for a longer period than five (5) years unless the lien thereof is extended for an additional period of five (5) years by the filing with the recorder of deeds of the affidavit of the mortgagee or his successor in interest stating the amount then secured by the lien A notation of the filing of such affidavit and extension of lien shall be made on the margin of the original record of the chattel mortgage in the office of the recorder of deeds

Section 3 Any chattel mortgage executed under and pursuant to this act may be assigned by an instrument in writing signed and acknowledged by the mortgagee his or its agent or assignee and upon presentation of such assignment to the recorder of deeds in the office in which the chattel mortgage is recorded such recorder shall index and file the same and note on the margin of the page in which the chattel mortgage is recorded the fact of the assignment the date of the notation the name of the assignor the name of the assignee and the address of each the date of the assignment and the amount of the debt as of the date of the assignment and such assignment shall except as to the parties thereto take effect and be valid only from the time of the marginal notation as herein provided Any such chattel mortgage may be released by an instrument in writing signed and acknowledged by the mortgagee its assignee or a duly authorized attorney or agent of such mortgagee or assignee and upon presentation of such release in the office of the recorder of deeds where the chattel mortgage is recorded the recorder shall index and file the same and note the fact of such release and the date thereof on the margin of the page of the book where the chattel mortgage is recorded and when so noted such release shall fully and effectually release the lien of such mortgage

Section 4 Upon default of any of the terms and covenants of any chattel mortgage executed in accordance with the provisions of this act the mortgagee its assignee or duly authorized attorney or agent of such mortgagee or assignee shall have the right without process of law immediately to take possession of the mortgaged property and do all things necessary to preserve the same and any expense incurred in connection therewith shall be in-

cluded in and secured by the lien of said chattel mortgage This right shall be in addition to any and all other rights inuring to the benefit of the mortgagee or its assignee Such chattel mortgage upon default by the mortgagor in the payment of the mortage debt and interest or the covenants in the chattel mortgage contained may be foreclosed and the mortgaged property sold in the same manner as authorized by the laws of this Commonwealth in the case of personal property sold under execution

Section 5 Unless otherwise expressly provided by such chattel mortgage the mortgagor shall be entitled to retain possession of the mortgaged property until default under the terms of his agreement but a removal of the mortgaged property from the county in which it was actually located at the time of the execution of the mortgage shall be deemed a default unless expressly waived by the mortgagee or his duly authorized agent or assignee and the lien of the mortgage shall not bextinguished or impaired by the removal of the mortgaged property from the county in which the mortgage is recorded

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 68 (House Bill No. 70), as follows:

An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for assessment of benefits against property benefited and against municipalities counties and townships and for their collection providing for appeals conferring certain powers on municipalities counties and townships and the Department of Highways and making an appropriation

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Definitions The word "board" as used in this act means the Water and Power Resources Board of the Department of Forests and Waters

The phrase "Flood Control Fund" means the fund provided for in section twenty-seven of this act

The word "person" as used in this act shall include individuals associations partnerships and corporations

The word "plans" as used in this act shall mean plans maps profiles estimates of costs descriptions of public and private property and of municipalities to be benefited and other data and descriptions prepared by the Water and Power Resources Board to establish the area and boundaries of a proposed flood control district to locate adequate proposed flood control works to determine the cost of the erection and construction of the same to determine property to be taken damaged or benefited by the construction of such works and to make preliminary estimates of benefits to private property and shall also be construed to include similar plans prepared by any agency of the Federal Government

The word "municipality" as used in this act shall include counties cities boroughs incorporated towns and townships

Section 2 Surveys and Preliminary Plans The Water and Power Resources Board shall have power on its own motion or upon the petition of at least three municipalities or upon the petition of at least three hundred persons who are freeholders in any drainage area to make appropriate surveys and to prepare suitable preliminary plans for any proposed flood control district in such drainage area or any part thereof in order to control store preserve and regulate the flow of rivers and streams and diminish or eliminate floods inimical to the public health and safety and destructive to public and private property and works

Section 3 Notice and Public Hearing Objections When such surveys and preliminary plans have been completed the board shall give notice in at least two newspapers in each county wholly or partially within such proposed flood control district if so many are published therein once a week for two consecutive weeks which notice shall state the place where such preliminary plans may be inspected and the time and place when and where such preliminary plans may be discussed at a public hearing before the board and written objections thereto filed by any person or municipality

The board may in its discretion have such preliminary plans printed and furnish copies thereof to persons interested upon request made

Section 4 Detailed Official Plans Notice When such hearing or hearings on the preliminary plans have been completed the board shall proceed to consider all objections filed to the preliminary plans and shall affirm revise modify or change said plans as in its judgment is deemed just and proper and shall then prepare detailed official plans for the proposed flood control district The board shall give public notice of the adoption of such official plan in the same newspapers and by the same number of insertions as hereinbefore provided for the preliminary plans Such official plans may be printed and distributed in the same manner as the preliminary plans

Section 5 Appeals Procedure Any person or municipality aggrieved by the action of the board in the adoption of the official plans shall have a right to appeal from the action of the board to the Superior Court at any time within thirty days after the date of the last publication of the notice of the adoption of the official plans and not thereafter Such appeal shall be by petition against the board officially as defendant filed with the Superior Court alleging therein in brief detail the action complained of and praying for a modification or reversal thereof Such petition shall specify the petitioners objections to the action of the board and no objection not so specified shall be considered by the court

A copy of such appeal shall be filed with the board on the same day it is filed with the Superior Court Thereupon the board shall file with the Superior Court at least ten copies of the official plans The board shall not later than fifteen days after the filing of the appeal petition file with the Superior Court an answer thereto and send a copy thereof by registered mail to the person filing the appeal petition or his counsel of record The answer shall deny or admit the allegations in the petition and the grounds for its action

The Superior Court shall fix a time and place of hearing of which due notice shall be given to the appellant and his counsel and to the board in such manner as the Superior Court shall prescribe

After hearing the Superior Court shall make such order affirming the official plans of the board or modifying or changing the same as to it appears just and proper

The Superior Court shall have power to consolidate any and all appeals taken from the action of the board and hear them in the same proceeding

Section 6 When Official Plans Effective Official plans shall become effective for a flood control district and the district shall be deemed established when the period for appeal has expired if no appeal has been taken or if an appeal has been taken then when all appeals have been finally adjudicated

The board may proceed with the exercise of the powers granted by this act whenever an official plan has become effective and shall not be estopped in the exercise of its

powers by reason of the fact that benefits assessable under this act have not been determined and that the amount of money accruing to the Flood Control Fund has not been ascertained but no contract shall be let or agreement executed requiring expenditures exceeding the amount of moneys in said fund or to become available to said fund by the time such contract or agreement is completed or concluded

Section 7 General Powers of Board In order to carry into effect the official plans for any flood control district the board shall have power to clean out widen alter deepen or change the course current or channel of any river or stream to fill up any abandoned canal or water course to contruct and maintain levees dikes walls revertments dams lakes reservoirs and other works and improvements deemed necessary to prevent floods and to control preserve and regulate the flow of rivers and streams to construct or enlarge bridges and viaducts to construct relocate and elevate public highways to construct any of said works and improvements across through or over any public highway canal railroad right of way or track to remove or change the location of any fence building railroad canal or other improvement to acquire by donation lease purchase or condemnation and own or hold in the name of the Commonwealth real and personal property and easements and the public works erected and contructed under the authority of this act

Section 8 Board Designated As Agency To Receive Federal Moneys The Board is authorized to receive on behalf of the Commonwealth of Pennsylvania any and all Federal moneys grants contributions gratuities and loans available or hereafter made available by the government of the United States or any of its agencies or instrumentalities for State flood control works and improvements under such rules and regulations as may be prescribed by law of the Congress of the United States or any Federal agency or instrumentality and to pay the same over to the State Treasurer through the Department of Revenue for deposit and safe keeping All such moneys shall be paid into the Flood Control Fund created by this act

Section 9 Powers and Duties in Connection With Federal Works and Improvements In addition to the powers hereinbefore granted in connection with the creation of flood control districts the adoption of official plans in connection therewith and the carrying into effect of such official plans the board is hereby empowered and directed for and in behalf of the Commonwealth and its subdivisions to aid assist and cooperate in the carrying out of any Federal flood control program or plans and for such purposes shall have all of the powers conferred by this act with respect to the State created flood control districts and the execution of the official plans for such districts and all other powers whatsoever necessary or required in order to enable the Commonwealth to participate in and receive the benefits of any Federal flood control program or plans in this Commonwealth It shall have power among others to enter into and execute any and all contracts and agreements with agencies of the Federal Government and to do and perform all acts necessary in connection therewith and to assist and cooperate in the construction erection financing maintaining using and operating any Federal public flood control works and improvements and to enter into and execute such contracts as may be deemed necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act It shall have power to obligate the Commonwealth to pay a portion of the cost of such Federal flood control works and improvements not however exceeding amounts of money made available or to become available for such purposes

The board is authorized and directed to conform and comply with all rules regulations and requirements of the Federal Government and its agencies and instrumentalities

Section 10 Contracts All work of any character whatever performed under the authority of this act in connection with any state public flood control works and improvements involving an expenditure of more than one thousand dollars shall be performed under written contract let by the board to the lowest responsible bidder after due advertisement as prescribed by the board

Section 11 Power of Eminent Domain The board shall have power to acquire any property easements rights of way and water courses deemed necessary for the construction of any of its public works or improvements provided for in this act by the right of eminent domain and shall have power to enter upon injure or destroy any property deemed necessary The proceedings for the condemnation of property and for the assessment of damages for property taken injured or destroyed shall be in accordance with the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred seventy-six) entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefore" and its amendments and supplements

The board shall have like powers of eminent domain as hereinbefore granted in this section and in accordance with the same procedure provided by this section to acquire property easements rights of way and water courses deemed necessary by the board to enable the Federal Government or any of its agencies or instrumentalities to erect and construct suitable public flood control works and improvements in this Commonwealth in the construction and erection of which the board has been authorized by this act to aid assist and cooperate

The board shall have the power to authorize the Federal Government or any of its instrumentalities or agencies to acquire outside the Commonwealth such property easements rights of way and water courses as are deemed necessary for the construction of any public works or improvements provided for in this act and to order the payment therefor out of the Flood Control Fund to the Federal Government or its instrumentality or agency not however exceeding amounts of money made available or to be made available in the flood control fund

Section 12 United States Not to be Liable Federal Rules and Regulations All lands rights in lands rights of way and water courses acquired under the authority of this act for State or Federal flood control works and improvements shall be acquired without cost to the United States and no moneys made available for flood control in this Commonwealth by the United States shall be used for such purposes unless in either event the Government of the United States or any of its agencies or instrumentalities shall first consent thereto nor shall the Government of the United States be deemed liable for any damages by reason of its contribution arising in connection with the construction of any State or Federal public works or improvements The Commonwealth hereby agrees that after such state public works and improvements are constructed where the Federal Government has contributed the same will be operated and maintained in accordance with all rules and regulations prescribed by the Secretary of War of the United States or any other agency or instrumentality of the United States

Section 13 Contracts and Agreements With Municipalities and Persons The board shall have power to enter into contracts and other agreements with municipalities and persons for cooperation and assistance in constructing financing maintaining using and operating any State or Federal public flood control works or improvements and to enter into and execute such contracts and agreements as may be necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act

Section 14 Relocation of Roads Streets and Bridges The Department of Highways and municipalities may enter into agreements with the board of relocate roads streets bridges and viaducts necessitated by the construction of any State or Federal flood control works and improvements and may agree therein to construct new roads streets bridges and viaducts and pay the cost of the same or any part thereof from the Motor License Fund or municipal moneys without any charge or only part of the cost

charged against the moneys in the Flood Control Fund The board may consent in any such agreement to pay the whole or any part of the cost of constructing such relocated roads streets bridges and viaducts from the moneys in the Flood Control Fund Such relocated roads streets bridges and viaducts may be constructed by the Department of Highways or by contract let by said department or the municipality or by the board as may be agreed upon

Section 15 Acceptance of Completed Federal Works and Improvements The board shall have power to accept on behalf of the Commonwealth all Federal flood control works and improvements after the same have been completed and to agree with the Federal Government to maintain and operate such works and improvements for the primary purpose of flood control in accordance with the rules and regulations of any agency or instrumentality of the Government of the United States

Section 16 Water Power and Supply The rights of landowners municipalities and persons to the waters in a flood control district or in waters affected by any State or Federal flood control works or improvements for domestic use water supply industrial purposes water power or for any other lawful purposes shall extend only to such rights as are owned or possessed by them prior to the establishment of the flood control district or the construction of such flood control works and improvements and to such use as could be made of such waters if the public improvements and works herein authorized had not works make possible a greater better or more convenient use of or benefit from the waters in a flood control district the right of such greater better or more convenient use of or benefit from such waters shall be the property of the Commonwealth saving the rights of the Federal Government as to navigation Such rights may be leased sold or assigned as the Legislature may hereafter provide but at all times the primary purpose of flood control shall be preserved

Section 17 Source of Finances The cost and expenses of making the surveys hereinbefore provided the preparation of preliminary and official plans all advertising the erection and construction of public works and improvements and of all other work of any kind and character authorized by this act the acquisition of any and all property in connection therewith and of all other necessary and incidental costs and expenses including the expenses of the members of the board salaries and expenses of engineers experts workmen clerks assistants and other employes all court and viewers' costs assessed against the Commonwealth and all other proper and necessary expenses of any kind and character deemed necessary by the board to carry into effect the provisions of this act shall be paid from appropriations made by the Commonwealth to the Flood Control Fund from Federal moneys available or made available to this Commonwealth as grants contributions gratuities and loans for flood control works and improvements from gifts and donations received from persons from appropriations and contributions made to the board by municipalities from contributions by other states and their political subdivisions and from moneys arising from benefits assessed under the authority of this act against private property and against municipalities benefited or to be benefited by the construction of such public works and improvements to protect public and private property and improvements from damage and destruction by floods All moneys so made available shall likewise be available for expenditure by the board to aid and assist in the erection and construction of Federal public flood control works and improvements beneficial to the people of this Commonwealth

Section 18 Appointment of Viewers After the official plan has been finally adopted and has become effective or whenever the Federal Government has adopted a plan for Federal flood control works and improvements in the construction and erection of which the board has agreed to aid and assist financially and otherwise the court of common pleas of each county wholly or partially within a flood control district as established by the official plan or of any county lying wholly or partially within any drainage area for which Federal flood control works and improvements are to be erected and constructed may on its own motion and shall on the application of the board appoint a board of three viewers from the county board of viewers whose duty it shall be to assess all benefits to private property and to municipalities to be occasioned by the erection and construction of the State or Federal public works and improvements or both It shall be the duty of the board to furnish to each board of viewers so appointed a complete set of the State Official plans showing the private property and the municipalities within the county which will be benefited by the proposed public works and improvements and also of any Federal plans if the same are available

Section 19 Swearing Viewers Assessment of Benefits Notice Hearings The viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters before them or to be submitted to them and relation to which they are authorized to inquire and having viewed each parcel of private property and each municipality which according to the official State plan or Federal plan or program is to be benefited shall hear all parties and their witnesses and shall determine the benefits if any to accrue to each such parcel of private property and to each municipality and shall prepare a schedule of such property and a municipal schedule and the amount of benefits assessed against each piece of private property and against each municipality

No assessment of benefits shall be made against public property No assessment of benefits shall be made against any private property unless in the opinion of the board of viewers such property will be benefited by the prevention or lessening of future flood damage No assessment shal be made against any municipality unless in the opinion of the board of viewers the municipality will be benefited because its buildings roads streets parks water supply plants and other public property and works will be protected from flood damage The fact that public and private property and works have been damaged by flood shall be deemed conclusive evidence that benefit will accrue to such property or municipality by reason of the public works and improvements authorized by this act or provided by the Federal Government or its agencies or instrumentalities No exemption from assessment of benefits shall exist for any private property or any municipality by reason of the fact that the same does not abut on any improvement or on the river or stream carrying the flood waters

The viewers shall give notice to all persons and municipalities against whose properties or against which benefits have been assessed of a time when and place where the viewers will meet and exhibit their schedules and hear all exceptions thereto Such notice shall be given by registered mail addressed to the last known post office address of the owner or reputed owner of the property and to the corporate authorities of each municipality and by publication once a week for two weeks in at least two newspapers of general circulation in the county where so many are published in the county The failure of an owner or municipality to receive the registered mail notice shall not be deemed to invalidate the proceedings but in such cases the notice by publication shall be deemed sufficient

Section 20 Revision of Schedules Filing and Notice Thereof After hearing all parties and after making whatever changes are deemed necessary the viewers shall prepare a revised schedule of benefits to private property and a revised schedule of benefits assessed against municipalities and file a copy of each in the court of common pleas of the county When the reports of the viewers are filed they shall be confirmed nisi When the reports are filed notice thereof shall immediately be given by the board of viewers by publication once in the newspapers in which the notice of the hearings before the viewers was published Such notice shall state the date of the filing of the reports shall contain the schedules of the benefits assessed and shall state that unless exceptions are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the reports will be confirmed absolutely

Section 21 Filing of Exceptions and Appeals Within thirty days after the filing of the report of viewers any

person or municipality interested may file exceptions to the same or may appeal to the court of common pleas and demand a jury trial

Each person or municipality filing exceptions or taking an appeal shall except to or appeal from so much of the report only as affects property in which he has an interest or as affects the municipality and the part of the report of the viewers not excepted to or appealed from shall be confirmed absolutely after said thirty day period

Section 22 Procedure on Exceptions and Appeals Where exceptions to a report of the viewers are filed the court shall proceed to hear and determine the same in the manner exceptions to the reports of viewers are generally proceeded with within the county Where an appeal is taken it shall state the grounds upon which the appeal is taken and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Upon the trial of any appeal or the hearing of any exceptions in case the appellant or party excepting does not obtain a verdict or decree more favorable than was the report of the viewers he or it shall not recover any costs

The court of common pleas shall order what notices shall be given in connection with such proceedings by exceptions or by appeals and may by rule or otherwise prescribe the form of the pleadings

The court may also in proper cases consolidate proceedings by exceptions or appeals into a single proceeding but exceptions or appeals involving municipalities shall not be consolidated with those involving private property

Section 23 Appeals to Superior and Supreme Courts Any person or municipality aggrieved by an order of court on exceptions filed or determination of the case where a jury trial was demanded may within thirty days after such final order or determination and not thereafter appeal to the Supreme or Superior Court as the case may be

Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same or involve the same questions the Superior Court may certify such appeal to the Supreme Court to be heard with other appeals from the same report

The Supreme or Superior Court shall consolidate all appeals coming before it from the same report and hear them as one case except that cases arising from exceptions shall not be consolidated with those arising from appeals and demands for a jury trial and those involving municipalities shall not be consolidated with those involving benefits to private property

Where any appeal is taken to the wrong court such court shall certify the same to the court to which it should have been taken

Section 24 Due Date for Payment of Benefits Discounts for Prompt Payment Interest All assessments of benefits shall become due and payable to the board when the State or Federal public flood control works and improvements have been completed which date shall be fixed by the official order of the board notice of which order shall be published by the board in the newspapers in which notice of the preliminary and final plans were published by one insertion

Any person or municipality may pay any part or all of the benefits assessed against him or it to the board before the due date thereof If such payment is made within six months after the amount of the benefits have been finally ascertained a discount of ten per centum of the amount thereof paid shall be allowed All benefits or any part thereof paid after such six months' period and within one year from the time the benefits are finally ascertained shall be subject to a discount of five per centum of the amount paid All assessments of benefits or parts thereof remaining unpaid when the improvements are completed shall bear interest at the rate of six per centum per annum from the date of the completion of the improvements until paid

The board shall send by registered mail addressed to the last known post office address a statement of the amount due by each person and municipality after the same has been finally ascertained together with notice of the discounts allowed by this act for prompt payment and when interest will be added to the amount due

Section 25 Liens and Filing Thereof Procedure Thereon to Collect All assessments for benefits against private property shall remain a lien thereon from the time report of the viewers is filed in court until paid unless the lien thereof be lost by failure to revive the same It shall be the duty of the board within six months after its order that the public works and improvements have been completed to file through the Department of Justice in the name of the Commonwealth of Pennsylvania in the office of the prothonotaries of the proper counties liens for all benefits assessed which remain unpaid by persons and municipalities But no such lien shall be filed unless the board shall first notify by mail addressed to the last known post office address of the owner or reputed owner of the property or the municipality against which an assessment has been made of its intention to have said lien filed if payment of the amount due is not made before a time prescribed by the board Such liens shall be filed in the same manner as is provided by law for the filing of municipal claims and shall have priority over all other liens except taxes and municipal claims or liens and except also mortgages and judgments of record prior to the time the report of the viewers was filed in court

Such liens shall be revived prosecuted to judgment executed and collected by the board through the Department of Justice in the same manner in all respects as is provided by law in the case of municipal claims except that in the case of municipalities judgments recovered on such liens shall be collected in the same manner as judgments are collectible by law against municipalities

Section 26 Increase of Municipal Debts Appropriations Any municipality may incur or increase its indebtedness in the manner provided by law for the purpose of appropriating moneys to the board to assist in carrying out the purpose of this act and for the purpose of paying benefits assessed against it by the report of viewers or as finally adjudicated and may make appropriations from current funds for such purposes

Section 27 Flood Control Fund Created Appropriation of Moneys therein A special fund to be known as the Flood Control Fund is hereby established in the State Treasury into which shall be paid all moneys appropriated by the Commonwealth and received from the Federal Government and other states and their political subdivisions for flood control work and projects and all moneys arising from gifts or donations from persons and municipalities and recovered from benefits assessed against persons and municipalities under the provisions of this act

All moneys in the Flood Control Fund from time to time are hereby specifically appropriated to the board for the payment of any and all costs and expenses properly payable under the provisions of section seventeen of this act for repayment to the General Fund of excess appropriations made by the Commonwealth pending the collection of assessments of benefits and for payments on account of any moneys which the board may have agreed to contribute to aid and assist in the erection and construction of any Federal flood control works and improvements and in the erection and construction of flood control works and improvements under compacts and agreements with other states

Where more than one flood control district is created separate accounts shall be kept for each district and payments from the Flood Control Fund for or on account of any one district shall not exceed the amount credited to such district in said fund.

Section 28 Additional Appropriations to Cover Delayed Payment of Assessments If in the construction and erection of the public works and improvements authorized by this act it becomes necessary for the Commonwealth to advance additional State moneys by appropriation to the Flood Control Fund because of a failure of owners of property and municipalities to pay benefits assessed within the time and in the amount estimated by the board then and in that event the General Fund shall be reimbursed by the board from future moneys collected from assessments of benefits to the extent of such additional appropriations The General Assembly shall in its appropriations to carry into effect the provisions of

this act state the amount or amounts of appropriations so made which shall be so repaid to the General Fund

Section 29 Cooperation With Other States The Water and Power Resources Board is hereby designated as the agency of the Commonwealth with power to enter into reciprocal compacts and agreements with other states in developing flood control projects and works and shall have authority to expend moneys made available and appropriated by this act for interstate flood control works and improvements located within or without this Commonwealth on rivers and streams entering into or flowing out of or along the borders of this Commonwealth and to receive for payment into the Flood Control Fund from other states and their political subdivisions any moneys to aid and assist in the construction of flood control works and and improvements located in this State which are deemed beneficial to the inhabitants of other states Payments on account of such interstate works and improvements may be made by the board direct to the contractor or to the agency of such other state which let the contract or is performing the work of constructing such works or improvements or to the Federal Government or any of its instrumentalities or agencies supervising the construction of such works or improvements

The board is further authorized to empower the Federal Government or any of its instrumentalities or agencies to supervise the construction of such interstate flood control works and improvements

Section 30 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions had not been included therein

Section 31 Appropriation The sum of two million dollars ($2,000,000) or so much thereof as may be necessary is hereby specifically appropriated from the General Fund into the Flood Control Fund created by this act for the purpose of carrying into effect the provisions of this act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ARON. Mr. President, I move that Senate Bill No. 68 (House Bill No. 70), the bill just read, be recommitted to the Committee on Judiciary General for further study.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 79 (House Bill No. 100), as follows:

An Act to further amend the title to reenact and further amend paragraph (e) of section one and to further amend section thirty-nine of the act approved the twentieth day of June one thousand nine hundred nineteen (Pamphlet Laws five hundred twenty-one) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by defining as a transfer and taxing the right of survivorship in property as to which such right exists and providing for the extension of the Commonwealth's lien on real property for a further period of time

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and in is hereby enacted by the authority of the same That the title of the act approved the twentieth day of June one thousand nine hundred nineteen (Pamphlet Laws five hundred twenty-one) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until he tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws six hundred ninety) is hereby further amended to read as follows

An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer has been paid and providing penalties and citing certain acts for repeal

Section 2 That paragraph (e) of section one of the said act as last amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws six hundred ninety) is hereby reenacted and further amended to read as follows

(e) Whenever any property real or personal is held in the joint names of two or more persons except as tenants by the entirety or is deposited in banks or other institutions or depositories in the joint names of two or more persons except as husband and wife [and payable to either or the survivor upon the death of one of such persons the right of the surviving person or persons entitled to the immediate ownership or possession and enjoyment of such property shall be deemed prima facie a transfer of one-half or other proper fraction thereof taxable under the provisions of this act in the same manner as though this part of the property to which such transfer relates belonged to joint tenants or point depositors as tenants in common and had been bequeathed or devised to the surviving person or persons by such deceased joint tenant or joint depositor by will] so that upon the death of one of them the survivor or survivors have a right to the immediate ownership or possession and enjoyment of the whole property the accrual of such right by the death of one of them shall be deemed a transfer taxable under the provisions of this act of a fractional portion of such property to be determined by dividing the value of the whole property by the number of joint tenants in existence immediately preceding the death of the deceased joint tenant Subject to the provisions of paragraph (c) of this section the provisions of paragraph (e) shall apply regardless of when such joint estate was first created

Whenever personal property is deposited in banks or other institutions or depositories in the joint names of two or more persons except by a husband and wife as tenants by entireties and one of the parties to such de-

posit shall die it shall be the duty of such band or other institution or depository within ten days after knowledge of such death to notify the Department of Revenue of such death giving the name of such deceased person the date of creation of the joint deposit the amount [deposited] on deposit at date of death with such bank or other institution or depository and the name and address of the survivor or survivors to such account Any bank or other institution or depository which after knowledge of any such death shall fail immediately to notify the Department of Revenue as herein required shall be liable to a penalty of one hundred dollars ($100.00) to be recovered by the said department as debts of like amount are by law recoverable

Section 3 That section thirty-nine of the said act as amended by the act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred ninety-five) is hereby further amended to read as follows

Section 39 The lien of all taxes imposed by this act shall continue until the tax is settled and satisfied and shall be limited to the property chargeable herewith All such taxes shall be sued for within five years after they are due otherwise they shall be presumed to have been paid and cease to be a lien as against any purchasers of real estate Provided however At any time within said five year period if the inheritance taxes on the realty appraised are not paid the Department of Revenue shall have power to file a certificate under its seal certifying to such non-payment which when filed in the prothonotary's office of the county where such real estate is situated shall become a lien against decedent's real estate for a further period of five years from the date of such filing and such lien shall be indexed in the judgment index in the name of the decedent as defendant If the inheritance taxes on the realty appraised are not paid within said further period of five years the Department of Revenue shall have power to extend the lien for an additional period of five years by filing a certificate in the manner aforesaid

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 82 (House Bill No. 77), as follows:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by permitting the taxation for State purposes of property taxable for county purposes by making provision with regard to penalties and for duplicate returns by taxpayers and for the use thereof and by making certain information confidential and imposing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as last amended by the act approved the twenty-first day of April one thousand nine hundred thirty-three (Pamphlet Laws fifty-four) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all personal property of the classes hereinafter enumerated owned held or possessed by any person persons copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or Government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of the Commonwealth all monies loaned or invested in other States Territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest bearing accounts in any bank or banking institution savings institution or trust company And provided That the provision of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or

shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purpose [or for State purposes] under the laws of this Commonwealth And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated hereafter received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any State or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any State or government other than this Commonwealth and not doing business within this Commonwealth

Section 2 That section two of said act is hereby amended to read as follows

Section 2 That the board of revision of taxes or board for the assessment and revision of taxes or the commissioners of every county in this Commonwealth shall annually furnish the assessors of the several townships boroughs and cities of the respective counties with blanks to be prepared by them and it shall be the duty of each of said assessors to furnish a copy of the same in duplicate to every taxable person copartnership unincorporated association joint stock association and company limited partnership and corporation in his respective ward district borough or township or to any officer agent or employe found at the place of business of any such limited partnership or corporation in his ward district borough or township upon which blank each taxable person copartnership unincorporated association company limited partnership joint stock association and corporation shall respectively make return annually in duplicate of the aggregate amount of all the different classes of personal property made taxable by the first section of this act held owned or possessed by said person copartnership unincorporated association company limited partnership joint-stock association or corporation either in his her or its own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company limited partnership joint-stock association or corporation [which] The original return shall be made and sworn or affirmed to by such taxable person and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof Provided That any corporation joint-stock association or limited partnership doing business in more than one county shall be liable to make such return only in the county in which its principal office within this Commonwealth is situated

The duplicate return shall be forwarded by the commissioners board of revision of taxes or board for the assessment and revision of taxes to the Department of Revenue for its use and information

Section 3 That section three of the said act is hereby amended to read as follows

Section 3 (a) That the affidavit required to be made by [the last preceding section] section two of this act shall be made before the proper assessor or other person authorized to administer oaths and shall set forth that the return is full true and correct to the best of his or her knowledge and belief and any person or officer who shall wilfully and corruptly make a false and fraudulent return as aforesaid shall be guilty of wilful and corrupt perjury and upon his or her conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment by separate and solitary confinement at labor not exceeding seven years and thereupon be forever disqualified from being a witness in any matter or controversy

(b) Any person who shall fail neglect or refuse to make the return required by section two of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred dollars and costs of prosecution or to undergo imprisonment not exceeding six months or both in the discretion of the court

Section 4 That section thirteen of the said act is hereby amended to read as follows

Section 13 (a) That any wilful failure on the part of the county commissioners board of revision of taxes borough township district and ward assessors recorders of deeds prothonotaries and clerks of courts to carry out the duties imposed upon them by the several sections of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to a fine not exceeding five hundred dollars and imprisonment not exceeding one year

(b) Any information gained by the county commissioners board of revision of taxes board for the assessment and revision of taxes Department of Revenue and borough township district and ward assessors as a result of any returns investigations hearings or verifications required or authorized by this act shall be confidential except for county city and State purposes and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars or to undergo imprisonment for not more than three years or both in the discretion of the court

Section 5 This act shall become effective immediately upon its final enactment

BILL RECOMMITTED

Mr. HOWELL. Mr. President, I move that Senate Bill No. 82 (House Bill No. 77), the bill just read, be recommitted to the Committee on County Government.

Mr. REED (Dauphin). Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second readng and consideration of Senate Bill No. 90 (House Bill No. 98), as follows:

An Act to create a State Planning Board prescribing its powers and duties imposing certain duties upon political subdivisions and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "State Planning Board Law"

Section 2 There is hereby created a State Planning Board which shall be an independent administrative board to consist of nine members appointed by the Governor by and with the advice and consent of the Senate Four members of the State Planning Board shall be appointed from among the heads or chief executive officers of State departmens The remaining five members shall be appointed from among the citizens of the State and they shall hold no other State office to which any salary is attached The term of office of members of the State Planning Board shall be five years and until their successors are appointed and qualified Provided however That members who are also heads or chief executive officers of State departments shall not serve as members of the State Planning Board beyond their term of office in such other State service Of members of the State Planning Board first appointed three shall be appointed for a term of one year three for a term of three years and three for a term of five years Thereafter all appointments shall be made for a term of five years In case of a vacancy the Governor shall make appointment for the unexpired term The Governor shall designate the chairman of the board Five members of the board shall constitute a quorum All members shall serve without compensation but they shall be allowed such reasonable expenses as are authorized by the board and incurred in the immediate discharge of their duties to be paid out of such funds as may be available and in the same manner as the expenses of other State officials are paid The State Planning Board shall maintain offices which shall be provided by the Department of Property and Supplies

The State Planning Board shall keep permanent and complete records of its proceedings meetings hearings orders and decisions It is authorized and empowered to employ such technical and clerical assistants as may be required and fix their compensation and incur other necessary expenses within the limits of the appropriations provided The head of any department or agency of the State government or any political subdivision of the Commonwealth is hereby authorized to assign technical employes to assist the board

Section 3 The board with the approval of the Governor shall appoint and fix the compensation of a planning secretary who shall act as executive director of the board and who shall conduct the work of the board under its supervision The planning secretary shall hold no other position in the service of the Commonwealth or any subdivision thereof and shall be technically qualified for the duties of his office

Section 4 (a) It shall be the duty of the State Planning Board to prepare and from time to time to perfect a State master plan for the physical development of the State Such State master plan with the accompanying maps plats charts and descriptive matter shall show the board's recommendations for the development of the State and may include among other things parkways bridges waterways water front development flood prevention work parks reservations forests wild life refuges aviation fields drainage and sanitary systems works for the prevention of stream pollution railroad and motor vehicle routes power transmission facilities public buildings and other public ways grounds spaces utilities facilities structures institutional and other buildings and works which by reason of their function size extent location legal status or other reason are of State-wide as distinguished from merely local concern or the location construction or authorization of which falls according to law within the province of State agencies or officials or which for any reason are appropriate subjects of a State as distinguished from a merel local program or plan the general location and extent existing and prepared forests agricultural areas and othe development areas for purposes of conservation food an water supply sanitary and drainage facilities or the pro tection and perfection of urban and rural developmer also a land utilization program including the general cla sification and allocation of the land within the Stat amongst mineral agricultural soil conservation water con servation forestry recreational industrial urbanizatio housing and other uses and purposes. The board shall i addition

(b) Advise with the various State departments an bureaus and with local authorities and individuals with view to the coordinating of all physical development plan including plans for highway airway and air terminal parkways parks water supply development flood contr and land use recreation areas and forest reservations an such other things as are related to an ordered and compre hensive development of the State

(c) Prepare amend and keep up to date a long ter development program of all major State improvemen projects The public works program so prepared shall b a comprehensive construction and financial program cov ering a ten year period and shall be prepared in con sultation with the several State departments for th purpose of assisting by long term budgeting of capita expenditures in stabilizing industry and employment b promoting the planning and timing of public work within the State and by the elimination of unplanne untimely unnecessary and extravagant projects All Stat departments divisions and officials shall submit thei respective ten year programs and proposals for improve ments to the board and it shall be the duty of the boar to coordinate such programs and proposals with eac other and with the State master plan The board shal encourage the preparation of detailed plans for construc tion projects by the departments boards commissions an other agencies of the State All plans for all projects a enumerated above and originating under whatsoeve authority or department shall be presented to the Stat Planning Board for consideration by them when firs taken under consideration by such authority or depart ment and in a preliminary form The public works pro gram shall be revised annually for the purpose of ex tending it one year in the future and a report thereo shall be submitted by the board to the Governor once year or more often if requested by the Governor It shal also be the duty of the board to promote and encourag the development of similar public works programs i the various political subdivisions of the State and to co ordinate local public works programs where joint actio is required

(d) Collect and publish information relating to th proper development of the State and the conservation o its natural resources designed to promote the general wel fare and make such recommendations thereon to the Gov ernor as it may deem proper and advisable

Section 5 The board may adopt the State master plan as a whole or as the work of making the plan progresses may from time to time adopt a part or parts thereof and any such part or parts so adopted shall cover one or more of the functional elements which may be included in the plan The board may from time to time amend extend or add to the plan or carry any part of the plan into greater detail The adoption of the plan or any part amendment extension or addition thereof shall be by resolution of the board adopted by the affirmative votes of not less than eight members of the board The resolution shall refer expressly to the maps charts and descriptive matter intended by the board to form the whole or part of the plan and the action taken shall be recorded on the maps charts and descriptive matter by the indentifying signature of the chairman of the board

Section 6 The board may submit its master State plan or any portion thereof to the Governor with recommendation for official approval Before approving any plan o plans for such official action the board may hold public hearings thereon Such plan or plans when approved by the Governor shall be known as the official State plan

Section 7 From and after the adoption by the State

anning Board of the State master plan or of any part ereof and the certification by the board to the Governor a copy of the plan or such parts thereof then and enceforth no State highway park forest reservation or ner State way or ground and no State building or ucture or property shall be constructed or acquired with ate funds or located constructed or authorized by any ate board official or department unless the proposed ation and extent thereof shall have been submitted to e State Planning Board and the report and advice of the ard thereon shall have been received but this require-nt shall be deemed to be waived if the board fails to rnish in writing its report and advice upon the pro-sal within forty-five days after the submission thereof it In case any such way ground building structure or operty be given a location or extent which does not cord with the report and advice of the State Planning ard the State department or official having charge of e location authorization construction or acquisition of e same shall file in its or his office a statement of its his reason for the departure from such report and vice and such statement shall be open to public inspec-n

This section shall not apply to ways grounds buildings uctures or properties which are under construction or quisition which shall have been fully authorized or ose location and extent shall have been determined evious to the taking effect of this act

Section 8 Upon request by the Governor the General sembly or any State department or agency and if the ney therefor is made available over and above the ard's appropriation the board is authorized to make cial studies and recommendations with respect thereto any subject or problem coming within the general pur-w of the board as defined by this act

Section 9 The State Planning Board shall cooperate th county municipal and regional planning boards if d when created for the purposes of aiding and en-uraging an orderly and coordinated development of the ate and encourage and assist in their creation and shall o cooperate with planning boards and similar bodies other States and of the Federal Government in formu-ing comprehensive regional plans and in the solution regional problems

Section 10 The State Planning Board may request from e various State departments and other agencies of the mmonwealth and its political subdivisions such avail-le information as it may require in its work and all ese agencies shall within a reasonable time furnish such quested information to the board

Section 11 The board or any member thereof when thorized to do so by a majority of the board may hold blic hearings administer oaths take affidavits and may subpoena compel the attendance of witnesses and the oduction of books records papers and evidence relating the authority for investigation and study invested in e board Upon application by the board the court of mmon pleas of any county shall by proper proceedings force the attendance before it and the production of timony of witnesses and the production and examina-n of books papers and records by issuing its subpoena

Section 12 The State Planning Board shall submit a port of its recommendations for State improvements and velopments in January of each year to the Governor

Section 13 The State Planning Board is hereby author-d and empowered to use and expend any funds com-g into its hands for the purposes of this act and it is thorized and empowered to accept and use any funds ovided by the United States Government or any agency ereof or of gifts made for such purposes

Section 14 The sum of ten thousand dollars ($10,000) hereby specifically appropriated to the Pennsylvania ate Planning Board for the biennium ending May thirty-st one thousand nine hundred and thirty-seven for the rpose of carrying into effect the provisions of this act

Section 15 The provisions of this act are severable and any of the provisions thereof are held to be unconstitu-nal the decision shall not be construed to impair any ner provision of this act It is hereby declared as a gislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 16 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. REED (Dauphin). Mr. President, I move that Senate Bill No. 90 (House Bill No. 98), the bill just read, be recommitted to the Committee on County Government.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 101 (House Bill No. 63), as follows:

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred and five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the dispositon of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring extra fees for the assignment of special registration plates

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred and five) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs

upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

Section 501 Registration Plates to be Furnished by Department

(a) The department shall furnish to every owner whose motor vehicle is registered and for each registration applied for by a manufacturer jobber or dealer in motor vehicles trailers or semi-trailers two registration plates and to every owner of a registered trailer semi-trailer motorcycle or bicycle with motor attached and for each registration applied for by a manufacturer jobber or dealer in motorcycles or bicycles with motor attached one registration plate

(b) Every registration plate shall have displayed upon it the registration number assigned to the vehicle the name of the Commonwealth which may be abbreviated the year number for which it is issued and any other identification the department may deem necessary The required letters and numerals on such plate or plates shall be not more than five (5) inches in height to be plainly legible from a distance of one hundred (100) feet during daylight except that the required letters and figures on motorcycle motorcycle dealer and bicycle with motor attached plates shall be not more than three and one-half (3½) inches in height

(c) Registration plates shall be assigned to each vehicle registered except official vehicle in the order in which applications for registration are received but the department may assign special plates if application is made therefor upon blanks furnished by the department and upon the payment of an extra fee as follows ten ($10.00) dollars for any plates in series A to Z AA to ZZ 1 to 999 A1 to Z99 and AA1 to ZZ9 five ($5.00) dollars for any plates in series A100 to Z999 AA10 to ZZ99 and 1000 to 9999 Where two persons apply for the same special plates the department shall issue the same to the person first applying therefor No plates in the above series shall be issued except upon application and the payment of the extra fee herein specified Whenever any person has been assigned a special plate as herein provided such person shall be entitled to the same special plates for the following year upon payment of the specified fee provided application accompanied by the fee specified is received in the Department of Revenue prior to the tenth day of December of the year preceding the year for which tags are desired.

[(c)] (d) It shall be unlawful to display on any vehicle an altered defaced or forged registration plate or for any person or any employe of the department to assign to any person any such special registration plate prior to January first of the year for which issued unless application has been made therefor and the extra fee paid as provided in clause (c) of this section

Penalty Any person violating any of the provisions of sub-section [(c)] (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 2 One dollar for each special license fee collected under the provisions of this act shall be deducted for departmental overhead expenses and shall be paid into the Motor License Fund All other moneys collected under the provisions of this act shall be paid to the State Veterans Commission through the State Emergency Relief Board and be used for the payment of the expenses of said commission and for the purpose of providing necessities of life or other assistance to needy Pennsylvania veterans or their dependents and for such purposes are hereby specifically appropriated to the State Emergency Relief Board

Section 3 This act shall be in force for registration plates issued for the calendar year one thousand nine hundred and thirty-seven and each year thereafter

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

RECONSIDERATION OF SENATE BILL NO. 50

Mr. ARON. Mr. President, I move to reconsider the vote by which Senate Bill No. 50, entitled:

An Act to limit the amount of moneys allocated to and expended in counties by the State Emergency Relief Board for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with the care of the poor for the maintenance of unemployable residents; and requiring such political subdivisions to make certain reports

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. ARON. Mr. President, I voted "aye".

Mr. SALUS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SALUS. Mr. President, I voted "aye".

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Mr. THOMPSON. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Centre, Mr. Thompson, will state his point of order.

Mr. THOMPSON. Mr. President, my point of order is that there is not a quorum present.

The PRESIDENT. The point of no quorum is raised. The Clerk will call the roll and ascertain whether there is a quorum.

The roll was called, and the following Senators responded to their names:

Aron,	Harvey,	Miller,	Scott,
Baumer,	Homsher,	Owlett,	Shapiro,
Bean,	Howell,	Pierson,	Staudenmeier,
Buckman,	Huffman,	Prince,	Thompson,
Cavalcante,	Kahle,	Pytko,	(Centre)
Frey,	Law,	Rice,	Thompson,
Gelder,	Mallery,	Rodgers,	(Westmoreland)
Graff,	McClure,	Ruth,	Trainer,
Harris,	McCreesh,	Salus,	Woodward,

The PRESIDENT. Thirty-three Senators having responded to their names, a quorum is present.

And the question,

Will the Senate agree to the motion?

Mr. THOMPSON (Centre). Mr. President, I would like to explain this bill in brief fashion. In the first place, in consideration of this bill, we must divorce our minds of any question of the relief employables. This bill has nothing to do with the class that are known as employables. This bill is calculated to create an impartial administration of relief for unemployables throughout this State. The opposition to this bill which has just been voiced, and which has not been voiced heretofore, has come principally, if not entirely, from Philadelphia County. In every other county in the State except Philadelphia County, no county has been able to receive any assistance

from the State Emergency Relief Board for the relief of unemployables. Now, I say that, and I want to emphasize that because I want to distinguish between relief for employables and relief for unemployables. In my county, while we have tried for years—ever since there has been an Emergency Relief Board—we have been unable to get one cent for relief of unemployables, and practically every other county is in exactly the same position. I have no quarrel with the City of Philadelphia having maintained by the Emergency Relief Board its 13,000 cases of unemployables, but I say to you, Mr. President, if Philadelphia can get that, there is no reason why other counties in this State cannot have relief for their unemployables. The Poor Districts throughout this State whether they are township, county, or divisions of counties, or the larger percentage of them, are busted, just the same as the City of Philadelphia, and yet when they have come to Harrisburg, time after time, there is not one of them that has ever been able to get a nickel out of the State Emergency Relief Board for the relief of their unemployables. Let me give you an example of what I mean: The small town of four thousand from which I come spends annually $7,500.00 to $8,000.00 a year for outdoor relief and maintenance, and poor houses in addition to that. In 1935 the budget of the City of Philadelphia for poor relief was $3,500, and yet the State Emergency Relief Board maintains 13,000 cases.

Now, we have no quarrel, we in the up-State, but we do want a situation created so that we can get help for our unemployables in other parts of the State as well as the City of Philadelphia, and it isn't fair to us, to every county in the State, to permit this situation to exist without some rectification.

Now, this bill is perfectly fair to everybody. It allows the State Emergency Relief Board to appropriate in each county as much as the Poor Districts in that county appropriates for poor purposes, and equalizes this burden of maintenance of unemployables. We have had to tax real estate in every other portion of the State right up to the limit for poor purposes. Our poor taxes are distressing to everyone, and yet we have not been able to receive any help from the State Emergency Relief Board, and I say to you, it is time that there is legislation passed in this Senate and in the House to correct the condition that exists in the distribution of relief to unemployables; and I question whether any Senator from up-State and from Philadelphia dares go back to his constituents and say that he has voted against a bill which will correct this discriminatory condition that exists all over the State on this question of unemployables.

Mr. SHAPIRO. Mr. President, I can talk freely on this bill because I was the only member of the Senate to vote against it. This bill was passed this morning without due regard to the effect on the rest of the State, indicating, to my mind, the fallacy of attempting to correct in this fashion a condition that cannot be corrected piecemeal. What the Senator from Centre, Mr. Thompson, has said —that Philadelphia does have the largest share of unemployables—is true, but that is no reason why those unemployables should be dumped over night back on to the City of Philadelphia.

I might say that Philadelphia pays the largest portion of the taxes for upkeep of the State highways in Pennsylvania, and gets the smallest amount in return on its investment; and I say that in times like this, when we have all we can do to take care of our employables, there should not be a sudden change. After all, these citizens are not only citizens of Philadelphia but citizens of the Commonwealth of Pennsylvania; and the Mayor of Philadelphia came here yesterday in an effort to help solve the problem on which we are engaged—on the question of relief, and is seeking to stop $600,000 of expense being saddled on the City of Philadelphia, and the members of the Senate should not seek to saddle the people of Philadelphia with an expense of $300,000 per month, because the City of Philadelphia could not afford to assume the burden.

Now, so far as taking care of unemployables is concerned, it is not that Philadelphia has neglected it. Philadelphia this year is spending $200,000 on a shelter home, which has been built, and through the efforts of Mayor Wilson it is functioning. So that, Philadelphia has already appropriated $50,000 for that; it is all the money it can give; and because it makes a large expense on the Commonwealth so far as unemployment relief is concerned is no reason, I say, why they should be dumped at this time.

I agree there should be equalization, but certainly not equalization in one form and not in another form. If we could get back in road money the proper portion of what we pay, we will be able to take care of this situation; and I object at this time to such a condition being created as would be brought about by the passage of this bill.

Now, I have some figures with regard to unemployables that are being taken care of in the different counties. They are as follows: Allegheny County 3,690; Cambria County 546; Fayette County 1758; Philadelphia County 13,000; Westmoreland County 937; and the remaining 62 counties 2422 cases. I want to call attention to the fact that the figures I have read are December 1935 figures, because new figures are not yet available.

Under these circumstances, while the Senator from Centre, in theory, may be correct, practically it would be the worst thing to do—to dump these 13,000 cases on the streets of Philadelphia. If that is done there will be repercussions throughout the State; and I think on this motion to reconsider, the Senate should vote in favor of it.

Mr. HARRIS. Mr. President, I am perfectly willing to vote for reconsideration of this bill. It develops now as a most important question. But I do believe, if the motion for reconsideration is carried, the bill should be immediately placed on the postponed calendar, to give the Senators an opportunity to study it. I will vote for reconsideration, but I will follow it with a motion for postponing action.

Mr. HUFFMAN. Mr. President, I think it has been an amazing development to learn here that Philadelphia has been getting the support of about 50,000 people while the people throughout the State otherwise than in Philadelphia and Pittsburgh have received no support for this class. I think this bill is perfectly proper. It may be stated that Philadelphia pays more road money and gets less appropriation to take care of its streets; on the other hand, this is the richest community in the State of Pennsylvania, and is more able to pay more money, and more able to take care of its unemployables than they are in the country counties.

I think the State will be surprised to learn that the State Emergency Relief Board has been paying for the support of unemployables in the City of Philadelphia and in the City of Pittsburgh when the greatest objection we

have had to the appropriations has come from some of the members from the City of Philadelphia—I refer to the appropriation for relief. They have been as strong as any other members here in trying to cut down the amount demanded by the Relief Board—a Relief Board made up of Republicans as well as Democrats, made up of men such as Mr. Waters, the State Treasurer, and Frank Baldwin, the Auditor General. Those two State officers, Republicans, are in accord with the amount that this Administration is asking to be appropriated at this time, to wit, $55,000,000; and I think it comes with poor grace from the City of Philadelphia, rich as it is, to ask the State's poor counties to continue to support these unemployables.

Mr. SALUS. Mr. President, I do not have much to say in this proposition. You have heard pro and con, but these are days of adversity. In the days of our glory, when we lived in prosperity, when we knew nothing like want, when there were no people on the breadlines, and when our friends through the country lived in the sticks, away, far away, from the highways and byways that led to Philadelphia, Atlantic City and places of pleasure, we in Philadelphia who had money and were living prosperously, paid for the roads that dug them out of the sticks and brought them into daylight, into happiness and into contentment, so that they might live like human beings before God Almighty. And now, in the days of adversity, when we are on our knees praying to God Almighty and the world at large, that prosperity and happiness may once again dawn on our unfortunate neighbors and companions, we are down on our knees begging you people from the country to look God Almighty in the face, to look adversity in the face, to look these poor unfortunates in the face, forget your selfish interests and help us to redeem our unfortunates. May God show them the light of day; they are crying now as everybody else is crying, "Help these downtrodden people, my good friends. When you were in the sticks, we dug you out. For Gods sake, and for your own sake, dig these poor people out in Philadelphia now; give these white men a chance. That is all we ask of you."

Mr. THOMPSON (Centre). Mr. President, I do not unduly want to protract debate on the reconsideration of this bill, but I do want to call the attention of the Senate to the report of the Pennsylvania Relief Board, which we all have had before us for the last two or three days; and I want you to turn to page 20, and I want you to look at the counties in this State which have had the heaviest relief burden. You will see blocked out there, in the heaviest relief class, three counties—Philadelphia County, Clearfield County and Allegheny County. Those were the counties that had the heavy burden. If you will look at that chart, or map, in addition to that you will find that the next fifteen counties with heaviest relief burdens are what we might call, for lack of a better term, substantially rural counties. Out of these three counties which have had the heaviest relief burden, Philadelphia County has had 13,000 or has today 13,000 unemployables on relief. Admitting these figures of the Senator from Philadelphia, Mr. Shapiro, Allegheny County would have 3,000. Clearfield County, likewise in the same class, has not had one case, not one. Every other county included in the next groups, likewise has had not one case.

When the Senator from Philadelphia, Mr. Salus, appeals to the charity and the generosity and the humanity of the other counties in the State, I say that we, from the up-State, appeal to the charity and generosity and humanity of the other members of this Senate. One would think there was no poverty, no distress or anything of that kind, from the Senator's speech, except in Philadelphia County. Mr. President, I say to you within the coal-mining districts of this State there has been equal distress, that those counties are loaded up with taxes on their real estate, and yet they cannot get any help. And you see from this chart, Mr. President, that one of the counties, which, according to the figures of the State Emergency Relief Board, one of the three counties with heaviest loads in this State, has not been able to get one penny of help from the State Emergency Relief Board.

Mr. President, I say to you that is not fair, that is not just; that the other counties are entitled to equal treatment. I agree with the Senator from Monroe that it comes with bad grace from the Senators of Philadelphia County, who are working day and night to cut down, to chop to pieces, the appropriations for relief for every other part of this State, and seem to be proud of it. Then they say to us in the country districts, "You cannot have a cent for your unemployables, and we have had 13,000 cases." Mr. President, I say to you there is nothing just about the attitude of the Senators from Philadelphia who do that, and there is no justice about the fact that we must be deprived in the up-State of getting any of this help which has been so lavishly spent in Philadelphia County. I appeal to this Senate to defeat the reconsideration of this bill.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Centre, Mr. Thompson.

The PRESIDENT. Will the Senator from Centre, Mr. Thompson, permit himself to be interrogated?

Mr. THOMPSON (Centre). Mr. President, I will.

Mr. SHAPIRO. Mr. President, the Senator from Centre has said that the Philadelphia Senators are engaged in trying to cut down the appropriations for relief. Does he include me in that group?

Mr. THOMPSON (Centre). Mr. President, no, I did not include Senator Shapiro in that; I said, "The Senators from Philadelphia County who are engaged in trying to cut down relief."

Mr. SHAPIRO. Mr. President, the proposition was a little weak, and I wanted the record corrected.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. THOMPSON (Centre) and were as follows, viz:

YEAS—34

Aron,	Graff,	Miller,	Ruth,
Batchelor,	Harris,	Owlett,	Salus,
Baumer,	Harvey,	Pierson,	Scott,
Bean,	Homsher,	Prince,	Shapiro,
Buckman,	Howell,	Pytko,	Staudenmeier,
Chapman,	Mallery,	Reed, (Dauphin)	Thompson, (Westmoreland)
Coyne,	McClure,	Rice,	Trainer,
Frey,	McCreesh,	Rodgers,	Woodward,
Gelder,	McGinnis,		

NAYS—4

Cavalcante,	Huffman,	Kahle,	Thompson, (Centre)

Present and not voting: Law.

So the question was determined in the affirmative.

And the question recurring,
Shall the bill pass finally?

BILL POSTPONED

Mr. HARRIS. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. GELDER. Mr. President, I second the motion.

On the question,
Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I shall be glad to.

Mr. SHAPIRO. Mr. President, I desire to know why the motion is made to place this bill on the postponed calendar.

Mr. HARRIS. Mr. President, for the purpose of studying the bill, so we will all understand what it really means.

Mr. SHAPIRO. Mr. President, I would like to ask the Senator from Allegheny whether he is aware of the fact that this bill has been on the Calendar since May 7th, has had three readings and has been before the Committee on State Government, and everybody in the Senate has voted for the bill except myself.

Mr. HARRIS. Mr. President, I am aware of the fact, and the Senator from Philadelphia knows what I am going to answer him—and he expects this compliment—that he studies the bills thoroughly, and knows more about them than we do.

Mr. SHAPIRO. Mr. President, that is no compliment to me; I think that is rather a reflection on the rest of the Senators. I consider it no compliment.

Mr. HARRIS. Mr. President, I intend it as a compliment.

And the question recurring,
Will the Senate agree to the motion?

The yeas and nays were required by Mr. ARON and Mr. HOWELL and were as follows, viz:

YEAS—25

Baumer,	Harvey,	McGinnis,	Ruth,
Buckman,	Huffman,	Miller,	Staudenmeier,
Cavalcante,	Kable,	Owlett,	Thompson,
Frey,	Law,	Prince,	(Centre)
Gelder,	Mallery,	Pytko,	Thompson,
Graff,	McClure,	Rice,	(Westmoreland)
Harris,	McCreesh	Rodgers,	

NAYS—14

Aron,	Coyne,	Reed,	Shapiro,
Batchelor,	Homsher,	(Dauphin)	Trainer,
Bean,	Howell,	Salus,	Woodward,
Chapman,	Pierson,	Scott,	

So the question was determined in the affirmative.

BILL INTRODUCED

Mr. WOODWARD. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODWARD, read in place and presented to the Chair Senate Bill No. 111, entitled:

A Joint Resolution proposing an amendment to section twelve of article five of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 91, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes, levees and river bank protections along the Delaware River at Morrisville Borough, Bucks County.

House Bill No. 149, entitled:

An Act to amend an act, approved the fourth day of June, one thousand nine hundred and thirty-six (Act No. 3), entitled "An act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof," by adding thereto a new section to be known as section six and one-tenth; providing for the compensation of delinquent tax collectors, their employes and expenses for the collection of delinquent taxes in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes.

Whereupon,
The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the presence of the Senate signed the same.

RECONSIDERATION OF RESOLUTION RELATIVE TO CONTINUING SESSIONS

Mr. BUCKMAN. Mr. President. I move to reconsider by which the Senate adopted the resolution offered by the Senator from Philadelphia, Mr. Woodward, at today's session.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "aye".

Mr. WOODWARD. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WOODWARD. Mr. President, I voted "aye".

Will the Senate agree to the motion?

Mr. REED (Dauphin). Mr. President, I ask that the resolution be read for the information of the Senate.

The resolution was read as follows:

In the Senate, July 8, 1936.

Resolved, if the House of Representatives concur, that the Senate remain in session until after 12:01 A. M. Friday to act upon the tax legislation reported by the Finance Committee.

And the question recurring
Will the Senate agree to the motion?

POINT OF ORDER

Mr. CAVALCANTE. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Fayette Mr. Cavalcante, will state his point of order.

Mr. CAVALCANTE. Mr. President, the prerogative of this Senate is such that a resolution of that character is not necessary, we can remain in session without that.

The PRESIDENT. The Chair rules the point of order is well taken, but the resolution is before the House and a motion is pending. The Chair expresses the same view as the Senator from Fayette, Mr. Cavalcante.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

Mr. BUCKMAN. Mr. President, in order to clear the Chair's desk, I move that this resolution be referred to the Committee on Rules.

Mr. WOODWARD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The motion was agreed to.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until four o'clock this afternoon.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The President. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. THOMPSON (Westmoreland). Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON (Westmoreland), from the Committee on Constitutional Changes reported as committed, Senate Bill No. 60, entitled:

Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Mr. REED (Dauphin). Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED (Dauphin), from the Committee on Constitutional Changes reported as amended, Senate Bill No. 75, entitled:

Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section one C.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Constitutional Changes reported as committed, Senate Bill No. 102 (House Bill No. 136), entitled:

Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair he none.

Mr. COYNE, from the Committee on Executive Noi nations reported with favorable recommendation the f lowing nominations made by His Excellency, the Gov nor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 8, 1936

To the Honorable, the Senate of the Commonwealth Pennsylvania:

In conformity with law, I have the honor hereby nominate for the advice and consent of the Senate t following person for reappointment as a Notary Publ for a term of four years to compute from the date opposite her name:

WESTMORELAND COUNTY

Miss Eliza Anne Peterson, Ligonier, July 12, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 8, 1936.

To the Honorable, the Senate of the Commonwealth Pennsylvania:

In conformity with law, I have the honor hereby nominate for the advice and consent of the Senate t following persons for appointment as Notaries Publi for terms of four years to compute from the date confirmation:

BERKS COUNTY

Mrs. Della N. Esterly, Mount Penn.

CLEARFIELD COUNTY

F. J. McCormack, DuBois.

LANCASTER COUNTY

J. Rankin Wiley, Peach Bottom.

MONTGOMERY COUNTY

Charles W. Barnes, Cheltenham.

PHILADELPHIA COUNTY

Raymond R. Bosworth, 1453-55 N. 52nd St., Philadelphia

WESTMORELAND COUNTY

J. W. Burroughs, Trafford.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. RICE,

The Rule 38, which requires nominations made by th Governor, to lie on the table one day be dispensed with and the Senate do now resolve itself into Executiv Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. RICE,

That the Senate do advise and consent to the nomina tions reported.

On the question,

The yeas and nays were taken agreeably to the pro visions of the Constitution, and were as follows, viz:

YEAS—41

ron,	Harris,	McGinnis,	Ruth,
latchelor,	Harvey,	Miller,	Salus,
Baumer,	Homsher,	Owlett,	Scott,
Bean,	Howell,	Pierson,	Shapiro,
Buckman,	Huffman,	Prince,	Staudenmeier,
Cavalcante,	Kahle,	Pytko,	Thompson,
Chapman,	Lanius,	Reed,	(Centre)
Coyne,	Law,	(Dauphin)	Thompson,
Frey,	Mallery,	Rice,	(Westmoreland)
Helder,	McClure,	Roberts,	Trainer,
Graff,	McCreesh,	Rodgers,	Woodward,

NAYS—0

Two-thirds of all the Senators having voted "aye" the uestion was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. RICE. Mr. President, I move that the Executive ession do now rise.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO READ BILLS THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that all bills eported from committees at today's session be read the irst time.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 28 (House Bill No. 19), ntitled:

An Act to amend section three of the act, approved the ixteenth day of May, one thousand nine hundred thirty-ive (Pamphlet Laws, two hundred eight), entitled "An ct to provide revenue for State purposes by imposing n excise tax, for a limited period of time, on the net ncomes of certain corporations, joint-stock associations, nd limited partnerships; providing for the assessment nd collection of the tax, and appeals to courts; conerring powers, and imposing duties on certain persons, orporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation, and providing penalties," by increasing the rate of tax for a limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 30 (House Bill No. 27), entitled:

An Act to amend the act, approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax removing certain exemptions changing the listing date the date of filing reports and the date and manner of payment of the tax and making further provision with regard to penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 60, entitled:

Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 75, entitled:

Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section one C.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 102 (House Bill No. 136), entitled:

Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth:

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

Frank B. Michaels, East Stroudsburg, from July 16, 1935, for the term of four years, and until his successor is qualified.

(Mrs) Kathryn Edwards, Stroudsburg, from July 16, 1935, for the term of four years, and until her successor is qualified.

Grant W. Nitrauer, Stroudsburg, from July 16, 1935, for the term of four years, and until his successor is qualified.

Harry B. Bock, Lehighton, from July 16, 1935, for the term of four years, and until his successor is qualified.

James Arbogast, Stroudsburg, from July 16, 1935, for the term of four years, and until his successor is qualified.

E. S. Rosenberry, Stone Church, from July 16, 1935, for the term of four years, and until his successor is qualified.

Thomas Heffernan, Wilkes-Barre, from July 16, 1935, for the term of four years, and until his successor is qualified.

M. G. Nye, East Stroudsburg, from July 16, 1935, for the term of four years, and until his sessuccor is qualified.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. HUFFMAN,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations:

Which was agreed to.

Whereupon,

A motion was made by Mr. HUFFMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Aron,	Harris,	McGinnis,	Ruth,
Batchelor,	Harvey,	Miller,	Salus,
Baumer,	Homsher,	Owlett,	Scott,
Bean,	Howell,	Pierson,	Shapiro,
Buckman,	Huffman,	Prince,	Staudenmeier,
Cavalcante,	Kahle,	Pytko,	Thompson,
Chapman,	Lanius,	Reed,	(Centre)
Coyne,	Law,	(Dauphin)	Thompson,
Frey,	Mallery,	Rice,	(Westmoreland)
Gelder,	McClure,	Roberts,	Trainer,
Graff,	McCreesh,	Rodgers,	Woodward,

NAYS—0

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. HUFFMAN. Mr. President, I move that the Executive Session do now rise.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS RECOMMITTED

Mr. GELDER. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 104 (House Bill No. 153), be recommitted to the Committee on Appropriations.

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such monies may be expended, and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments, and ratifying, confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELDER. Mr. President, I move that Senate Bill No. 104 (House Bill No. 153), be recommitted to the Committee on Appropriations.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELDER. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 105 (House Bill No. 154), entitled:

An Act ratifying, confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund, and providing for the subsequent return from the General Fund of the transferred money.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELDER. Mr. President, I move that Senate Bill No. 105 (House Bill No. 154), be recommitted to the Committee on Appropriations.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

PUBLIC SERVICE COMMISSION TO INVESTIGATE THE STREET RAILWAYS COMPANY IN PHILADELPHIA COUNTY AS TO ISSUING TICKETS FOR SCHOOL PUPILS

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows:

In the House of Representatives, June 23, 1936.

Whereas, The cost of transportation of pupils to the school districts in Philadelphia County is a matter of grave concern to its citizens, and it is believed that it is far greater than the circumstances require, therefore be it

Resolved (if the Senate concur), That the Public Service Commission of Pennsylvania is hereby requested to make an investigation, through its existing facilities with the view of ascertaining whether, on the basis of valuation and income or on any other basis, the street railway companies operating in Philadelphia County may be required to issue tickets for school pupils only, at a rate not to exceed twenty-five cents (25c) per week.

Mr. BUCKMAN. Mr. President, I move that the Resolution be referred to the Committee on Rules.

Mr. McCREESH. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until eight o'clock tonight.

Mr. McCLURE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. ARON. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Constitutional Changes re-reported as amended, Senate Bill No. 6, entitled:

Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his question of personal privilege

Mr. CAVALCANTE. Mr. President, last week the Senator from Delaware, Mr. McClure, though not speaking for his colleagues of the Republican majority, advanced his personal figures upon the amount of revenue necessary for relief needs from July 1, 1936 to February 1, 1937.

It may be well for this Senate to do a little reflecting over those figures. The formula adopted by the gentleman has the earmarks of fairness and the figures used display an honest effort on his part to fairly solve the relief problem.

The formula appears to be as follows:

1. Find a basic and typical weekly relief expenditure upon which a fair relief estimate can be predicated with some degree of accuracy.

2. Accept, as fair and honest, the offer of Mr. Jones to take 33,000 direct relief cases from the rolls of the SERB, and

3. Allow a fair percentage for administration costs and purging of ineligibles from the relief rolls.

Following this formula, the Senator from Delaware, Mr. McClure, has selected the week ending May 30 as a typical week of relief expenditure. The amount spent during that week was $1,248,305. This was the lowest weekly expenditure for this year.

One may well ask, without reflection upon the Senator from Delaware, Mr. McClure, why select this week ending May 30th as the basic and typical weekly expenditure? Why not the week ending June 6th, 13th, 20th or 27th? Why not the week ending May 23rd, 16th, 9th or 2nd?

We may honestly differ with the Senator from Delaware, Mr. McClure, in his selection of this particular week as a basic and typical week of relief expenditure. There should, however, be no difference of opinion among Republican and Democrat alike upon the fairness of the formula, and both should welcome it even though we must reject the week ending May 30th as a basic and typical week of relief expenditure.

The deduction of 17% and 5% for the transfer of 33,000 relief cases to WPA and the purging of ineligibles from relief rolls may appear slightly excessive. The allowance of 8% for administration costs is generous and ample. This administration cost should have been reduced long ago. The fault has been with this Senate and the House of Representatives.

But all in all, excluding the selection of the week ending May 30th as a basic and typical week of relief expenditure, the formula of the Senator from Delaware, Mr. McClure, is fair and, if accepted, will hasten the end of this special session. If we accept it the only problem before us will be the selection of a basis and typical week of relief expenditure. This basic and typical expenditure we will multiply by 30½; deduct 17% and 5%; deduct $1,000,000, and the result will be the amount needed for relief from July 1, 1936 to February 1, 1937. In the selection of a basic and typical week we should have in mind our inability to presage the future with dogmatic precision. We must allow for providential and unforseen emergencies.

I think the basic and typical figure should be ascertained in this manner:

The total relief expenditures for the first quarter of 1936 amount to $22,976,292.98. There are 13 full weeks in that quarter. If we divide this expenditure by the number of weeks we get the average weekly expenditure of $1,767,407.15. This should be accepted as a basic and typical weekly relief expenditure by both Republican and Democrat. The figure is based on something tangible. If this is multiplied by 30½, the result will be $53,905,917.07. We then deduct 17% or the sum of $9,164,005.90 to allow for the transfer of 33,000 cases of direct relief to W. P. A. and remainder will be $44,741,911.17. From this the Senator from Delaware, Mr. McClure, would deduct 5% or $2,237,095.56 to allow for the purging of ineligibles from the relief rolls, and the remainder will be $42,504,815.61; then add to this 8% or the sum of $3,400,385.25 and the total is $45,905,200.86. The amount of relief estimate necessary for the period July 1, 1936 to February 1, 1937. In rough figures this is $46,000,000.

This sum, of course, includes the $1,000,000 already appropriated for the first week of July.

If we accept this estimate of 46 millions, when we meet again in General Session in January 1937, there will still remain an approximate period of four weeks before the end of the 30½ week period. Using the same basic and typical weekly figure of $1,767,407.15 there will still be $7,069,628.60 remaining of the 46 millions. On the other hand, should our estimate be wrong and that of 55 millions proposed by Dr. de Schweinitz be correct then the 46 millions will be exhausted. This will not necessarily result in hardship to the needy for we will then be in General Session and additional funds can readily be appropriated to meet the emergency.

I am not in accord with the Senator from Delaware, Mr. McClure, that a deduction of 5% should be made for purging ineligibles from the relief rolls. This class of relief recipients includes all those cases where application for Mothers' Assistance, Old Age Assistance and Blind Pensions have been made but have not been taken care of due to our failure to provide sufficient funds. I would disallow this deduction and fix the actual relief needs from July 1, 1936 to February 1, 1937 at $48,142,296.42, or roughly speaking, 48½ millions.

I make these remarks of my opinion and in the belief that the estimate of 35 millions allegedly offered by the Republican caucus is plainly inadequate.

RECESS

Mr. ARON. Mr. President, I move that the Senate take a recess for ten minutes.

Mr. THOMPSON (Centre). Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Municipal Government reported as committed. Senate Bill No. 86 (House Bill No. 82), entitled:

An Act to amend section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" as amended by changing the hours of a day and night shifts

MOTION TO READ BILL THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 86, the bill just reported from committee be read the first time.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 86 (House Bill No. 82), entitled:

An Act to amend section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" as amended by changing the hours of the day and night shifts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. GELDER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, re-reported as committed, amended, Senate Bill No. 104 (House Bill No. 153), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act.

Also from the Committee on Appropriations, re-reported as committed, amended, Senate Bill No. 105 (House Bill No. 154), entitled:

An Act ratifying and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow afternoon at 2 o'clock.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10.10 P. M. until tomorrow afternoon, Thursday, July 9 at 2 o'clock.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 8, 1936.

The House met at 12:00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

Not unto us, O God, not unto us, but unto Thy Name, be glory for Thy loving kindness and for Thy truth's sake, Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. McELROY the further reading was dispensed with and the Journal approved.

COMMUNICATION

RELIEF LEGISLATION

A petition from Weissport Unemployed League of Carbon County, urging action on Relief Legislation.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 87 (HOUSE BILL No. 160).

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof.

Referred to the Committee on Cities.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 91.

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes levees and river bank protections along the Delaware River at Morrisville Borough Bucks County.

HOUSE BILL No. 149.

An Act to amend an act, approved the fourth day of ıne, one thousand nine hundred and thirty-six (Act No. ., entitled "An act abating certain tax penalties and in- rest on county, city (except city of the first class), orough, town, township, school district (except school strict of the first class), and poor district taxes; pro- ıbiting the sale of real property for the non-payment of ıy such taxes for a certain period; and preserving cer- ain tax liens, and providing for the extension thereof," y adding thereto a new section to be known as section ix and one-tenth; providing for the compensation of elinquent tax collectors, their employes and expenses for he collection of delinquent taxes in counties of the second lass in cases where such compensation and expenses have ıeretofore been paid out of the penalties accrued and col- ected on such taxes.

With the information that the Senate has passed the ame without amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 7, 1936.

Resolved (if the Senate concur), That House Bill No. 109, Printer's No. 153, entitled "An Act to authorize and empower municipalities and townships, separately or jointly, to erect and construct flood control works and improvements within or without their territorial limits, and to expend moneys and incur indebtedness for such purposes," be recalled from the Governor for the purpose of amendment.

LEAVES OF ABSENCE

Mr. FLINCHBAUGH asked and obtained leave of absence for himself for the remainder of today's session.

Mr. ALEXANDER asked and obtained leave of absence for himself for the remainder of the week after today's session on account of death in the family.

Mr. Weiss asked and obtained leave of absence for Mr. ROBINSON for the remainder of the week.

Mr. CARSON asked and obtained leave of absence for himself for the remainder of the week.

Mr. Moran asked and obtained leave of absence for Mr. O'KEEFE for the remainder of the week.

Mr. SIMON asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. Baine asked and obtained leave of absence for Mr. SHAW for the remainder of the week.

Mr. ALTENBURG asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. JACKSON asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. HARMUTH asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. STANK asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. RUFFENNACH asked and obtained leave of absence for himself for the remainder of the the week after today's session.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 91.

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes levees and river bank protections along the Delaware River at Morrisville Borough Bucks County

HOUSE BILL No. 149.

An Act to amend an act, approved the fourth day of June, one thousand nine hundred and thirty-six (Act No. 3, entitled "An act abating certain tax penalties and interest of county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof," by adding thereto a new section to be known as section six and one-tenth; providing for the compensation of delinquent tax collectors, their employes and expenses for the collection of delinquent taxes in counties of the second class in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORT FROM COMMITTEE

Mr. FLINCHBAUGH, from the Committee on Ways and Means, reported as committed, House Bill No. 159, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes secured by, and payable from, current revenues levied, assessed, collectible and/or accruing during such fiscal year; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on, and the repayment of, such loans; and making an appropriation.

BILL ON FIRST READING

Mr. FLINCHBAUGH asked and obtained unanimous consent to have the following bill read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 159, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes secured by, and payable from, current revenues levied, assessed, collectible and/or accruing during such fiscal year; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on, and the repayment of, such loans; and making an appropriation.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

STATEMENT BY MR. DENT

Mr. DENT asked and obtained unanimous consent to make the following statement.

A recent United Press dispatch discloses the story that the Moomaw-Dent Unemployment Insurance Bill, House Bill 55, appears to be doomed in the Senate Insurance Committee which can be better called the Senate Vengeance Committee. This Bill was originally designed to meet regulations of the Social Security Act passed by Congress. Fourteen States and the District of Columbia now have Insurance Compensation Laws.

It is the attitude of the opposition that this Bill will be declared unconstitutional and therefore should not take up the time of the present Legislative Session. The proponents of the Bill advanced the thought that the enactment of this type of legislation will eventually strike a deathblow at the ever increasing unemployment; this unemployment being caused primarily by modern productive machinery and high speed methods. The fact that many of our industries are operating at a pre-depression rate of production, and the equally well known fact that the unemployment figure has not materially decreased is a convincing argument for the passage of this particular Bill. Under this Act no additional tax is placed on Pennsylvania employees. Any argument that this Act did cause Pennsylvania employees additional money is ridiculous in the face of the fact that the Federal Government is now collecting the necessary moneys to make this Act effective. The Federal Government will also provide the money for the administrative cost of this Act.

Unemployment insurance is a vital part of this Special Sesson. We are gathered here solely because of the unemployment question. We are entered into the tenth week of this Special Session without any particular beneficial measure being enacted. We find the arguments on this Bill the same stubborn do-nothing attitude of the Senate, acting as a stone wall between the needs of the people on one side and the will of the corporation on the other. It is high time that the citizens of this State take into consideration that the many taxes imposed at the last Regular Session as temporary measures will become permanent measures unless the Senate takes a different attitude and of their own free volition discuss such important questions as unemployment measures conscientiously and for the benefit of the greater number of our peoples.

The major features of this Act have been outlined in a summary issued by the Attorney General for the information of the General Assembly. This summary was given to every member of the House and a careful study of the facts disclosed will convince any Member of the House or the Senate that this Act is carefully drawn, meets all the requirements of the Social Security Act passed by Congress and will function for Pennsylvania, the enormous sum being deducted by the Federal Government from Pennsylvania payrolls. This is a serious feature of the proposed killing of this Bill. The fact that not only do the employees lose the benefits of the social security embodied in this Act but that enormous sums of Pennsylvania money will be lost to the citizens of Pennsylvania. The attitude of the State Senate is well outlined in a recent editorial in the Labor Record published in Philadelphia. This editorial states that during the hearing on the Bill the opponents were given a private hearing the day previous to the public hearing and that at the public hearing one hour and thirty minutes was allocated to the opposition while fifty minutes was allowed the proponents of the measure.

We find also that one of the men who spoke against the Bill admitted to the Committee that he was a professional paid representative, and another was a citizen of the State of Virginia, a traveling speaker sent forth to help keep unemployment compensation out of the States where such laws have not been enacted. As has been stated, fourteen States and the District of Columbia have already passed unemployment acts. It is interesting to note that these States represent 38% of the workers in America. We find on the opposition many of our large corporations and coal companies; while in favor of the Bill we find the Pennsylvania Federation of Labor, State Department of Labor and the Pennsylvania Security League with its numerous affiliations. We only ask that the Senate be fair not only to the employees of this State, but to the employers as well. In their misguided judgment the majority members of the Senate, may believe themselves to be favoring Pennsylvania industries but in the face of the present Federal legislation, which deducts money from Pennsylvania payrolls, we believe the employers are being virtually defrauded while the employees are positively being deprived of that enjoyed by toilers in other States and to which they are justly entitled.

I want to say that I just received a copy of the new unemployment insurance bill introduced in the Senate by one of its worthy members. After looking the bill over I discovered that he has misinterpreted the idea of social security and unemployment insurance entirely. Instead of passing legislation to guarantee sort of a pay to the unemployed worker, the bill that has ben introduced in the Senate is an unemployment insurance bill for the corporation itself and not for its employes. We must and should use every bit of influence we may have with any of the members of the Senate in order that Pennsylvania does not lose the enormous sums of money that we stand to lose if we allow this bill inactivity to continue. Let us be decent and honorable citizens, and as such let us appeal to the Senate to do something on this particular bill. We believe the bill to be right. If it is not right, let us amend it to make it right, but do not let us sit idly by and watch our money being used by other states.

I want to thank you for your consideration.

RESOLUTION

Mr. MOOMAW offered a resolution which was filed with the Clerk under the rules.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 133, as follows:

An Act making an appropriation to the Department of Welfare for the purpose of rehabilitating and replacing real and personal property of State-aided hospitals damaged or destroyed by flood

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixty thousand dollars ($60,000) or so much thereof as may be necessary

is hereby specifically appropriated to the Department of Welfare for the purpose of rehabilitating and replacing real and personal property and equipment of State-aided hospitals damaged or destroyed by floods during the year one thousand nine hundred and thirty-six

No payment shall be made from said appropriation until the trustees directors managers or other body in charge of any such State-aided hospital shall first have filed with the Department of Welfare sworn proofs of loss in such form as the department shall prescribe Upon the receipt of any such proof of loss the department shall review the same and fix the amount which in its opinion represents the value of the property and equipment damaged and destroyed by such floods

Payment from such appropriation shall be made by the Department of Welfare as provided by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. ANDREWS. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

BILL ON THIRD READING

Mr. McCREARY. Mr. Speaker, I desire to call up at this time House Bill No. 92, Printer's No. 167, on page 1 of today's calendar, bill on third reading.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCreary.

The House resumed the consideration on third reading of House Bill No. 92, entitled:

An Act to provide revenue for state and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith conferring powers and imposing duties on certain county and city officers and on the State Department of Revenue and fixing penalties

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCREARY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, line 20, by striking out the word "except" and inserting in lieu thereof: "including"

Amend Sec. 1, page 2, line 21, by striking out the word "bank"

Amend Sec. 1, page 2, line 22, by striking out the words "its shares or"

Amend Sec. 1, page 2, line 25, by striking out the words "its shares or"

Amend Sec. 1, page 2, line 26, by inserting after the word "Commonwealth" the following: "but not including shares of stock in any bank, bank and trust company, national bank or savings institution that may be liable to a tax on its shares for State purposes under the laws of this Commonwealth"

Amend Sec. 33, page 28, line 7, by striking out the word "EXTENTION" and insert: "EXTENSION"

Amend Sec. 36, page 29, line 29, by striking out the word "of" and insert: "or"

Amend Sec. 41, page 36, line 7, by striking out the word "or" and insert: "of"

INTERROGATION

Mr. SPROUL. Mr. Speaker, I would like to interrogate the gentleman from Erie, Mr. McCreary.

The SPEAKER. Will the gentleman from Erie, Mr. McCreary, permit himself to be interrogated?

Mr. McCREARY. I will, Mr. Speaker.

Mr. SPROUL. Mr. Speaker, may I ask the gentleman from Erie whether or not, under the provisions of this bill, all shares of stock or securities that are transferred or traded in in any brokerage house in Pennsylvania, will be taxed under this bill?

Mr. McCREARY. Mr. Speaker, I will answer the gentleman from Delaware, Mr. Sproul, by saying that he came to me this morning and wanted to add some further amendments that were not prepared. I just simply told him that this bill of mine had been delayed for weeks, and if he desired any further amendments, he should go to the Senate and have his amendments prepared and added there, to save time. So far as answering the technical question of the gentleman from Delaware, and I am free to confess I am unable to answer it, especially since I can understand only part of what he said.

Mr. SPROUL. Mr. Speaker, may I inform the gentleman from Erie that the amendments I suggested have no reference at all to the question which I asked him. May I repeat my question? My question was, are not shares of stock transferred, sold or exchanged in any brokerage house in Pennsylvania taxable under this law or this proposed bill. This has no reference to the amendments to which I referred this morning.

Mr. McCREARY. Mr. Speaker, I will say, I don't know.

STATEMENT BY MR. SPROUL

Mr. SPROUL asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, as I understand the provisions of this bill, especially since I have talked to Mr. McCreary, all shares of stock traded in or transferred in any brokerage house in Philadelphia will be taxed. That means that all of that business in such brokerage houses shall be shifted to New York in order to avoid the Pennsylvania property tax, which would mean taking out of employment many hundreds of people already employed there. I ask the gentleman if he will not postpone the bill so that we may have a chance to look into the matter further, if he does not know.

Mr. McCreary. Mr. Speaker, I make the same answer—

The SPEAKER. For what purpose does the gentleman rise?

Mr. McCREARY. Mr. Speaker, I want to answer the question of the gentleman from Delaware.

The SPEAKER. The gentleman from Delaware has the floor for the purpose of making a statement.

Mr. McCREARY. He is asking a question, Mr. SPEAKER.

The SPEAKER. Does the gentleman from Delaware wish to further interrogate the gentleman from Erie, Mr. McCREARY?

Mr. SPROUL. Mr. Speaker, I do.

The SPEAKER. Will the gentleman from Erie, Mr. McCreary, permit himself to be further interrogated?

Mr. McCREARY. I will, Mr. Speaker.

Mr. SPROUL. Mr. Speaker, may I ask the gentleman from Erie if he will not postpone this bill further until we have a chance to look into the question that I suggested to Mr. McCreary, regarding brokerage houses, so that it may properly be amended?

Mr. McCREARY. Mr. Speaker, I have answered that question before by simply asking Mr. Sproul to have those amendments added in the Senate, if this bill got through this House. The bill has been delayed now for weeks and the time is altogether too short to hold it over any longer for further amendment in the House. It could just as well be added in the Senate, if and when the bill goes through the House. I still make the same answer.

Mr. SPROUL. Mr. Speaker, has the gentleman from Erie any guarantee that the Senate will make such amendments?

Mr. McCREARY. Mr. Speaker, I do not see why they would not. They would be just as apt to make them as the House if the amendments are for the benefit of the State of Pennsylvania.

STATEMENT BY MR. SPROUL

Mr. SPROUL asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, in view of the answers of Mr. McCreary, I will have to exert my efforts against the final passage of the bill.

STATEMENT BY MR. McCREARY

Mr. McCREARY asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I do not want for a moment to have the members of this House think that I am trying to hurry anything through here that should not go through the House. I just feel like saying to you that this bill was introduced on May 18, 1936. It was, therefore, in a way, before the committee, if not before the House, for about seven long weks, and during that time all of the members of the House have had time to read it and investigate it, at least since it came out of committee. I have had several people come to me and ask for amendments, and I have taken them over to Mr. Fertig's office, and compared this bill with the bill of Mr. Harkins that went through this House a few days ago and have adopted amendments. Objection was made to that. We had a man come over from the Revenue Department and ask for some further amendments. We delayed the bill to add this amendment, and now for the third time the gentleman from Delaware asks to have it further amended. I told him frankly this morning that I thought they had better allow this to go through the House, if it were going through, and get over to the Senate and be amended there. I still think that that is the proper and reasonable thing to do. If there is to be any hope of getting this bill through during this session, it should not be delayed any longer. Therefore, I feel justified in continuing my request to the gentleman from Delaware to permit this bill to go through the House now, and have whatever amendments he wished to add, included in the bill when it gets over to the Senate.

ANNOUNCEMENT

The SPEAKER. We are about to declare a recess for the purpose of hearing from the Committee which has gone to the Senate to find out whether or not they have any more messages for the House. We don't want to keep the membership here with nothing to do. If there are messages coming from the Senate we will recess to some stated time when they will be in session.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess for fifteen minutes. The Chair hears none and declares a recess for fifteen minutes.

AFTER RECESS

The time of the recess having expired.

The SPEAKER (Roy E. Furman) in the Chair.

RECESS

The SPEAKER. The Chair has just been informed that the Senate is holding important conferences and will have no messages for the House for some time. Therefore, if there are no objections the Chair will declare a recess until 3.30 P. M. The Chair hears none and declares a recess until 3.30 P. M.

AFTER RECESS

The House reconvened at 3.30 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

RESOLUTION INTRODUCED AND REFERRED

By Mr. MOOMAW. (Concurrent) RESOLUTION No. 37.

In the House of Representatives, July 8, 1936.

Whereas, The raising of revenue to provide funds for continuing relief in Pennsylvania is of great concern to all members of the Legislature and citizens of this Commonwealth, and

Whereas, It is the desire of the members of the Legislature that of all moneys provided for disbursement by the State Emergency Relief Board, the very minimum should be expended for administrative purposes so that every possible dollar can be used for furnishing actual relief or providing administrative or other employment for persons in whose families such employment will further the use of the relief money, and

Whereas, It is clearly evident that many persons are employed by the SERB who are members of wealthy families or families with large incomes from other sources and such positions could be filled by qualified persons in need of such employment, and

Whereas, The SERB has in the past required most persons, whom they employ, to have training in social service work or related fields including settlement house work, camp counseling, boy scout work and club work and it is common knowledge that persons from families of only average income can not afford to educate their children along these lines; therefore be it

Resolved (if the Senate concur), That the State Emergency Relief Board be directed to place in effect the following to minimize administrative costs and where possible provide employment only in families where needed,

1. That, on and after the first day of the month immediately following the passing of this resolution, no salary, wages or other compensation shall be paid out of any moneys appropriated to more than one person from a family consisting of his or her wife or husband, parents, children, brothers or sisters, who occupy the same domicile, and no salary or wages shall be paid out of any moneys appropriated to any person hereafter employed

unless he or she has been a resident of this Commonwealth for at least six months at the time of employment.

2. That, on and after the first day of the month immediately following the passing of this resolution, no salary, wages or other compensation shall be paid out of any moneys appropriated to any person, other than the director and six other employes selected by the director, if the combined total net income of such person and his or her wife or husband, parents, children, brothers and sisters, who occupy the same domicile with such persons, from sources other than such salary, wages or other compensation exceeds two thousand one hundred dollars ($2,100) annually.

3. That no moneys appropriated shall be paid for salaries, wages or other compensation to any person selected to fill any position after the passing of this resolution if a certain amount of scholastic training was required of the person as a prerequisite to qualifying for the position, unless such qualifications are specifically designated by act of assembly, nor to any person selected by written or oral examination to determine qualifications of applicants for such position, in which examinations questions having no direct bearing on the duties of the position are used.

4. That, commencing with the first day of the month immediately following the passing of this resolution, all salaries paid out of the moneys appropriated and made available for the payment of salaries, shall be limited as follows: The director only may receive a salary at a rate higher than five thousand six hundred dollars ($5,600) annually. Three (3) other employes may receive salaries at a rate not higher than five thousand six hundred dollars ($5,600) each annually. Three (3) other employes may receive salaries at a rate not higher than four thousand eight hundred dollars ($4,800) each annually. Three (3) other employes may receive salaries at a rate not higher than four thousand two hundred dollars ($4,200) each annually. Four (4) other employes may receive salaries at a rate not higher than three thousand eight hundred dollars ($3,800) each annually. Five (5) other employes may receive salaries at a rate not higher than three thousand four hundred dollars ($3,400) each annually. Six (6) other employes may receive salaries at a rate not higher than three thousand one hundred dollars ($3,100) each annually. Eight (8) other employes may receive salaries at a rate not higher than two thousand eight hundred dollars ($2,800) each annually. Twelve (12) other employes may receive salaries at a rate not higher than two thousand six hundred dollars ($2,600) each annually. Twenty-five (25) other employes may receive salaries at a rate not higher than two thousand four hundred dollars ($2,400) each annually. Forty (40) other employes may receive salaries at a rate not higher than two thousand two hundred dollars ($2.200) each annually. No other employes may receive salaries at a higher rate than two thousand one hundred dollars ($2,100) each annually.

5. That in no event shall over seven per centum of the total amount appropriated for use by the SERB for any month after thirty days after the passing of this resolution, be used to pay all administrative expenses of any kind whatsoever.

Referred to the Committee on Rules.

ANNOUNCEMENTS

There will be a Democratic caucus immediately after this session in the House caucus room.

There will be a Republican caucus immediately after this session in the Senate caucus room.

LEAVES OF ABSENCE

Mr. KELSO asked and obtained leave of absence for himself for the remainder of the week.

Mr. GEORGE E. DOWNEY asked and obtained leave of absence for himself for the remainder of the week.

BILL INTRODUCED

Mr. WEISS asked and obtained unanimous consent to introduce a bill which was filed with the Clerk.

RESOLUTION NO. 31

Miss BRANCATO asked and obtained unanimous consent to call up Resolution No. 31, Printer's No. 163.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives,
June 22, 1936.

Whereas, The cost of transportation of pupils to the school districts in Philadelphia County is a matter of grave concern to its citizens, and it is believed that it is far greater than the circumstances require, therefore be it

Resolved (if the Senate concur), That the Public Service Commission of Pennsylvania is hereby requested to make an investigation, through its existing facilities with the view of ascertaining whether, on the basis of valuation and income or on any other basis, the street railway companies operating in Philadelphia County may be required to issue tickets for school pupils only, at a rate not to exceed twenty-five cents ($.25) per week.

Ordered that the Clerk present the same to the Senate for concurrence.

RESOLUTION

Mr. FITCH asked and obtained unanimous consent to offer a resolution which was filed with the Clerk under the rules.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 8:00 p. m. Are there objections? The Chair hears none and declares a recess until 8:00 p. m.

AFTER RECESS

The House reconvened at 8:00 p. m.

The SPEAKER (Roy E. Furman) in the Chair.

BILL REFERRED

Mr. WEISS. HOUSE BILL No. 161.

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes.

Referred to the Committee on Appropriations.

RESOLUTION REFERRED

By Mr. FITCH. RESOLUTION No. 38.

In the House of Representatives, July 8, 1936.

Whereas, The Constitution of Pennsylvania makes it mandatory that after each United States Decennial Census, there shall be made a reapportionment of the State Representative Districts so that there shall be one representative for each ratio of one-two-hundredths of the total population of the State; and

Whereas, In the City of Philadelphia there are twenty-seven Representative Districts having a total of forty-one Representatives; and

Whereas, The City of Philadelphia had at this last United States Decennial Census, a population of approximately two million people there should be one Representative for approximately each fifty thousand persons; and

Whereas, In the City of Philadelphia at the present time, there are a number of Representatives who represent a district having a population of only fifteen thousand; and

Whereas, In other Representative Districts in the City of Philadelphia, there are Representatives who represent as high as one hundred and fifty thousand persons; Therefore be it

Resolved, That the Speaker of the House of Representatives appoint a committee of five (5) members who are from the City of Philadelphia, to make a survey and plan of reapportionment of the Representative Districts of Philadelphia and to submit such survey and plan with their recommendations to the next session of the General Assembly.

Referred to the Committee on Rules.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 60

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 8, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 60, Printer's No. 157, entitled, "An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public non-sectarian libraries Pennsylvania State Library public non-sectarian libraries and public school libraries damaged or destroyed by flood and providing procedure to ascertain the amount of damage."

GEORGE H. EARLE

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 76

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 8, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 76, Printer's No. 67, entitled, "An Act to amend section eight of the act approved the nineteenth day of January one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws two hundred eighty-six) entitled 'An act making appropriations out of the State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments' by imposing a time limit within which counties cities boroughs incorporated towns townships school districts and poor districts may obtain reimbursements for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects."

GEORGE H. EARLE

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was aread as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL NO. 109

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 8, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 109, Printer's No. 153, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE

RECONSIDERATION OF VOTE

Mr. SHORTZ. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. SHORTZ. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SHORTZ. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 2 of title, by striking out the word "erect" and insert in lieu thereof "provide for protection against floods by erecting and constructing certain works and improvements located within or without their territorial limits and within or without the county in which situate; and to expend moneys and incur indebtedness, to assess benefits against property benefited to issue improvement bonds imposing no municipal liability, and to acquire, take, injure or destroy property for such purposes"

Amend title, page 1, line 5 of title, by striking out the words "dykes, river bank pro-"

Amend title, page 1, lines 6, 7 and 8 of title, by striking out all of said lines

Amend bill, page 1, by inserting after line 5, the following sections: "Section 2. Any municipality may erect or construct dykes, river bank protection and other flood control works, and may widen, deepen, straighten and otherwise improve the channels and banks of creeks, streams and rivers within or without its territorial limits, and within or without the county in which such municipality is situated, if such works and improvements will be of benefit to the municipality providing the same, and to the inhabitants thereof."

Any two or more municipalities may jointly erect, construct and provide such works and improvements within the territorial limits of any municipality joining or within the territorial limits of some other municipality and within or without the county in which such municipality or municipalities are situate.

No such works or improvements shall be erected under the provisions of this act in any municipality not joining in the erection or construction thereof, unless such municipality shall first consent thereto.

Nothing contained in this section or in this act shall be deemed to authorize any municipality to erect or construct any dam for flood control or other purposes.

Section 3. No such works or improvements involving an expenditure by any municipality or municipalities of more than three hundred dollars ($300) shall be erected, constructed or provided, except by contract let to the lowest responsible bidder after due advertisement once a week for two successive weeks in at least one newspaper of general circulation: Provided, however, That no contract shall be required to be let for the performance of the work on any such work or improvement where the cost of the labor shall be paid by the Federal Government or

any agency thereof, without cost to the municipality or municipalities.

Section 4. Any municipality may expend public moneys and may in accordance with existing law, incur or increase its indebtedness for the purpose of erecting, constructing and providing such works and improvements in accordance with the provisions of this act.

Section 5. Any municipality shall have power to acquire any private property, easements or rights of way deemed necessary for the erection or construction of any such works or improvements by purchase or by the right of eminent domain, and shall have power to enter upon, injure and destroy any private property deemed necessary. The proceedings for the condemnation of property and for the assessment of damages to property taken, injured or destroyed shall be in accordance with existing law providing for the assessment of damages and benefits where property is taken, injured or destroyed by such municipality for municipal purposes.

Section 6. Any municipality shall have power to provide for the assessment of benefits against private property located within its corporate limits, benefited or to be benefited by such works or improvements. No assessment of benefits shall be made against private property unless, in the opinion of the board of viewers making the assessment, such property will be benefited by the prevention or lessening of future flood damage. The fact that private property has been damaged by flood, arising directly or indirectly from the waters of the creek, stream or river on which the work is being done or improvement provided, shall be conclusive evidence that benefit will accrue to such property by reason of the works or improvements to be provided under the authority of this act. No exemption from benefits shall exist for any private property by reason of the fact that the same does not abut on any such work or improvement or on the creek, stream or river carrying the flood waters.

Section 7. The court of common pleas of any county shall, upon the petition of any municipality located within such county, appoint a board of three viewers from the county board of viewers, whose duty it shall be to assess all benefits to private property to be occasioned by such works or improvements after the same are completed. It shall be the duty of the authorities of any such municipality to furnish to each board of viewers so appointed, a complete set of any official plans which it may have adopted, showing the proposed works and improvements and the private property within its corporate limits which will be benefited by such proposed works or improvements.

Section 8. The viewers having been duly sworn or affirmed, faithfully, justly and impartially to decide and a true report to make concerning all matters before them or to be submitted to them, and in relation to which they are authorized to inquire, and having viewed each parcel of private property which it appears will be benefited, shall hear all parties and their witnesses, and shall determine the benefits, if any, to accrue to each such parcel of private property, and shall prepare a schedule of such property, showing the amount of benefits assessed against each parcel of property.

Section 9. The viewers shall give notice to all persons against whose property benefits have been assessed of a time and place when and where the viewers will meet and exhibit their schedule, and hear all exceptions thereto. Such notice shall be given by registered mail, addressed to the last known post office address of the owner or reputed owner of the property, and by publication once a week for two weeks in at least two newspapers of general circulation in such municipality or in the county, if so many be published therein. The failure of an owner to receive the registered notice shall not be deemed to invalidate the proceedings, but in such cases the notice by publication shall be deemed sufficient.

Section 10. After hearing all parties and their witnesses and after making whatever changes in their schedule are deemed necessary, the viewers shall prepare a revised schedule of benefits to private property and file a copy of the same in the court of common pleas of the county. When the report of viewers is filed, it shall be confirmed nisi, and notice thereof shall immediately be given by the board of viewers by publication once in the newspapers in which the notice of the hearings before the viewers was published. Such notice shall state the date of the filing of the report, shall contain the schedule of property assessed, and shall state that unless exceptions are filed thereto, or an appeal to the court of common pleas is taken therefrom, within thirty days from the filing of the report, the same will be confirmed absolutely.

Section 11. Within thirty days after the filing of the report of viewers, any person interested may file exceptions to the same or may appeal to the court of common pleas and demand a jury trial.

Each person filing exceptions or taking an appeal, shall except to or appeal from so much of the report only as affects property in which he has an interest, and the part of the report of the viewers not excepted to or appealed from, shall be confirmed absolutely after said thirty day period.

Section 12. Where exceptions to a report of viewers are filed, the court shall proceed to hear and determine the same in the manner exceptions to reports of viewers are generally proceeded with within the county. Where an appeal is taken, it shall state the grounds upon which it is taken and shall be accompanied by an affidavit that it is not taken for the purpose of delay, but because the appellant believes that injustice has been done.

Upon the trial of any appeal, or the hearing of any exceptions, in case the appellant or party excepting does not obtain a verdict or decree more favorable than was the report of viewers, he shall not recover any costs.

The court of common pleas shall order what notices shall be given in connection with such proceedings, by exceptions or appeals, and may by rule or otherwise, prescribe the form of the pleadings.

The court may also, in proper cases, consolidate proceedings by exceptions or by appeals, into a single proceeding.

Section 13. Any person aggrieved by an order of court upon exceptions filed or the determination of the case where a jury trial was demanded, may, within thirty days after such final order or determination and not thereafter, appeal to the Supreme or Superior Court, as the case may be.

Where an appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court, and the appeals in both cases are substantially the same or involve the same questions, the Superior Court may certify such appeal to the Supreme Court to be heard with other appeals from the same report.

The Supreme or Superior Court shall consolidate all appeals coming before it from the same report and hear them as one case except that cases arising from exceptions shall not be consolidated with those arising from appeals.

Where an appeal is taken to the wrong court, such court shall certify the same to the court to which it should have been taken.

Section 14. All assessments of benefits shall become due and payable to the municipality when the works and improvements have been completed, which date shall be fixed by the official order of the corporate authorities of the municipality, notice of which order shall be published by the board in the newspapers in which notice of the hearing before the viewers was published, by one insertion.

Any person may pay any part or all of the benefits assessed against him to the municipality before the due date thereof. If such payment is made within one month after the amount of the benefits have been finally ascertained, a discount of ten per centum of the amount thereof paid shall be allowed. All benefits or any part thereof, paid after such one month period and before the date of the completion of the works and improvements, shall be subject to a discount of five per centum of the amount paid. All assessments of benefits or parts thereof, remaining unpaid when the improvements are completed, shall bear interest at the rate of six per centum per annum from the date of the completion of the works or improvements until paid.

The municipality shall send by registered mail, addressed to the last known post office address, a statement of the amount due by each person, after the same

has been finally ascertained, together with a notice of the discounts allowed by this act for prompt payment, and when, or approximately when, interest will be added to the amount due.

Section 15. All assessments for benefits against private property shall remain a lien thereon from the time the report of viewers is filed in court until paid, unless the liens thereof be lost by failure to revive the same. It shall be the duty of the municipality within six months after its order that the works and improvements have been completed, to file in the office of the prothonotary of the proper county, liens for all benefits assessd which remain unpaid. But no such lien shall be filed unless the municipality shall first notify by mail, addressed to the last known post office address of the owner or reputed owner of the property against which an assessment has been made, of its intention to have said lien filed if payment of the amount due is not made before a time prescribed by the municipality. Such lien shall be filed in the same manner as is provided by law for the filing of municipal claims and shall have priority over all other liens, except taxes and other municipal claims, and except also mortgages and judgments of record prior to the time the report of the viewers was filed in court.

Such liens shall be revived, prosecuted to judgment, executed and collected by the municipality in the same manner in all respects as is provided by law in the case of municipal claims.

Section 16. In order to enable municipalities to erect and construct the works and improvements authorized by this act, if benefits are to be assessed against private property as herein provided, the municipality may issue improvement bonds based solely upon the assessment of benefits made or to be made by reason of such works and improvements and imposing no municipal liability.

Section 17. Nothing contained in this act shall be construed to repeal the provisions of any law, the enforcement of which is vested in the Department of Health or the Sanitary Water Board, or the provisions of any law, the enforcement of which is vested in the Department of Forests and Waters or the Water and Power Resources Board.

Amend bill, page 1, lines 6 and 7, by striking out both of said lines

Amend bill, page 2, lines 1 to 28, by striking out all of said lines

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

REQUEST TO MAKE STATEMENT

Mr. WICKERSHAM. Mr. Speaker, I ask the unanimous consent of the House to make a statement.

The SPEAKER. Will the House give its unanimous consent to the gentleman from Dauphin to make a statement? Are there objections?

Mr. AUKERMAN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

QUESTION OF PERSONAL PRIVILEGE

Mr. WICKERSHAM. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WICKERSHAM. Mr. Speaker and members of the House, as a member of this House, I feel that I might be open to serious criticism on the part of the people living within the district that I represent who are on relief and without funds if I did not make every effort within my power to provide some immediate relief for them.

I understand that this House is about to adjourn in a few minutes without doing anything today for the immediate aid of those who are in distress and are without any funds.

Now, this House can and should do something, and the only thing that this House can do is to transfer some funds for the immediate assistance of those on relief.

I want to point out to you that even if the House and the Senate immediately agreed upon a tax program there could be no money made immediately available for relief without transfers, that no money could be made available, because it was only yesterday that a Democratic member of this House introduced a bill to provide for tax anticipation notes for—

POINT OF ORDER

Mr. AUKERMAN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Blair will state his point of order.

Mr. AUKERMAN. Mr. Speaker, I do not believe that the gentleman is speaking under the question of personal privilege. I request that the Chair read the rule in this matter.

Mr. Speaker, I withdraw my objection.

The SPEAKER. The gentleman from Blair withdraws his objection. The gentleman from Dauphin will proceed.

Mr. WICKERSHAM. Mr. Speaker and members of the House, it is my purpose to make my remarks as nearly non-political as possible.

I have no desire to attempt to place the blame for the present situation on one party or the other. I have no desire to place the blame on any individual member of this House. My only purpose is to try and provide immediate relief for the people in my district, who are cut off and who have been cut off from their food orders all of this week, and the only way I see that I can be of any help to them is to try and persuade this House to transfer sufficient money to tide over until this compromise, which now seems very imminent, becomes a fact, and I regard that as my duty.

RESOLUTION

TRANSFERRING FUNDS

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to offer the following resolution and for its immediate consideration.

The SPEAKER. Will the House give its unanimous consent for the introduction of the resolution? Are there objections?

Mr. BURKE. Mr. Speaker, do I understand that the gentleman is asking unanimous consent to have the resolution read?

The SPEAKER. The gentleman has asked unanimous consent to offer a resolution?

Mr. WICKERSHAM. Mr. Speaker, I will change my

request and ask to have it read for the information of the House.

The SPEAKER. The resolution is not a privileged resolution.

Mr. BURKE. Mr. Speaker, I object.

The SPEAKER. The Chair hears objections.

RULES SUSPENDED

Mr. WICKERSHAM. Mr. Speaker, in order that this resolution may be considered immediately, I move that Rule 84 and Rule 14 be suspended so that this resolution may be given immediate consideration. Mr. Speaker, I ask for a roll call.

Mr. WOODSIDE. Mr. Speaker, I second the call for a roll call.

Mr. BURKE. Mr. Speaker, I withdraw my objection to having the resolution read.

The SPEAKER. The gentleman from Dauphin, Mr. Wickersham, asks unanimous consent to offer a resolution and have it read for the information of the House. Will the House give its unanimous consent? Are there objections?

Mr. PFAFF. Mr. Speaker, is it a privileged resolution?

The SPEAKER. It is not a privileged resolution.

Mr. PFAFF. Mr. Speaker, I object.

The SPEAKER. The Chair hears objections, and consent is not granted. Does the gentleman from Dauphin insist upon his motion to suspend the rules?

Mr. WICKERSHAM. I do, Mr. Speaker.

On the question,

Will the House agree to the motion to suspend the Rules 84 and 14?

Mr. JOHN E. BROWN. Mr. Speaker and members of the House, I just want to say that I do not think that this is any time to play politics. The treasury is empty. We have a lot of people in this State that need something to eat. Now, for God's sake forget politics, and if the gentleman from Dauphin has some method whereby we can get the money to take care of these people, why, vote for it, and put it across, and forget the politics.

Mr. COHEN. Mr. Speaker and members of the House, I wish to ask the Democratic majority to vote to suspend the rules of this House, which will enable the gentleman from Dauphin, Mr. Wickersham, to have his resolution read.

I feel sure that by the presentation of this resolution and the opportunity for this House to express its vote upon the resolution, when it is presented to this House for that purpose, we will then have a clear cut issue presented to this House and to the Commonwealth of Pennsylvania, whereby they can decide how the problem of relief can be met. I ask the membership of this House to aid in that effort by suspending the rules.

Mr. WICKERSHAM. Mr. Speaker, I withdraw my request for a roll call.

Mr. WOODSIDE. Mr. Speaker, I withdraw my second for a roll call.

On the question recurring,

Will the House agree to the motion to suspend Rules 84 and 14?

On a rising vote, one hundred and sixteen members, or more than a majority, having voted in the affirmative the motion was agreed to.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 8, 1936.

Resolved (if the Senate concur), That the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund from the Liquid Fuels Tax Fund, the sum of $1,000,000 for the purposes of making the same available for expenditure for unemployment relief purposes.

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation, (1) validating the action of the Governor and the fiscal officers in making the transfer authorized by this resolution; (2) appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of $1,000,000; and (3) providing revenue by taxation or otherwise to repay moneys transferred under the authority of this resolution from the Liquid Fuels Tax Fund.

Mr. WICKERSHAM asked and obtained unanimous consent for the immediate consideration of the resolution.

On the question,

Will the House adopt the resolution.

Mr. LaRUE. Mr. Speaker and members of the House,

We have been session nearly two months. When we came here we were told an emergency existed. We met that emergency temporarily by transfer of funds from various special funds available.

This House has passed revenue raising measures sufficient to carry the State safely into January or February, when the next regular session of the Legislature will meet. If these measures are not satisfactory to the conservative and reactionary Senate, then let them bring these measures out of committee and defeat them on the floor.

The apparently extremely conservative Senate has met this situation only by the transfer of funds, showing their willingness to deplete the State Treasury to the last cent. Should we continue to transfer funds, the State Treasury and all special funds will become exhausted and cause a complete breakdown of our various agencies, such as Mothers' Assistance, Old Age Assistance, and pensions to the Blind; also appropriations to our hospitals and school districts.

Surely these agencies are just as important and deserve as much consideration as unemployment relief.

The blockade by the Senate, under disguise, to save the taxpayer money is, in reality, a blockade to break down the present Administration.

I, therefore, feel justified in taking the stand that this emergency is to be prolonged indefinitely, a selfish motive by the so-called conservative Senate, for political purpose only.

I hereby serve notice that I will not support future transfer of funds in this session, and strongly urge the membership of this House to give this matter serious consideration, keeping in mind the motive of the reactionary Senate in back of it all.

Let's force the issue and compel this Senate to take action one way or the other, and not use the taxpayers' money and time by prolonging this session.

This situation can be met. Let them offer a compromise, as has been offered by Governor Earle and flatly refused.

I leave this matter to your judgment. Is the Pennsylvania Senate a legislative body or a body trying to build

up a Fall campaign at the taxpayers' expense, when they refuse to consider or duplicate the program offered them and frankly admit by the passing of resolutions transferring funds that revenue raising measures are necessary.

Mr. AUKERMAN. Mr. Speaker and members of the House, ever since we convened this session, we have been confronted with the same Republican stop-gap measures that we are confronted with at the present time, namely, the transfer of special funds to meet the emergency of the relief crisis which the State of Pennsylvania is now facing.

We have gone along with these measures up until the present time, until the special funds have been practically entirely exhausted. At the present time we are facing a crisis because the Highway Fund has been robbed. Measures have been introduced but no measures have been enacted by the Senate which will provide for the repayment of these funds.

I feel very strongly that we should not go into any further robbing of special funds, because it affects every citizen of our Commonwealth. It not only affects the people here in Harrisburg but our local school districts, our Mothers' Assistance Fund, our road building funds, and things of that kind.

I am asking the members at this time to join with me in voting down such a resolution, and thus put the Republican members on the spot and show exactly where we stand: we stand for the raising of taxes to provide for relief for the State of Pennsylvania and not for any further transfer of funds.

Mr. VanSICKLE. Mr. Speaker and members of the House, during the ten weeks that we have been here we have heard many discussions on the problem of relief.

However, the person most vitally interested in relief is the person on relief. It means his sustenance, it means his living, it means whether he shall exist in misery or whether he shall exist on the government requirements set forth by our State Emergency Relief Board.

It is about time that we took into consideration how these people who are on relief feel about this stop-gap legislation we have been indulging in. It has been my good fortune to talk with leaders of the unemployed movement, the members of the Workers' Alliance, the Unemployment League and other organizations representing the unemployed. They have this to say: they say that they would rather starve for three, four or five days or even a week than slowly starve over a period of six, seven or eight months. And my friends, that is the word of the people who are on relief. They have had a fine example during these past ten weeks of what they must go through. They must from day to day face the spectre of hunger and starvation in their homes. They have actually at this time been facing this prospect for two or three days without relief of any kind in sight.

My friends, if you vote for this piece of stop-gap legislation, you are simply putting that same problem before them. There is not a man in this House who would want to live from day to day, with that prospect always present before him, that perhaps tomorrow or perhaps next week it shall stop altogether.

It is not any fault of theirs that they are on relief; the work is not here. I am not going to enter into politics by saying that it was the Republican party that brought on the depression or that it is the Democratic party that is bringing us out of the depression. I am here to treat the facts as they exist. The fact is that these people need relief, they do not want the relief coming to them day by day, week by week, with three or four days without any sort of relief whatsoever. In other words, they are anxious to have a showdown, and so are we anxious to have a showdown.

Many of you men get on your feet and you say how you feel for the starving and how you want to feed the people back home, but I notice that many of those same men who get on their feet with sympathy for the starved, when it comes time for to vote for relief, they vote "no."

My friends, don't serve with the lips, serve with the heart if you intend to serve. If you do not intend to serve with the heart, don't try to serve with the lips. These people are the people who are interested. They are willing to have a showdown right here and now as to what they are going to get and when they are going to get it.

I think it is the duty of every member of this House, regardless whether he is a Republican or a Democrat, to fulfill the wishes of the people who are vitally interested in relief, namely the people who are on relief.

I, therefore, ask the members of the House to vote against any further transfers and insist upon a showdown and tell them exactly what they may expect.

Mr. GATES. Mr. Speaker and members of the House, I arise to oppose this resolution. I voted for the bills that Mr. VanSickle spoke about to raise revenue to take care of the hungry, the starving and the suffering.

I have heard a great deal of controversy, both pro and con, as to the amount of money that should be given over for taking care of the unfortunate people of the State of Pennsylvania, but I would very, very much rather vote for a few extra million dollars than see one person in our state starve. I think the transfer of these funds is only adding oil to the fire, because in the transfer of the motor and liquid fuel moneys you are stopping one of the greatest works within the confines of the Keystone State, and that is the building of country roads for the farmers of our state, and it is about time you stop putting the Highway Department in the red.

Indeed the members of this House have been going so far in the transfer of these sacred funds that they have transferred money from the Fire Insurance Tax Fund. They have, of course, repaid all these funds that they borrowed with the exception of the money from the Motor Fund.

I think it is about time that this House and the Senate get together, not only to give sufficient money for relief purposes, but to raise sufficient money to repay money that we honestly owe the Motor Fund, so I ask the members of this House, the Republican members especially, to vote against any of these resolutions that take out these funds that were raised for particular purposes; let us stop this fooling and get down to hard work.

Mr. HOMER S. BROWN. Mr. Speaker and members of the House, I am opposed to this resolution not because it transfers money from one of the prohibited funds or specialized funds, I, for one, believe that no funds in the hands of the Treasurer of the State of Pennsylvania are so sacred that they cannot be given to those who are starving.

On the other hand, Mr. Speaker and members of the House, I am fully conscious of the fact that hundreds, thousands of people in the state of Pennsylvania tonight

have their eyes turned toward this General Assembly, and rightfully so.

For ten weeks we have heard speeches and figures on top of figures. We have been here and we have accomplished practically nothing.

We do not need to be disturbed about the starving people, for I am firmly of the opinion that when people feel that those who are representing them have failed to represent them, they will take the government in hand and put others in who will represent them. I feel that the verdict in this matter is entirely in the hands of the people, so that they will render a true decision and the decision will be something like this: There is sufficient money in the State of Pennsylvania to feed them, and they will find out why that money has not been forthcoming.

When they render that verdict the handwriting on the wall will show those who are guilty of withholding these funds, and I am firmly convinced that they would rather see us stay here until the General Assembly meets in January than to put them in the position of looking forward every week to find out whether or not we are going to transfer from week to week and from day to day the money to meet the needs of the starving people.

I say to you, Mr. Speaker and members of the House, that I, for one, have firmly made up my mind to vote for no more transfers, and I am going to go back home and face the starving people in my community, and I believe they will agree with me when I say we have stooped low enough because of this industrial autocracy, that we have to depend upon assistance from the state, but we will not stoop low enough to return to this Hall those who are responsible for this situation, and as a result we do not know from day to day where our sustenance is coming from. In fact, Mr. Speaker, I think that I voice the sentiment of the people when I say that we should stay here and that we should not vote for any more transfers, and if we do not get the tax bills out of the Senate, then the people will come here and get them out themselves.

Mr. ALEXANDER. Mr. Speaker, I arise in opposition to this resolution, and in doing so I want to further bear out my colleague, Mr. Gates, in the statement as to how it affects the counties in their present road building programs.

Last week I spent fully two hours with our board of commissioners, discussing a subject that is very vital to Mifflin County, and that subject was that we have the opportunity of spending in our county $41,829 on a piece of road, which is very necessary in our county and which will be financed by the Federal Government along with State funds. There is a measly $2000 damage to be paid by the County Commissioners of our county and we will receive in return, a piece of road that will give to us $41,829 in value.

The County Commissioners were fair, and they produced at that time a letter from the Liquid Fuels Tax Board, in which it was stated that it was absolutely impossible for the county of Mifflin to receive the funds that it is entitled to out of the Liquid Fuels Tax and inasmuch as our county has already established its budget and is working on that budget, with the amount of money included in that budget to be received from the Liquid Fuels Tax Bureau, they are absolutely unable, financially unable, to furnish the necessary funds to expend in our county the sum mentioned.

Now, we can't continue on indefinitely transferring funds. That is the situation in Mifflin County, and I dare say if each and every one of you will meet with the board of commissioners in your home county, you will find exactly the same financial condition in which they find themselves.

We are not only not helping permanently those who are on relief, but we are making it impossible, through the continuous transferring of funds, for the unemployed to have any work, because of our continually setting aside funds out of special funds. It is absolutely necessary right now for the House to go on record and make it known definitely to the citizens of Pennsylvania that they are not any more interested in transferring funds; that they are absolutely going to face the issue as it exists and act accordingly, like men, not like children afraid to face the issue. Let us stand together and defeat this motion and in doing so we are placing ourselves once and for all before the citizens of Pennsylvania as a body capable and well able to do the job for which we were sent here.

Mr. WICKERSHAM. Mr. Speaker and members of the House, I am not one those members who has more concern for an automobile than for somebody who is hungry. The only issue that is before us tonight is whether or not you want to let the people of Pennsylvania who are on relief starve. Your vote tonight will be an answer to those people, whether or not you want them to starve for the next week.

There has been a great deal of talk about stop-gap legislation, but I want to point out to you that even if the Senate and the Governor agree immediately on how much shall be appropriated, and even if they pass these tax bills as speedily as possible, there can be no relief until late next week without transfers.

There can be no relief because we have just begun to start in motion the machinery for selling tax anticipation notes and until that act passes this House and passes the Senate and is signed by the Governor, no money can be raised through the sale of those notes, and until that time, unless you transfer the money, there won't be any food for the people of Pennsylvania, who are starving, and that is the issue which is before us.

It does not require any great foresight to see that that figure is about to be agreed upon between the Governor and the Senate. The evidence of it is practically before us. The Senate is going to stay here all week, and I for one feel certain that in a very short time the Democratic Governor will agree with the Republican Senate on what the amount is that is needed. The question now is, what are we going to do until that money can be given to the people, the only thing that we can do is to transfer sufficient money to tide over that period. As soon as those tax anticipation notes are sold, that money can be returned to the Liquid Fuels Tax and within two or three weeks that should be done. And no automobile is going to be cut off the highways in that short time.

I have also heard a great deal said by the other side of the House about stop-gap legislation, about the fact that we have been here for ten weeks. Surely, it is just too bad that we have been here for ten weeks in trying to solve a very important problem like this one. If we had passed what the Democratic Governor wanted in about two weeks, we would have appropriated seventy million dollars and if we could have relied on the Democratic Administration and its leadership, we might have been justified in accepting their figures, but the uncontradicted

facts show that the Democratic Administration in Pennsylvania when it called this special session did not know anything about the relief problem. The Governor himself came in some time afterward and admitted that his figures were too high, and he agreed that they could be cut down to fifty-five million, and now, if the newspapers quote him correctly, I believe he states that even that figure is wrong and that forty-nine million and some hundred thousand dollalrs will be enough. Is it any wonder with an administration like that, we have to stay here for ten weeks to try and solve the problem.

And now, you men may like to pass tax bills, you may like to stick unnecessary levies and unnecessary burdens upon the people of Pennsylvania, but there are other men who do not. I, for one, am ready to support a tax program as soon as we know what amount is needed for relief, but that is not the question that we are called upon to decide in this resolution. The thing that we are called upon to decide is, are we going to take care of the people that are hungry for the next week, until we can get together and finally solve this matter. If you vote "no" on this resolution, you will say to the people in your community that you are going to let them starve until the compromise is reached. I, for one, submit to this House that we should pass this resolution and take care of the needy in Pennsylvania pending final settlement of this dispute.

Mr. Speaker, I ask for a roll call.

Mr. ANDREWS. Mr. Speaker and members of the House, it was my portion some three years ago to rise on the floor of this House upon a somewhat similar occasion. The majority members of this Assembly had defeated measures designed to install an old age pension system. The question before the House was the appointment of a commission to study the situation. I said then that the hour of retribution had arrived and I said that we were witnessing the passing of power from what was then the major group to what was the minority group. And that prediction came true. We have likewise tonight arrived at the hour of retribution. Just as three years ago, it was proposed to establish a commission to assist the aged, it is now proposed to toss them a million dllars and it is proposed to toss them a million dollars as the foretaste of the program of unemployment relief, based upon what? Upon anything from twenty-one million dollars to fifty-five million dollars, with the controlling opinion in one branch of this House apparently veering in the direction of twenty-one millions. I said to some of my colleagues several weeks ago that we were not fighting the issue of transfers, that the question pending before the General Assembly was properly the entire amount, and that by a system of transfers, it was being proposed that the entire amount be cut down. If the gentleman from Dauphin was prepared to come before this House speaking with authority, if he and those who serve with him would enact legislation in a certain definite amount, we could go along with his proposition if the amount was within reason, but there has been no such proposal.

Mr. Speaker, I would like to interrogate the gentleman from Dauphin.

The SPEAKER. Will the gentleman from Dauphin, Mr. Wickersham, permit himself to be interrogated?

Mr. WICKERSHAM. I will, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, the gentleman from Dauphin made some reference to tax anticipation notes. Against what would he issue the notes?

Mr. WICKERSHAM. Mr. Speaker, in answer to the gentleman from Cambria I would say that it is my impression that there are a number of revenue raising bills held within the Senate and the tax anticipation notes will be against these revenue raising bills that are passed by the Senate when concurred in by this House.

Mr. Andrews. Mr. Speaker, may I ask what revenue measures now pending in the Senate received the benefit of the gentleman's support.

Mr. WICKERSHAM. Mr. Speaker, in answer to the gentleman from Cambria, I will be very happy to make my position clear on the revenue bills to which he refers. I consider that the Democratic majority in this House put the cart before the horse. I think the proper procedure is to first decide definitely and finally the amount that is due and then have revenue bills passed to raise that sum, and when the same is agreed upon, I can assure the gentleman from Cambria that I will support the tax program that is agreed upon between the two Houses.

Mr. ANDREWS. Mr. Speaker, the gentleman from Dauphin takes the unusual position that until a definite amount has been agreed upon no tax legislation could be passed, and since we have been in an impasse as to the total amount of tax legislation necessary, evidently his program would call for a continual session of this legislature from now until next Christmas, doling out a milion dollars a week to the suffering and the unemployed.

I wish to repeat, Mr. Speaker, that we are not taking this stand against transfers lightly. We are taking the stand against transfers, I repeat once again, because of the issue involved in the total relief program. If we can have from any source authoritative assurances that the total program will be adequate I could see some sense in continuing piecemeal allotments. We have to face the issue as to whether the level of relief is to be reduced, we have to face the issue as to whether the amount is to be reduced, and the only way to compel action as to the amount of relief in specific cases, the level, the standard of relief as well as the total amount—the only way in which it is possible to get a speedy decision is to stand against transfers, because the gentleman from Dauphin knows there is not a single bill on the Senate calendar that cannot be sent back to committee, and he, as well as I, is aware of the interests that within the last few days have arrayed themselves against specific bills on the Senate calendar, and he knows now that the other chamber of this Legislature is in serious doubt as to whether there is a single one of those tax bills that can command a majority. So until the gentleman from Dauphin and his colleagues can come with some assurance as to the total amount and the standard, he can come with some expectation that his program will receive consideration.

Mr. TURNER. Mr. Speaker and members of the House, I had hoped that the debate on this subject tonight would be confined to the real issue and to the statement of the gentleman from Dauphin and perhaps an answer on the other side. I can see no reason why in the determination of this question we should stray away from the real issue, which I think the gentleman from Cambria has stated in part, when he said that on his side of the House, the majority in this House felt that they should stand

and oppose any transfers of any kind, even if the people in Pennsylvania did not receive their checks for their relief. I will not go so far as to say, "to starve", because I do not believe the people of Pennsylvania are going to starve, no matter whether they receive their checks or not, but we have been served notice by the relief administrator that all the moneys have been exhausted and that all relief in Pennsylvania has stopped, and the issue, therefore, is whether the democratic majority in this House, following the statements that have been made here upon this floor, are going to let relief in Pennsylvania stop and continue in that condition not for tomorrow or the next day but for a number of days—I am not as optomistic as the gentleman from Dauphin, that this question can be solved as quickly as the next week—or whether you are going to do as the gentleman from Dauphin proposes: Make an appropriation that will at least carry us through the next week, until we see what the real picture is.

I said I would not want to debate this question upon any other issue, but there have been certain issues raised here in the remarks that have just been made. I agree with the gentleman from Dauphin that not only had you the cart before the horse but that you have not undertaken the very fundamental things that were necessary before you determined upon a tax program.

On May 12, 1936, I introduced a resolution in this House calling attention to the fact that the State Emergency Relief Board had paid out what had been estimated as the sum of $10,000,000 to take care of workers on WPA projects during the time that they were on those projects and until they had received their pay. I called to the attention of this House the fact that the Federal Government had said that they were going to take care of employables and that it was patent upon the relief rolls of Pennsylvania that there were thousands of employables that were being paid by relief checks gotten from the treasury of the state of Pennsylvania. If you take the figures for relief for the last year, you will find that we agreed to appropriate the sum of $60,000,000, or $5,000,000 a month, on the direct promise of the relief administrator in Washington that all sums in excess of that amount would be taken care of by the Federal Government, and yet after May, I think it was the middle of May, we had not only expended that $60,000,000 but we had expended something like $67,000,000 on relief in Pennsylvania and we still had six or seven weeks to go to carry relief in Pennsylvania. I suggested in my resolution that the Relief Board and the Administration in Pennsylvania go to Washington and see whether the Federal Government would keep its promise to Pennsylvania and return some of this money, which amounted to somewhere in the neighborhood of $25,000,000, to help us out.

The second thing that should have been done in this state since you are talking about things that should be done—the second thing that should have been done was to determine whether or not we could reduce the expenditures of the state. In other words, whether the budget for the biennium of 1935 to 1937 could not have been reduced, and I want to say to you that I think, without fear of contradiction, that it can be proven that the budget for the biennium of 1935-37 could have been reduced easily by the sum of $5,000,000. We know that the Administration is continuously adding employes to the rolls of state until the number is now beyond that which they had on the rolls when this Administration went into office.

This Administration could have done another thing that would have helped the situation and put this picture into proper shape. The revenues of this state, according to the report of the State Treasurer last week have not been collected as they should have been collected. I have forgotten the exact figure, but between the time of March 15th, when the returns were made on the Personal Property Tax, and the first of June of this year, something less than one million dollars have been collected under the one mill Personal Property Tax. Estimates for that tax for the year was something between ten and thirteen million dollars, and in spite of that and in spite of the fact that over three months have elapsed, something less than one million dollars have been collected by the Revenue Department of this State, and I know as a matter of fact, as hundreds of others know, that the statements that should have gone out from the Revenue Department after the fifteenth of March have not been going out and there are thousands of taxpayers in this state who have not received their settlements. Now, when we start to lay the blame at somebody's door, just consider the things that might have been done to relieve the tax load and get this picture in its proper shape before you begin to levy taxes upon the backs of the people of Pennsylvania.

The Governor has said in his radio address last Thursday when we think of the taxpayers we do not mean the same people that he does. Well, just consider the tax levies that have been made and find out if most of them were not consumption taxes that fall upon the backs of the average citizen of the state of Pennsylvania, and the measures that have passed through this House and the Senate—and the United States Treasury Department says that 50.3% of all the taxes levied are consumption taxes—so that they fall upon the backs of the average citizen.

Mr. Speaker and members of the House, as I said in the beginning I do not think that is the issue before us tonight. There is no use of our trying to place the blame on the Democratic party or the Democratic party trying to place the blame upon us. There is no use of our calling the Governor names or saying things about his departments for their failure to collect taxes. And there is no use of my saying anything about the leadership in this House on the majority side, in that it has failed to do those things that should have been logically done, in order to efficiently and intelligently approach the problem before us. The real issue as I see it, which, I believe, you and I must decide tonight, is whether we are going to have relief go out to these people during the next few days or whether we are going to sit here and not only wait until the program is determined upon, but if you carry out your threats, and the gentleman carries out his threat when he says that he is not going to vote for any transfers of funds, then I say to you there will be two or three weeks before the people of Pennsylvania receive any relief.

Therefore, I want to state to the members of the House that without any question of politics or partnership, with-

out any question of whether you are from the rural districts who feel that they ought to have this money for their roads, that it ought not to be taken away, that from my viewpoint the pure question is whether your people of this State are to have relief or whether they are not to have relief until such time as we can get through other measures, through the sale of tax anticipation notes and through the Treasury of the state of Pennsylvania.

Mr. SHUGARTS. Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Wickersham.

The SPEAKER. Will the gentleman from Dauphin, Mr. Wickersham, permit himself to be interrogated?

Mr. WICKERSHAM. Mr. Speaker, I will.

Mr. SHUGARTS. Mr. Speaker, I would like to ask the sponsor of this resolution how he voted on the transfer of $3,000,000, that was before this House on June 22nd?

Mr. WICKERSHAM. Mr. Speaker, if the gentleman does not know how to use the House History and the House Journal, I would ask him to come over and we will look it up together.

Mr. SHUGARTS. Mr. Speaker, I anticipated such an answer from the gentleman, but I would like to state that sometimes the histories are in error, and I would like to have him tell the House how he voted on this transfer.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Delaware, Mr. Turner, will state his point of order.

Mr. TURNER. Mr. Speaker, the interrogation of the gentleman from Clearfield is out of order.

The SPEAKER. It is entirely up to the gentleman from Dauphin whether or not he wishes to answer the question asked him by the gentleman from Clearfield.

Mr. WICKERSHAM. Mr. Speaker, I will be very glad to be interrogated by the gentleman. I would like to ask him to restate his question.

Mr. SHUGARTS. Mr. Speaker, I asked the gentleman from Dauphin, Mr. Wickersham, how he voted on the transfer of the $3,000,000 for relief when it was before this House on June 22d.

Mr. WICKERSHAM. Mr. Speaker, may I ask the gentleman whether or not that is the last resolution that was before the House?

Mr. SHUGARTS. Mr. Speaker, that was the last resolution that was before this House transferring funds.

Mr. WICKERSHAM. Mr. Speaker, I will have to inform the House that I am not positive, but my recollection is that I voted "no."

Mr. SHUGARTS. Mr. Speaker and members of the House, according to the Legislative Record, the gentleman is right. Now, we have been going along here transferring week after week on stop-gap legislation, money for relief, and that is something I have never been in favor of at all, but I have gone along hoping that this problem would be solved long before this time.

On June 22d, Mr. Cohen, the majority floor leader, introduced a resolution transferring $3,000,000 to the General Fund for unemployment relief, but the watch dogs of the treasury on the other side of the hall saw fit to reduce that amount, and then the newspapers told the people of Pennsylvania how the Republican Senate had saved them another two million dollars or another $1,500,000. Therefore, this resolution, coming from the gentleman from Dauphin, who opposed at that time the $3,000,000 transfer comes with not very good grace, I think, because had the former resolution gone through in its entirety, this situation would not be before the House today.

Therefore, while my county has been one of the worst hit by the depression, it is one of the largest counties per capita on relief rolls, I intend to vote against any further transfers of funds. In doing so I realize full well that someone may go hungry, and some of those may be some of my own friends and relatives,—they naturally would be,—but I am willing to stay here. The Senate has not given us any comprehensive program, any idea of what tax measures they are going to pass. They may now have tax measures on their calendar, but we have seen too often tax measures go back to committee.

After standing in the Senate last week and hearing many honorable members of the Senate say what they thought of the Democrats, I can in very good grace vote against any transfers and allow them to find this money out of the bills that we have sent over to them for that purpose.

Mr. DENT. Mr. Speaker and members of the House, we have heard so much about the cart before the horse that I just happened to think that in this modern day the drive on our vehicles is behind the motor.

It has been stated very emphatically awhile ago that the thing that was wrong was that we had not decided just how much we needed. May I say to you that when you state that you have saved sixteen million dollars, as I recollect very clearly from the statement, which I believe was also made by the gentleman from Dauphin awhile ago, that in a few weeks sixteen million dollars have been saved to the taxpayers: yes; you have saved sixteen million dollars in your own estimation, because that was the amount that the Governor himself said was not needed any more for relief, because the number of unemployed had decreased and it was not needed any more. But I would add seven million dollars to that, because the Senate has chiseled seven million dollars from their own program. So, seven and sixteen—you can take the credit for saving twenty-three million dollars.

I was in a moving picture theatre this afternoon and a news reel shown there was very enlightening to me. About a week ago we were presented with a little sticker. I preserved that sticker by placing it upon one of the desks in the House, where I could see it, and it says, "Retain America for Americans, buy American made goods and employ American labor," and then it goes on with some other story. This little news reel today showed one of the outstanding citizens of America, where he had spent four million dollars to bring back the ancient glories of a city in France with American money. We have fought here about tax bills and the men who fought those tax bills are very closely affiliated, I mean the corporations who have fought them are very closely affiliated with the companies represented by this American citizen, who has spent his money in France.

And now, gentlemen of the House, begging your pardon, and the lady from Philadelphia, we have heard something about a "long time" and I recollect the song. For ten long weeks we have been transferring funds, and for ten long weeks we have witnessed the boondoggling of the Senate, and I have come to the conclusion that maybe I might sponsor a project, a WPA project so that we can have a few new Senators to do some work. I honestly believe that the WPA workers contribute more for the

money they get than the Senate has in the past ten long weeks. I am satisfied, if you are satisfied, that only a certain amount is needed, and if the Senate would have passed the amount that they say was required—if they think that only twenty million dollars is sufficient, why didn't they pass the twenty million dollars, and if they think that only fifteen million dollars is sufficient why don't they pass fifteen millions dollars worth of taxes and then say, "We will give you no more," but they won't give us anything. They want every week to deplete the funds in our Treasury, to deplete the special funds so that work may not exist on the highways, so that more men can be thrown out of work every week. Instead of decreasing unemployment, they want to increase it. It is a scheme. As the honorable gentleman from Cambria has said, it is a scheme, but it is deeper than what we really think it is. It goes to the point that they themselves are satisfied to create more unemployment by depleting the funds, so that we can't do honest work on the highways. Up to the present time we have not got a cent, the Senate has not given us anything, and there is no assurance that they will pass any tax bills. Last week they saved the taxpayers several million dollars, and maybe they will cut it down twenty-five million next week for no reason whatever except that they can still deplete the Highway Fund, cut out more work and stop particular projects on the highway and give more inducements to keep us in session, which is getting to be a long drawn out boondoggling project.

Mr. COHEN. Mr. Speaker and members of the House, I, like my colleague from Delaware County, feel that we should stick to the pertinent issue in this problem, namely, are we going to feed the unemployed. The gentleman from Delaware possibly didn't want to go that far. I won't say, are those on relief going to receive their checks, I will go a little further. I will say are we tonight going to pass a transfer resolution which will enable the unemployed in this Commonwealth to be fed for one week?

Let us take the history of transfers as it has been established in this Commonwealth. In the extraordinary session of 1934 when the Commonwealth of Pennsylvania was confronted with the problem of feeding their unemployed, we met that problem by transferring funds. At that session the then minority took the position that transfers should only be made when they were accompanied by tax legislation. The then Republican majority didn't see it that way, and as a result in the extraordinary session of 1934 there were transfers made containing therein a pledge of repayment by a General Assembly that passed out of existence in December of that year.

In the regular session of 1935 the membership of this House again, due to the depletion of the funds in the general fund, resorted to transfers, and those transfers also contained a pledge for repayment of the money, and mark you all the money that has been taken out of the special funds by the Democratic administration, since its inception in 1935 have been repaid, except the moneys that have been taken out in this session. The balance that is now existing is the balance that has been existing as a result of diversions that were made in the extraordinary session of 1934 plus transfers that have been made at this extraordinary session. So far in this session we have indulged in three transfer resolutions: One for $3,600,000; one for $4,086,000, and one for $2,000,000. Each and every one of those resolutions contained a clause to the effect that the General Assembly pledged itself to pass tax measures to return those moneys to the several funds, and in each and every instance the membership of this House has stood by that pledge. For ten weeks that pledge has been flaunted in the face of the special funds and the people of the Commonwealth of Pennsylvania.

Today we are again requested to indulge in the transfer of $1,000,000 to feed the unemployed. But the problem we have today is a deeper problem than whether the unemployed shall be or shall not be fed for one week. The problem we have confronting us today is the problem of whether the unemployed will be fed for seven months, and in order to get the unemployed fed for seven months the membership of this House will not allow a stop-gap program to satisfy the unemployed for one week so that they would starve in the next seven months by pecunious appropriation on the part of the Republican leadership. The Republican Senate even now has adjourned. The problem of feeding the unemployed is not of concern to the Republican Senate apparently. Their problem is to see how they can starve them for seven months rather than to feed them for a week.

The Democratic membership of this House will not be taken in. The issue is clear cut and definite. Are we going to meet it today; are we going to stand on our two feet and assume the responsibility of government; are we going to meet the issue as it is presented; are we going to give to the people of Pennsylvania, security, security to know that during the next seven months the money will be forthcoming without stop-gap appropriation, as if this House were to meet in the morning and appropriate for them every evening? The problem is security, security for the people in their positions, in their homes, not for one week or two weeks, but security for seven months.

I ask the entire membership of this House to tell the people in Pennsylvania, tell tonight by your vote on this resolution; we will stay here this week, we will stay here next week, but when we act we will act on a program of security that will allow the people to go to their homes and to their children with the knowledge that the Commonwealth has done its duty.

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. COHEN. Mr. Speaker, I will.

Mr. TURNER. Do I understand from the remarks that the gentleman has just made that he concurs in what I understand is the general opinion expressed by the Democratic members of the House tonight that as stated by me a few minutes ago that you are opposed to any transfer of any money from any of the special funds?

Mr. COHEN. Mr. Speaker, the position that I have taken, and as I understand the position that the Democratic majority has taken is this; that when we know whereby these funds can be returned, when we know how the unemployed will be fed over a period of seven months, then the important problem is to feed them instanter, but to go into stop-gap programs without any definite knowledge as to when or where they will stop, or how long we will be able to continue, is in direct opposition of the sentiment on this side of the House.

Mr. TURNER. Will the gentleman from York please answer my question: Will you refuse to transfer any money from any special funds?

Mr. COHEN. We will oppose the transfer of any funds until tax measures have been passed that would compensate for those funds, the moneys that have already been transferred, and for the moneys that will be transferred by the instant resolution.

Mr. TURNER. Then do I understand that your answer is that you will agree to transfers when the tax bills have been passed, the appropriation bills likewise have been passed to provide for such moneys, that will have to be taken from the special funds.

Mr. COHEN. That is correct. That is absolutely correct, and we ask you to provide those bills.

Mr. TURNER. If the tax measures have been passed by next week will the gentleman still refuse to transfer moneys from the special funds?

Mr. COHEN. In answer to the gentleman from Delaware, I will say that until this General Assembly assumes its responsibility of government this House will not aid them in evading that responsibility which they are indulging in through transfers.

Mr. TURNER. I take it then the gentleman's answer is, "yes."

Mr. COHEN. Irrespective of how the gentleman desires to take it personally, my position is that this House will insist that tax legislation be passed to provide a permanent program of relief, to give the recipients of relief a certain amount of security not for a week, not for a month, but until the next General Assembly meets. When that program is fulfilled the majority in this House will gladly go along to meet the immediate requirements.

Mr. McCREARY. Mr. Speaker and members of the House, in a few moments I am going to be asked to vote "yes" or "no" on a resolution, and I have just about decided now how I intend to vote. In justice to myself it is only fair that I state some of the reasons why I vote as I do.

My mind goes back and so will yours if you will stop to think or rather better, turn back the pages of history, and you will find that about two thousand years ago there was a great multitude gathered to hear a great Teacher. The time came when they became hungry, and a search of all the resources at hand disclosed five loaves and three fishes. That great Teacher had the power to divide those five loaves and three fishes so that all that multitude was fed, and there were some fragments left over. Those fragments were gathered up so that nothing was lost.

If the members of this House draw on their imagination a little bit and picture 567,000 hungry people out in front of this Capitol, with a loud speaker out there, so that they were hearing everything that was said in this House, and remember that they were hungry, would they listen quietly to all this argument about the pro and con of the Democratic House and the division in the House—part Republican and part Democratic, and the Senate over on the other end of the House,—would they stand quietly by and listen and listen to all of this argument pro and con and be still while they were listening, if they were hungry? Can you imagine that great multitude of 500,000 standing out there quietly and listening? Not American people. That might have been done years ago in Jerusalem, but it wouldn't do in America today, with all of the evidence of the resources at hand to feed them.

Now, members of the House, I think it is time that we should just forget these little, petty differences of opinion, politics and all of that sort of thing, and that is what I am going to try to do. Years ago there rang out over this world a cry, "Am I my brother's keeper?" and you and I know what the answer was, and that cry is just as insistent today as it was then. But you know now that that cry can be answered right here and now by the members of this Legislature. How are you going to answer that cry? You know and I know that there is only one honest way to answer it and that is to furnish the food for these people, so that they need not go hungry. I am not thinking or talking about starving people, I do not think they will starve in a week, but they may be hungry, they may be half nourished, especially the children, and they are looking to this House for an answer to that question: "Am I my brother's keeper?" The way you vote on this resolution right here and now is going to be your answer, and that, members of this House, is why I am speaking or thinking about the 567,000 people out in front of this Capitol, with their arms upraised, asking for bread. Are you going to blame it on the Senate because they haven't got it? No. You do not need to blame it on the Senate. There is bread for them to have, and it depends on you how you are going to vote on this resolution. That is one of the reasons why I decided to vote "aye" on this resolution. If there is not another man in the House who votes "aye," I will vote "aye."

Mr. MASON. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. MASON. Mr. Speaker, may I first say to the gentleman from York that I am not interrogating him as the majority floor leader but as the Chairman of the Committee on Appropriations.

Will the gentleman from York state whether or not, if this resolution were passed tonight by the House and passed tomorrow by the Senate, whether or not there will be sufficient funds immediately available to meet the entire one million dollars called for by the resolution?

Mr. COHEN. Mr. Speaker, I have not seen the figures of the fund from which the resolution calls for a transfer. However, more than two weeks ago, when I presented the original resolution calling for the transfer of $3,000,000, at that time there was sufficient money in the Liquid Fuels Tax Fund. However, that fund, the Liquid Fuels Tax Fund, are the moneys which are returned to the local communities for work in the local communities, on the local community roads and streets, and are contributions by the Commonwealth for that purpose under the acts of Assembly. Whether in the present instance there is that money available in the Liquid Fuels Tax Fund, I cannot definitely state to the gentleman from Luzerne.

Mr. MASON. Mr. Speaker, will the gentleman from York state that if the money is in the Liquid Fuels Tax Fund, whether or not it could be used for the purpose of relief?

Mr. COHEN. Mr. Speaker, I would say that if the money is in the Liquid Fuels Tax Fund it could be utilized for the purpose of relief, and I will further state that is not the problem with which this House is confronted.

Mr. MASON. Mr. Speaker, will the gentleman from York state what estimated revenue is supposed to come from the act proposing an excise tax upon liquor?

Mr. COHEN. Mr. Speaker, the estimate upon that particular bill is $7,500,000.

Mr. MASON. Mr. Speaker, will the gentleman from York state what the estimated amount of revenue from the increase in the personal property tax is?

Mr. COHEN. Mr. Speaker, the estimated amount of revenue from the increase in the personal property tax, as estimated by the Department of Revenue, which composed one of the Administration's estimates was forty million dollars.

Mr. MASON. Mr. Speaker, will the gentleman from York state what is the estimated amount of revenue from the increase in the corporate net income tax?

Mr. COHEN. Mr. Speaker, the estimated amount of revenue which is based upon the same authority is ten million dollars.

Mr. MASON. Mr. Speaker, is the gentleman from York familiar with the fact that those tax bills are now upon the Senate calendar?

Mr. COHEN. Mr. Speaker, I am.

Mr. MASON. Mr. Speaker, will the gentleman from York state whether or not the revenue estimated from them, namely, the personal property increase plus the increase in the corporate net income would bring approximately forty to fifty million dollars?

Mr. COHEN. Mr. Speaker, it will not.

Mr. MASON. Mr. Speaker, may I ask the gentleman how much will be received from the bills as they are now on the Senate calendar?

Mr. COHEN. Mr. Speaker, as I understand the amendments that have been inserted by the Senate into the personal property tax bill, the estimated income has been so amended as to reduce the available income to the Commonwealth from forty million dollars to twenty-four and one-half million dollars and I further understood that the corporate income tax has been decreased from a gross of ten percent to a gross of eight percent, which cuts down that particular source of revenue for the Commonwealth from ten to five million dollars.

Mr. MASON. Mr. Speaker, the gentleman from York has stated that the Senate had adjourned without doing anything this evening. I ask the gentleman whether or not those two bills passed first reading in the Senate today?

Mr. COHEN. Mr. Speaker, I understand that they did.

Mr. MASON. Mr. Speaker, may I ask the gentleman from York one more question? Will the gentleman from York state whether or not all of the transfer appropriation acts passed by the special session do not have a provision therein for the repayment of the moneys taken from the special funds by the passage of this tax legislation?

Mr. COHEN. Mr. Speaker, I thought I clearly enunciated that in the valedictory. I said that at that time, in the special session of 1934, that those transfers did contain that particular clause, namely, whereby the General Assembly pledged themselves to return those special funds. I further stated that that was a pledge of the General Assembly that had passed out of existence, and I further explained that since the advent of the present Administration in 1935, all the transfers that had been made by this General Assembly, containing the pledge to return those moneys, have been met.

Mr. MASON. Mr. Speaker and members of the House, I arise to make a few brief remarks with reference to the passing of the present resolution. First, I call your attention to the primary fact that at the present time the present session of the Legislature is approaching, whether rapidly or not, an agreement as to the amount of taxes that are to be levied for unemployment relief. There is a discrepancy now between the Administration's figure as set at fifty-five million dollars and the figure as set by the Republican Senate, so called, of approximately forty-five million dollars. Included in the forty-five million dollars there is the excise tax on liquor. Let me likewise call your attention to the fact that the Democratic Senator for Fayette County in a speech before the Senate tonight, submitted his estimate as to the approximate amount of money needed for relief, and we hope and believe that he spoke for his Democratic members in the Senate, and his figure approached a sum between forty-eight and forty-nine million dollars. So that you can see that we are rapidly approaching an agreement on a figure. Now, because of the fact that this is a so-called stopgap piece of legislation, some of the members of this House perhaps feel that the resolution should not be passed, and I speak frankly not as a Republican, but as a member of this House, when I call your attention to the fact that there are some six hundred thousand people in the State of Pennsylvania on relief. I cannot believe the statement of the gentleman from Northampton, when he says that he spoke to the men who represented the six hundred thousand. I do not question his statement that he spoke to the men who represented unemployed groups, but I cannot believe that there are any men or women in this Commonwealth who can speak for those six hundred thousand who are on relief, and say they are willing to starve or they are willing to go without clothing, just because this resolution is a stopgap. That does not sound sensible and it does not sound sane. Why, our own daily papers are telling us that the Salvation Army Headquarters are now facing thousands of people today who have been cut off of relief and are coming to them asking for aid, until the Legislature does something. This may be a stopgap piece of legislation as you say. This may be only a temporary means. This may be a method which we should not follow as a normal course, but, nevertheless, facing the situation where there are bills totaling $35,000,000 on second reading in the Senate tomorrow, facing the situation where there are $7,500,000 of estimated receipts from the Liquor Excise Tax, which right now is a fact—and we say that we cannot pass stopgap legislation because we don't know whether any tax measures are going to be passed. That is not a sensible argument because it cannot answer the 600,000 who have been cut off relief. I do not believe that there is a single member from any rural county here, who can speak for all of the unemployed in his county, and say they prefer new road building while people go hungry. But I can point out to the gentleman from York, when he says, "Ah, no, we will pass such legislation after tax measures have been passed, we will then take it from the Motor Vehicle Fund, we will then take it from the Liquid

Fuel Tax Fund." It does not apply to the rural counties that way at all, and you will have to face that situation at the end of the week again.

Let me call your attention to the fact that the remarks which have been made before are absolutely correct. If we pass tax measures tomorrow, these tax anticipation notes cannot be sold, so that money cannot be realized for a week or so. We must pass a transfer resolution then. Whether or not the cart is before the horse is not of any consequence at all. We have to get money for relief, we have to get it now, and anybody who votes, "No" on this resolution is not voting that way because this is a stopgap, but he is voting against those 600,000 who have been on relief and who have been cut off.

Mr. TROUT. Mr. Speaker and members of the House, I hesitate to say anything on this subject because of the fact that a week or so ago I stated my position very definitely on any further transfers of funds either from the Motor Fund or the Liquid Fuel Fund.

I would like to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. TROUT. Mr. Speaker, I would like to ask the gentleman from York, Mr. Cohen, if I understood him properly when he said that the $3,200,000 that was transferred at the regular session of 1935 from the Motor License Fund, and the $1,000,000 transferred at the same session from the Motor License Fund, and the $2,000,000 transferred from the Liquid Fuel Tax Fund, have all been repaid.

Mr. COHEN. Mr. Speaker, I did not particularize as to the particular amounts. I generalized in the statement by saying that the moneys that had been transferred from the special funds in the regular session of 1935, which amounted to some $9,200,000 were repaid by this General Assembly either by taxation that had been created in the 1935 session—in the 1935 session we transferred to the special funds $9,200,000; we have repaid $15,703,000 to special funds from tax revenue measures that have been passed by this House in the 1935 session.

Mr. TROUT. In other words, Mr. Speaker, what the gentleman from York means, is that $15,000,000 was repaid to all other special funds from which we had transferred, but that only $2,000,000 was transferred to the Motor Fund or the Liquid Fuel Fund.

Mr. COHEN. Mr. Speaker, as I said I don't know exactly where and to what particular funds moneys repaid were applied. The point that I wanted to make was this: that this General Assembly has provided funds whereby the inroads into the special funds have been repaid out of tax measures that have been passed in this General Assembly.

Mr. TROUT. Mr. Speaker, I would just like to know whether or not the gentleman from York would not be more specific, whether he would not admit that out of the funds that we transferred out of the Motor License Fund and the Liquid Fuel Fund in 1935, in the regular session, only $2,000,000 was repaid.

Mr. COHEN. Mr. Speaker, since the gentleman from Lancaster undoubtedly has made a very intensive study on this particular point, I would be only too glad to accept his statement. But that is not the point that I desire to make. I desire to again reiterate what I presented to this House in response to possibly three or four interrogations, namely, that the total amount of moneys that have been diverted from special funds during the 1935 session, that total amount in dollars has been more than repaid to all special funds out of taxes created in the 1935 session.

Mr. COHEN. Mr. Speaker, I accept that statement as being correct. The only point I wish to make is that today in this motor fund there is a default of approximately $20,000,000 that has not been repaid.

Mr. SPEAKER, I would like to ask the gentleman from York, Mr. Cohen, whether or not it is correct that on July first there was remaining $3,316,211 that had been authorized to be transferred from the motor fund and has not been used for relief?

Mr. COHEN. Mr. Speaker, I don't know. I don't have that information available, but I would be more than glad to get it for the benefit of the gentleman from Lancaster.

Mr. TROUT. Mr. Speaker and members of the House, I don't believe that in discussing this question it becomes a matter of whether we would see people go hungry, or whether we would not. I am of the opinion that there is not a single member of the House that would do that if it could be avoided, but I want to further say on this particular resolution, taking into account the fact that I believe there is a practical solution in the making, that from my attitude of years standing I cannot vote to further transfer funds.

Mr. AUKERMAN. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Simon, McCreary, Coakley, VanSickle, Haberlen, James W. Patterson, Moomaw, LaRue, Eberharter, Andrews, Homer S. Brown, Finnerty, McHenry, Mooney, McElroy, Sarraf, Piole, Pearson, Coolahan, Stank, Pfaff and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. WICKERSHAM and Mr. BURKE.

Mr. WICKERSHAM. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—42

Atkins,	Habbyshaw,	Nothnagle,	Surface,
Baker, F. T.,	Hamilton, R. S.,	Roan,	Sweeney,
Bernhard,	Hermansen,	Schrock,	Turner,
Boose,	Jones,	Serrill,	VanAllsburg,
Boyer,	Kenney,	Shortz,	Wasserman,
Brennan,	Mallen,	Simpson,	Weidemann,
Cooper,	Mason,	Sloan,	Wickersham,
Cordier,	McCreary,	Snyder, F. E.,	Winner,
Davies,	McDevitt,	Sproul,	Woodside,
Duffort,	McKinney,	Stockham,	Yeakel,
Forrest,	Muir,		

NAYS—89

Achterman,	Decker,	Klingler,	Piole,
Alexander,	Dent,	Kobelak,	Powers,
Allen,	Diehl,	LaRue,	Reising,
Andrews,	Eberharter,	Long,	Sarraf,
Arnold,	Eroe,	Lovett,	Scanlon,
Aukerman,	Falkenstein,	Male,	Schaeffer,
Baine,	Ferko,	McDermott,	Shepard,
Baker, J. J.,	Finnerty,	McElroy,	Shugarts,
Bradley,	Fitch,	McHenry,	Siegel,
Brancato,	Flanagan,	Melchiorre,	Simon,
Brown, H. S.,	Flinchbaugh,	Mentzer,	Smith, J. A.,
Brown, J. E.,	Gates,	Moomaw,	Smith, W. G.,

Brownfield,	Gerard,	Mooney,	Stank,
Brumbaugh,	Haberlen,	Moran,	Stevens,
Burke,	Hagerty,	Munley,	Tronzo,
Cannon,	Hamilton, F. P.,	Nagel,	Trout,
Caputo,	Harkins,	Ominsky,	Tumelty,
Chervenak,	Holland,	O'Neill,	VanSickle,
Coakley,	Holstrom,	Patterson, C.,	Weiss,
Cochran,	Hoopes,	Patterson, J. W.,	Welliver,
Cohen,	Kilroy,	Pearson,	Welsh,
Coleman,	Kinney,	Pfaff,	Yourishin,
Coolahan.			

So the question was determined in the negative and the resolution was not adopted.

ADJOURNMENT

Mr. WELLIVER. Mr. Speaker, I move that this House do now adjourn until tomorrow at 2:00 P. M.

The motion was agreed to, and (at 10:59 P. M.) the House adjourned until Tursday, July 9, 1936, at 2:00 P. M.

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